

CMA to take action to give private patients access to information

- Private hospitals and consultants could face enforcement action for failing to provide key information for prospective patients
- David Stewart: “Prospective patients need this information to make important and, at times, difficult choices about their private healthcare.”

Some private healthcare providers have not been providing prospective patients with clear and consistent information that would allow them to compare providers, in breach of the Private Healthcare Order, the Competition and Markets Authority (CMA) has warned. As a result, the CMA is set to launch enforcement action.

To ensure people have access to clear and consistent information, the CMA issued the Private Healthcare Order in 2014 – a legally binding order that requires, amongst other things, providers to submit key data to the Private Healthcare Information Network (PHIN). PHIN collates and publishes this data online, allowing prospective patients to compare healthcare providers by important markers such as pricing, customer satisfaction and infection and success rates.

The order has been in place for several years and some providers have not supplied the information required, meaning patients are still unable to make meaningful comparisons when choosing their provider. As a result, the CMA is set to launch targeted enforcement action against a number of private consultants and hospitals.

The first step would be to name those in breach of the Order and then seek the swiftest possible way of addressing their non-compliance – this could be through voluntary commitments from the providers, or if necessary, the CMA could issue legally binding directions or begin court action.

David Stewart, Executive Director of Markets and Mergers, said:

Prospective patients need this information to make important and, at times, difficult choices about their private healthcare – and currently, they don't have the full picture.

We know this isn't an easy task for hospitals and consultants. However, hundreds of hospitals and thousands of consultants have already supplied the right information to PHIN. We thank them for working hard to meet this requirement.

There are still some providers that have failed to make any progress, or even attempt it. If they now show a commitment to making the changes needed, we will support them to achieve this, alongside PHIN. However, those that continue to fail to can expect

to face enforcement action.

All updates on this work can be found on the [Private healthcare market investigation](#) page.

Notes to editors

1. [PHIN](#) is the independent, government-mandated organisation publishing performance and fees information about private consultants and hospitals.
2. The CMA recently approved a new Strategic Plan proposed by PHIN to ensure the industry delivers full compliance with the Order.
3. The CMA has issued a letter to the private healthcare sector announcing it is set to launch enforcement action under the Private Healthcare Market Investigation Order 2014.
4. The CMA's Private Healthcare Market Investigation Order 2014 can be found [here](#).