



Updated frequent questions on integrity, transparency and obligation to pass on discounts for therapeutic products in track changes mode

Section IV.10

How are returns or exchanges of therapeutic products that are covered by the compulsory health insurance handled? What happens about delivery costs?

The exchange of goods without value for goods with value is not permitted under the TPA (see section I.B above). In this case, the duty to pass on advantages does not apply either. If goods that still have market value are taken back and the service provider is credited with the same amount as they were originally invoiced or the same quantity of identical items are exchanged, this does not constitute an advantage as defined under Article 56 paragraph 3 letter b HIA. However, if the conditions when the items are returned (refund/exchange) are more favourable than those granted to the service provider when the items were originally purchased, this does constitute an advantage.

If the delivery costs are covered by the supplier for returns:

- and they were covered to the same extent when the items were purchased, this does not constitute an additional advantage;

- and they were not covered when the items were purchased, this does constitute an advantage as the conditions are more favourable at the time of return.

Change of 14.09.2022