

# WEEKLY REPORT

09/07/2024



## **FEDERAL SUPREME COURT SEEKS A WAY OUT OF THE JUDICIALIZATION OF DRUGS AND ITS COST SHARE**

The ministers of the Federal Supreme Court (STF) are analyzing an agreement that aims to reduce the judicialization of drugs in Brazil and tries to better distribute the billion-dollar costs of lawsuits for the supply of medicines. What is at stake is the validity or not of the terms signed between the Union, States and municipalities that define the payment of the bill for drugs that are not on the list of the Unified Health System (SUS), but have already been approved by the National Health Surveillance Agency (Anvisa) and were requested in court by patients. If the agreement is validated, 3,848 lawsuits that were suspended will be processed again. The agreement provides, among other points, that the federal government will bear 65% of the costs and the state governments, 35%, in the case of medicines not incorporated into the SUS with prices ranging from 7 to 210 minimum wages (R\$9,884 to R\$296,520, in current values). Above 210 minimum wages, the full cost will be covered by the Union and below seven minimum wages the responsibility will be the States. In the case of oncology medicines, the division will be: above 210 minimum wages the responsibility will be the Union, and below, the States. Lawsuits filed before the agreement will be reimbursed by the Union in the proportion of 80% of the total amount paid by states and municipalities. [Read more.](#)

## **SUPREME COURT JUSTICE EXTENDS AUTHORIZATION FOR PURCHASE OF MILLION-DOLLAR DRUG FOR RARE DISEASE**

Minister Gilmar Mendes, of the Federal Supreme Court (STF), included children over 7 years old in the list of those who will not have their injunctions suspended for the supply, by the Union, of the drug Elevidys. The drug is used in the treatment of Duchenne Muscular Dystrophy, a rare disease. Previously, only injunctions granted in favor of children who turned 7 in the next six months and those granted by a Supreme Court justice were authorized. On August 27, Minister Gilmar Mendes granted a request from the Union and determined the suspension of injunctions granted against the Union for the purchase of the drug Elevidys, whose dose costs approximately R\$17 million. The suspension will be in effect until the conclusion of a conciliation between the Union and the pharmaceutical company Roche Brasil to negotiate the price and conditions of acquisition of the drug. At the time, the minister made exceptions to decisions handed down by STF ministers and decisions granted in favor of children who turned 7 in the next 6 months, counting from the publication of the decision. Now, Mendes has expanded access to the medicine to children over 7 years old. [Read more.](#)

## **ANS TO LAUNCH PUBLIC HEARING ON ALTERNATIVES TO REDUCE THE COST OF HEALTH INSURANCE PLANS**

The National Supplementary Health Agency (ANS) intends to submit changes to group and individual health insurance plans for public hearing this month, with the aim of reducing the prices charged by operators and addressing some concerns of the industry and supplementary health users. The "price combo" to be presented involves three pillars of the sector: transparency of adjustments and the grouping of group health plan contracts, as well as the possibility of technical review of adjustments to individual plans. The expectation is that the new rules will be completed by the end of the year, when the term of the current president of the agency, Paulo Rebello, ends. The issue has put pressure on the government and Congress. In May, the leader of the Chamber of Deputies, Arthur Lira (PP-AL), reached an agreement with the operators to stop unilateral cancellations of plans and to seek alternatives to mitigate the

imbalances in the sector. Health plan users, on the other hand, have demanded the convening of a Parliamentary Commission of Inquiry (CPI) to investigate the cancellations. [Read more.](#)

## **HEALTH PLANS HAVE NET PROFIT OF R\$5.1 BILLION FROM JANUARY TO JUNE THIS YEAR**

Health insurance companies had a net profit of R\$5.1 billion from January to June this year. This is the best economic and financial performance for a first half of the year since 2019, according to data released this Tuesday by the National Supplementary Health Agency (ANS), which takes into account the atypical profit of 2020, the year of the Covid-19 pandemic, when due to the suspension of elective services, the profit of the sector as a whole exceeded R\$11 billion in this period. According to the regulator, operators exclusively focused on dental services recorded a profit of R\$338 million and benefit administrators, R\$106.8 million. The sector recorded a net profit of R\$5.6 billion in the first half of this year. For the first time since 2021, medical and hospital operators closed the first half of the year with a positive balance in the difference between revenues and expenses related to healthcare operations, with the operating result being R\$2.4 billion. According to ANS, with this result, the segment is approaching the level of the years before the Covid-19 pandemic. The regulator's data also shows that the recovery in operating results occurred in all modalities, except self-management, which had an operating loss of R\$1.1 billion, similar to that recorded in the same period in 2023. [Read more.](#)

## **FEDERAL GOVERNMENT SPENDING ON HEALTH HAS NEVER BEEN HIGHER**

The federal government's spending on health has never been so high. It was likely to increase under Luiz Inácio Lula da Silva since the new fiscal framework returned to linking health spending to revenue; the government would not otherwise reduce so-called discretionary spending. It was 1.83% of GDP in the last 12 months. At the beginning of Lula's 3rd term, it was 1.37% of GDP. On average from 2009 to 2019, it was 1.47% of GDP. In cash terms, this was an increase of almost R\$60 billion since the beginning of this government, to R\$209 billion, excluding spending on salaries and pensions for civil servants (values adjusted for inflation). This is more than what is allocated to Bolsa Família, which received R\$171 billion in the last 12 months. [Read more.](#)

## **COMMITTEE PASSES BILL ON RULES FOR HEALTH ECONOMIC AND INDUSTRIAL COMPLEX**

The Constitution and Justice Committee (CCJ) approved this Wednesday (4) bill (PL) 1,505/2022, which encourages the development of the Health Economic and Industrial Complex (Ceis). The text, by Senator Eduardo Gomes (PL-TO), received a substitute from Senator Cid Gomes (PSB-CE), read at the meeting by Senator Rogério Carvalho (PT-SE). The matter goes to the Economic Affairs Committee (CAE). According to Eduardo Gomes, the project's objective is to reduce dependence on technology and production to meet the demands of the national health system. For the author of the proposal, the COVID-19 pandemic exposed the fragility of Brazil's health system, while countries that invested in scientific and technological training over the years responded more quickly and efficiently to the health emergency. Bill 1,505/2022 classifies the Ceis as the institutional, economic, productive, and technological basis of health. It comprises four subsystems: - chemical and biotechnology; - mechanics, electronics, and materials; - digital, information and connectivity; and - health services. The project foresees a series of mechanisms to stimulate the development and strengthening of the Ceis. Among them: the purchasing power of the State; tax incentives; financing for local production and innovation in health; improvement of the regulatory system; public-private partnerships; and technological compensation measures. Through these mechanisms, Ceis must achieve two objectives set forth in Bill 1,505/2022: meet the priority demands for production, technologies, and innovations of the Unified Health System (SUS), reducing its vulnerabilities and external dependence; and strengthen the national industry of health goods and services. Priority demands must focus on tackling diseases considered critical for the SUS and neglected

diseases. In addition, they must be geared towards serving vulnerable populations and preparing for health emergencies. [Read more.](#)

## **ICESP OPENS BONE MARROW TRANSPLANT CENTER WITH PROMISE OF CAR-T THERAPY**

Icesp (São Paulo State Cancer Institute) inaugurated the Bone Marrow Transplant Center this Thursday (5), with the presence of Governor Tarcísio de Freitas (Republicans). The expectation is that the new structure will perform 100 transplants per year, without the need for patients to travel to another care unit. According to the governor, there are more than 400 hospital beds available for the treatment of hematologic cancers and more will be available. [Read more.](#)

## **NEW APP AIMS TO CURB FALSE MEDICAL CERTIFICATES**

The Federal Council of Medicine (CFM) launched this Thursday, the 5th, in Brasília, Atesta CFM, a digital platform to prevent the issuance of false medical certificates. Available on the entity's website and via app, the free service has three versions - one for doctors, another for citizens and the third for companies - and will come into effect for testing in November. From March 2025, use will be mandatory. [Read more.](#)

### **MORE HIGHLIGHTS**

['We know that there is no way to eliminate dengue fever', says Nísia Trindade](#)

[Ozempic: pharmaceutical company confirms 'intermittent availability' of the drug until the end of the year](#)

[Substitute bill presented to prioritize the identification of rare diseases in disease screening tests](#)

### **BRAZIL NEWS**

[Sexual harassment accusations down Brazil's human rights minister](#)

[Brazil Justice Marques says full Supreme Court should decide on conservative challenge to X ban](#)

[Brazilians split over X suspension; poll shows](#)

[Starlink backtracks, complies with order blocking X in Brazil, says regulator](#)

[Meta to inform Brazilians how it uses their personal data to train AI](#)

[Brazil studies raising taxes without lawmaker approval, sources say](#)

[Brazil's government considers taxing big techs if revenue falls short](#)

[Brazil's public debt linked to interest rates and FX poised to surpass half of total debt in 2024](#)

[Brazil's central bank says credit growth not a medium-term concern](#)

[Brazil posts lower-than-expected trade surplus in August](#)

[EU-Mercosur trade talks progress on divisive issues, sources say](#)

[Soy grown illegally on Brazil's tribal lands finds its way to global markets](#)

[Brazil probes ice buildup in plane crash that killed 62](#)