

PRESS RELEASE

Start of first biologics rebate agreements: ADVANT Beiten advises spectrumK

Berlin, 4 June 2026 - Effective 1 June 2026, spectrumK's first exclusive biologics rebate agreements have come into force. ADVANT Beiten provided legal support to spectrumK in this regard.

spectrumK is a service provider specialising in the healthcare sector and a contractual partner of statutory health insurance funds. The company develops and organises healthcare delivery and contractual models in various areas of healthcare and supports health insurance companies in particular in realising cost-effectiveness and healthcare delivery potential. The areas of activity include contract management for pharmaceuticals, medical aids, and other service areas of the healthcare sector.

The tender for exclusive rebate agreements for interchangeable biologics now being conducted by spectrumK is the first procedure of its kind in Germany. Contracts were awarded for a large part of the active ingredients tendered and the agreements were implemented on time. The participating health insurance companies thus benefit from cost-effectiveness potential that can be realised at an early stage, while the awarded manufacturers receive planning security for production and supply chains.

The start of the agreements comes in a phase of intensive health policy discussions about the future design of biologics rebate agreements. The Federal Ministry of Health recently spoke out in favour of stopping ongoing tenders without a contract award and reviewing agreements that have already been concluded. However, the agreements concluded by spectrumK were concluded on the basis of the legal situation in force at the time of the tender and the contract award.

According to ADVANT Beiten's legal assessment, there are currently good reasons to assume that the agreements that have already been validly concluded and started since 1 June 2026 will continue to exist. The agreements are based on a completed tender process and establish rights and obligations for the companies involved. The manufacturers have assumed supply obligations and aligned their production and logistics processes with the start of the agreement. In addition, wholesalers, pharmacies and other market participants were involved in the

implementation on time and the necessary adjustments were made in the relevant systems.

Against this background, a subsequent reversal would not only raise complex legal issues but would also entail considerable practical challenges for the market players involved. Legal certainty and reliability are essential prerequisites for investments, supply commitments and a stable healthcare delivery, especially in the highly regulated healthcare market.

In addition, the agreements that have now been started can provide important insights for the political and regulatory discussion about the future design of biologics rebate agreements. The practical implementation offers the opportunity to gain experience with regard to cost-effectiveness, security of supply and market conduct and thus to create a reliable basis for future legislative decisions.

ADVANT Beiten has many years of experience in advising companies and institutions in the healthcare sector as well as in public procurement and healthcare law. The law firm regularly advises on complex tendering and contractual models at the interface of regulation, competition and healthcare.

Advisors to spectrumK:

ADVANT Beiten: Dr Silke Dulle, Christian Hipp, Max Stanko (all Berlin).

Public Relations

Frauke Reuther
Manager Kommunikation
ADVANT Beiten
+49 (69) 75 60 95 - 570
frauke.reuther@advant-beiten.com

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