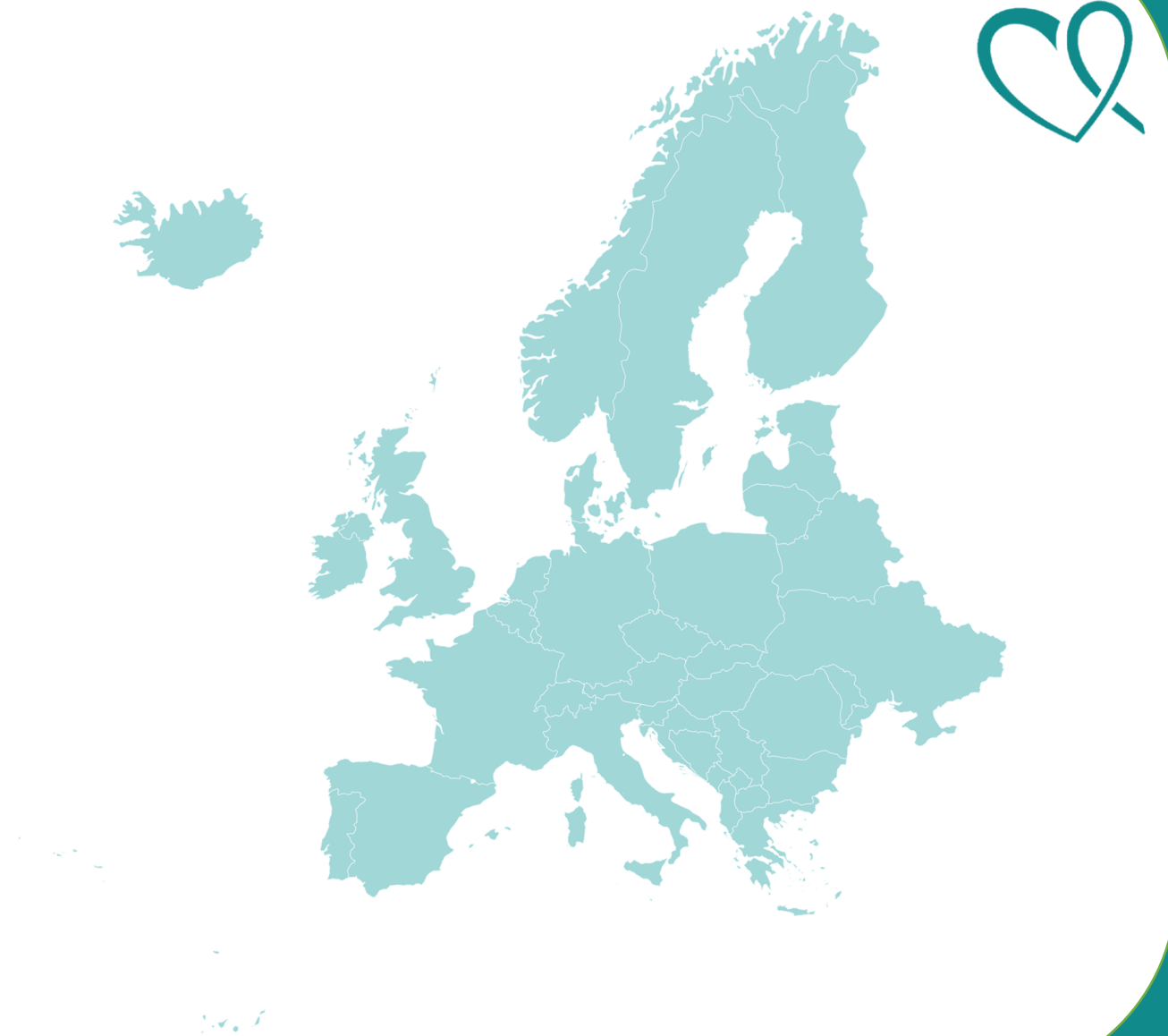


# Right to be forgotten for cancer survivors



Dr. Delia Nicoară

# Europe's Beating Cancer Plan and RTBF



# Cancer Law 293/2022



High-Level Conference on Ending Financial Discrimination Against Cancer Survivors | 15 February 2024

# Financial freedom for survivors takes center stage

Law No 287/2009 on the Civil Code, when concluding insurance contracts, if the insurance distributor requests information and documents from the cancer survivor for the purpose of assessing the risk for taking out or maintaining insurance, he has the right not to provide those relating to the oncological condition, if a period of **7 years** has elapsed from the date of finalising the oncological protocol. In the case of a cancer survivor diagnosed before the age of 18, the time limit is **5 years** from the date of conclusion of the cancer protocol.





# Collaboration IOCN - NGOs

Collaboration with patient associations is extremely valuable to us, which is why we have these partnerships with NGOs at local (Rediscover Happiness, Stop Cancer) national (Little People Romania) and European level (Youth Cancer Europe).



# A wave of change sweeps across Europe

As countries like **France, Belgium, Luxembourg, the Netherlands, Portugal, and Romania** have already embraced RTBF, with **Italy** on the verge.

This movement marks a significant shift towards equitable treatment for cancer survivors, offering them a fresh start without the shadow of their past afflictions.



# A united call for action resonates

Urging all EU nations to adopt the Beating Cancer Plan and the RTBF.

This collective effort seeks to forge a path towards a cancer-free future, ensuring that survivors can access essential financial services without discrimination, thereby securing their quality of life and dignity post-recovery.



# Timeline

FR26.01.2016: **France: Inauguration RTBF/AERAS convention.**

LU01.01.2020: **Luxembourg: Inauguration Law RTBF**

BE01.02.2020: **Belgium: Inauguration Law RTBF**

NL01.01.2021: **Netherlands: Inauguration Law RTBF**

EU03.02.2021: **Europe's Beating Cancer Plan**

PT01.01.2022: **Portugal: Inauguration Law RTBF**

BE01.02.2022: **Belgium: Assuralia members' code of Income insurance conduct applies RTBF to Guaranteed**

IT28.02.2022: **Italy proposed legislation for fair treatment for cancer patients, including RTBF**

FR01.06.2022: **France: Reduction of the RTBF period to 5 years for all ages medical underwriting for all covers up to EUR 200,000 and ending before the age of 60.**

RO08.09.2022: **Romania: Inauguration Law RTBF**

FR01.10.2022: **France: No extra premium or exclusion of cover for HIV under certain criteria; decrease of period for hep C; increase of insurance amount to EUR 420,000**

EU???: **Further European countries?**







## Cancer survival depends on different factors

**Cancer survival:** A multifaceted puzzle, reveals the complexity of predicting life expectancy post-cancer diagnosis. Key factors **such as age at diagnosis, cancer type, stage of cancer, and treatment** methods play crucial roles, leading to a wide range of survival outcomes across patients.

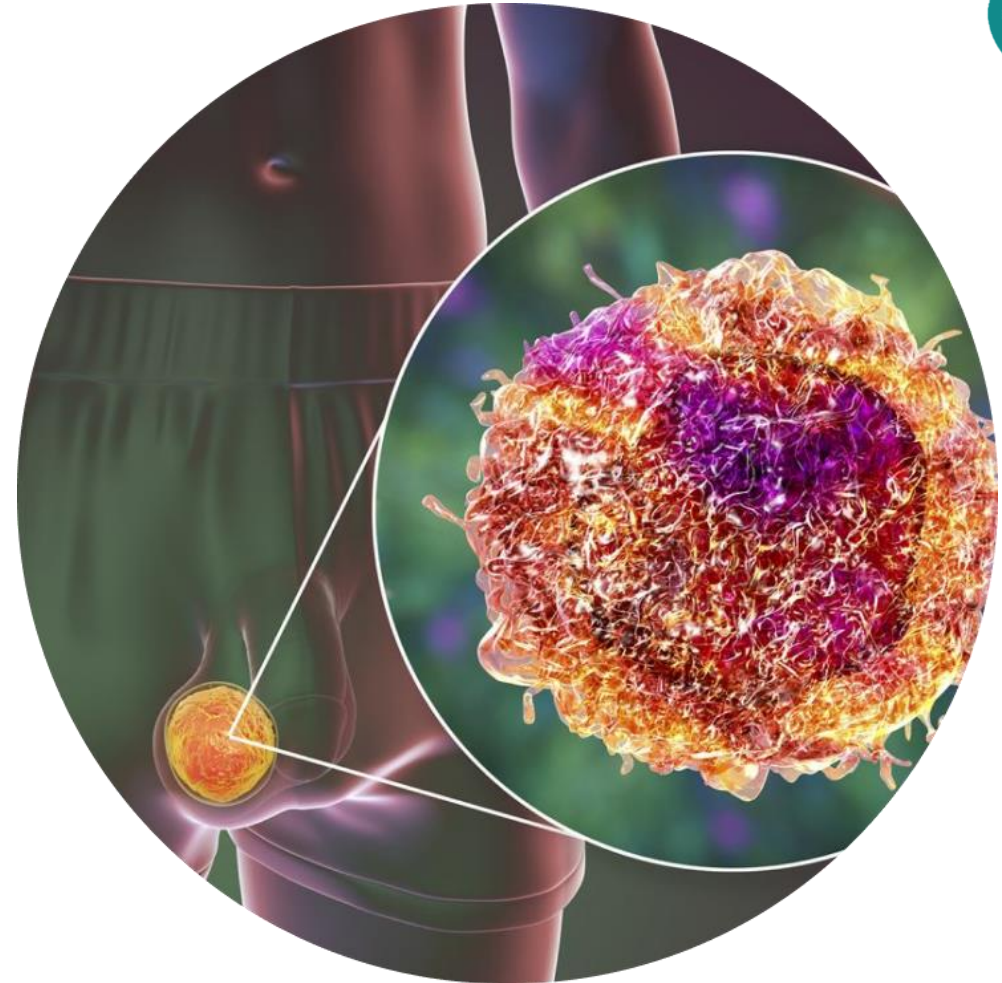


**Diving into the metrics of hope,** the concept of the "cure fraction" and "time-to-cure" offer insightful perspectives on cancer survival. While the "cure fraction" measures the likelihood of cancer patients achieving mortality rates similar to the general population, "time-to-cure" specifies the years needed post-diagnosis to significantly reduce or nullify cancer-related excess mortality. These indicators underscore the variability and the potential for recovery, emphasizing that cancer survival is both a science and a journey of resilience.

# Early Detection Transforms Testicular and Thyroid Cancers into Chronic, Highly Curable Conditions

Certain cancers, like testicular and thyroid, diagnosed early, boast high cure rates (94% and 98% respectively) and a swift time-to-cure of under a year.

These cancers are now viewed more as chronic conditions rather than fatal, supporting the idea of applying the "Right to be Forgotten" (RTBF) principles earlier, as these patients can expect a rapid return to normal mortality rates.





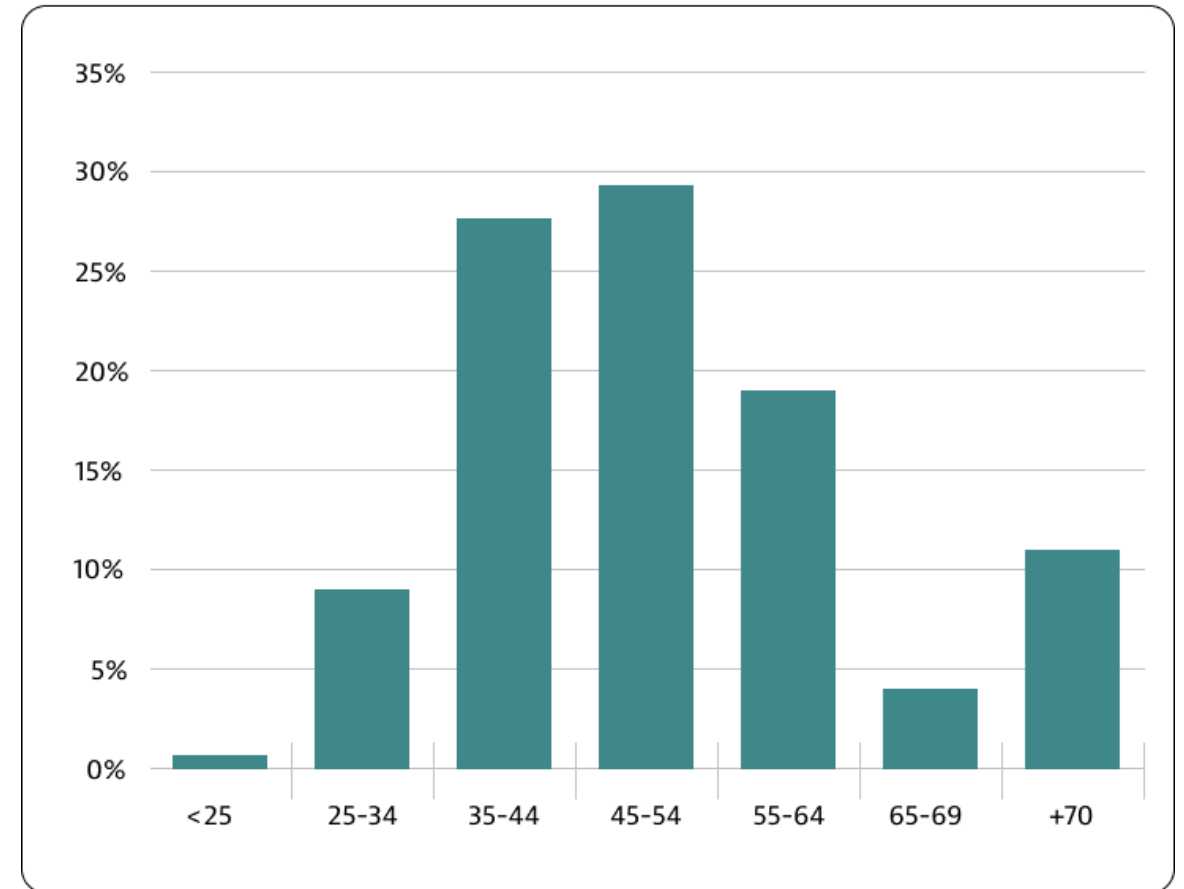
## Identifying Key Age Groups for RTBF Eligibility: A Focus on 25 to 60 Years

The primary demographic for the Right to be Forgotten (RTBF) in the context of mortgage cover consumers spans ages 25 to 65, with the most activity between 35 and 50 years.

RTBF provisions typically exclude individuals over 70, positioning those between 60 and 70 years for mandatory disclosure.

Consequently, the critical age range for RTBF applicants is identified as 25 to 60 years, marking them as the focal group for these protections.

Share of private households with a residual mortgage debt by the age of the main income earner as of 2013





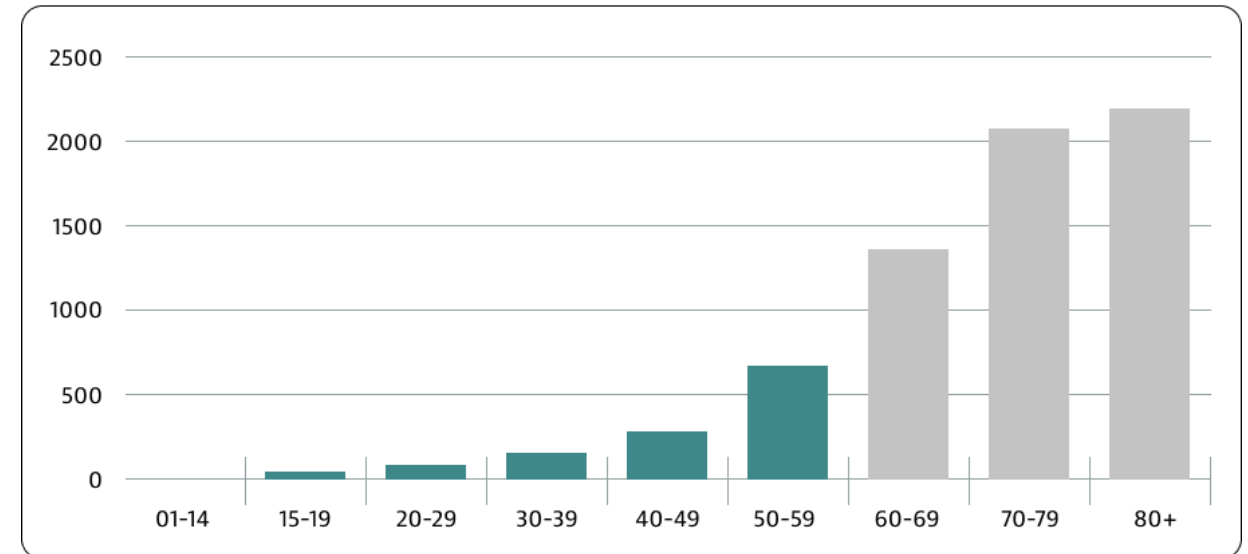
## RTBF Targets a Smaller Fraction: Only 16% of Cancer Cases in Under-60s

SEER data analysis reveals that the age group eligible for the Right to be Forgotten (RTBF)—those under 60—accounts for just 16% of all cancer diagnoses.

This finding underscores that the RTBF will apply to a relatively small portion of the total cancer cases, highlighting its focus on a younger demographic less frequently affected by cancer

Cancer incidence rate of all cancersites combined\*

The relevant age group for the RTBF highlighted in green. By age at diagnosis, diagnosed in 2000–2018





## Navigating Cancer History in Insurance: A Tailored Approach to Underwriting

Underwriting decisions in insurance are influenced by a variety of factors beyond just the type and location of cancer, aiming to accurately reflect the associated risk. These considerations include:

**Patient's age at diagnosis:** Younger or older ages may affect prognosis and treatment outcomes.

**Type of treatment:** Surgical, chemotherapeutic, or medicinal approaches can have different implications for long-term health.

**Clinical parameters specific to cancer types:** For instance, hormone receptor status in breast cancer or PSA value in prostate cancer.

**Current treatment status:** Ongoing treatment versus completed treatment.

**Concomitant diseases:** Other existing health conditions.

**Time since diagnosis or end of treatment:** The duration since the cancer was diagnosed or treated.







## Personalized Risk Assessment Leads to Fair Premiums

The insurance underwriting process aims to match the extra premium to the calculated excess mortality risk, applying loadings only while significant excess mortality is anticipated. This approach allows for:

**Temporary risk loadings:** Applied only during periods of expected higher mortality.

**No risk loading:** In cases where increased mortality is no longer observed at the time of application.

**Standard rates:** Applied if there is no significant excess mortality due to the cancer.

Thus, a cancer medical history does not automatically lead to unfavorable insurance decisions. Applicants can qualify for standard rates if they do not exhibit extra mortality, potentially even before 10 years have elapsed since treatment completion.



# Tailoring RTBF for Essential Insurance Needs

To sustain a **viable and equitable** voluntary insurance system, the industry may endorse the Right to be Forgotten (RTBF) selectively, primarily for **essential life insurance needs like mortgage protection for a primary residence or business**.

This approach, capped at average mortgage levels, aims to **mitigate financial discrimination against cancer survivors** while preventing anti-selection and maintaining affordable premiums for all.

This strategy ensures critical financial protection is accessible to those in need, laying a foundation for potentially broader RTBF applications in the future.





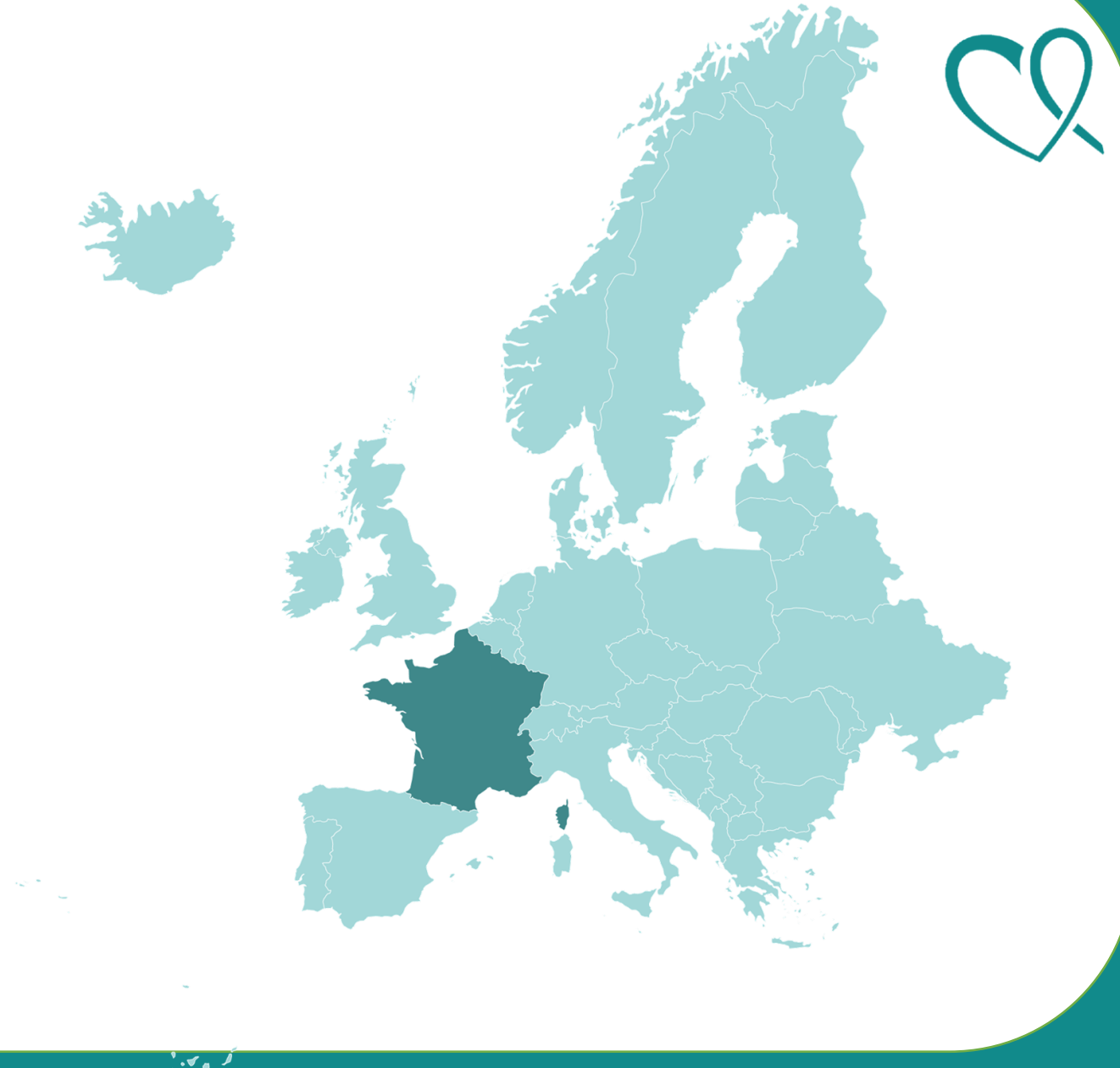
# How RTBF is applied in various countries

FRLUBENLPTROIT

# FRFrance

Relevant for credit insurance policies.  
Coverage concludes before reaching age 71.  
Coverage limits: Up to EUR 420,000 under AERAS; Up to EUR 200,000 without medical underwriting.

Conditions covered by the RTBF require no disclosure. However, conditions specified in the special reference grid must be reported, with the possibility of a maximum capped loading being applied.



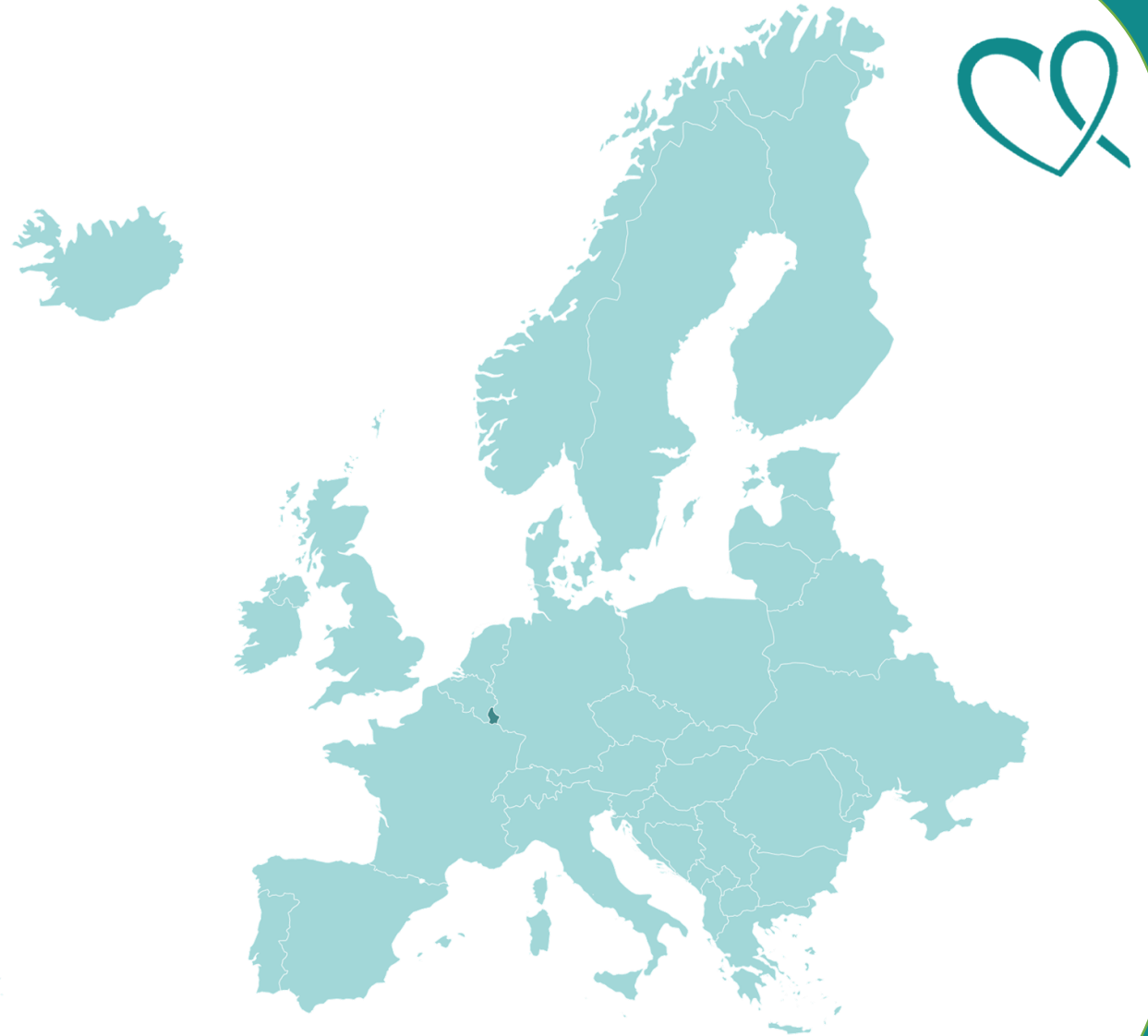
# LU Luxembourg

Pertains to residual debt insurance policies.  
Coverage terminates prior to the 70th birthday.

Coverage caps at EUR 1,000,000.

Insurers are prohibited from factoring in diagnoses protected under the law, allowing applicants to withhold such information.

Conditions listed in the special reference grid, however, must be disclosed, and may be subject to a maximum capped loading.





## BE Belgium

Relevant for credit insurance policies.

There are no specified maximum coverage amounts or termination ages.

Insurers are required to disregard any diagnoses that are protected under the law. However, diseases that are listed in the special reference grid need to be reported, and they may be subject to a maximum capped loading.



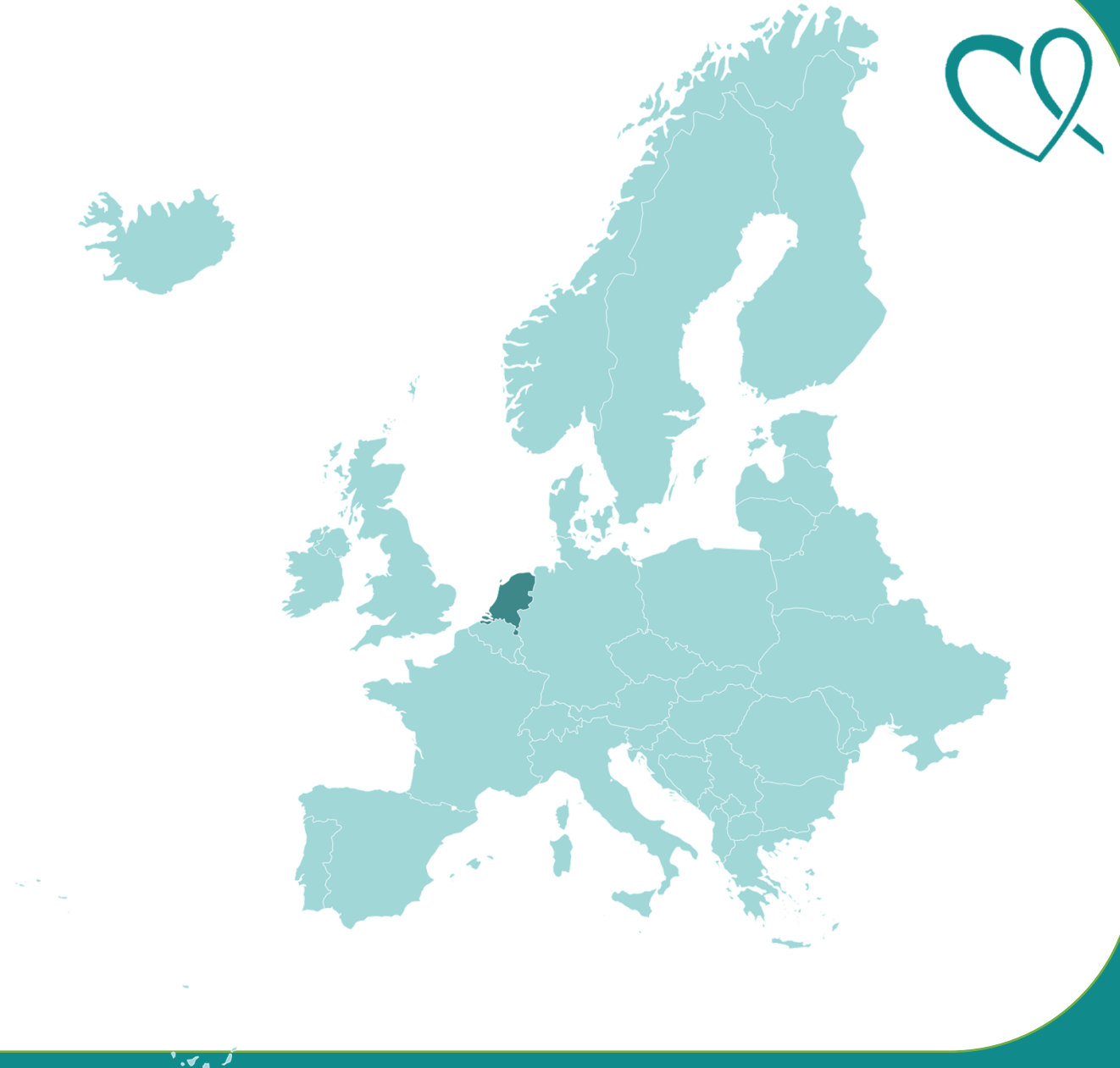
# NLThe Netherlands

Pertains to life and funeral insurance policies.

Coverage concludes before the age of 71 for life insurance and before 61 for funeral insurance.

Coverage limits are set at EUR 278,004, subject to adjustments based on the consumer price index every three years.

Insurers are prohibited from inquiring about conditions protected by the law, and applicants are not required to disclose such conditions.

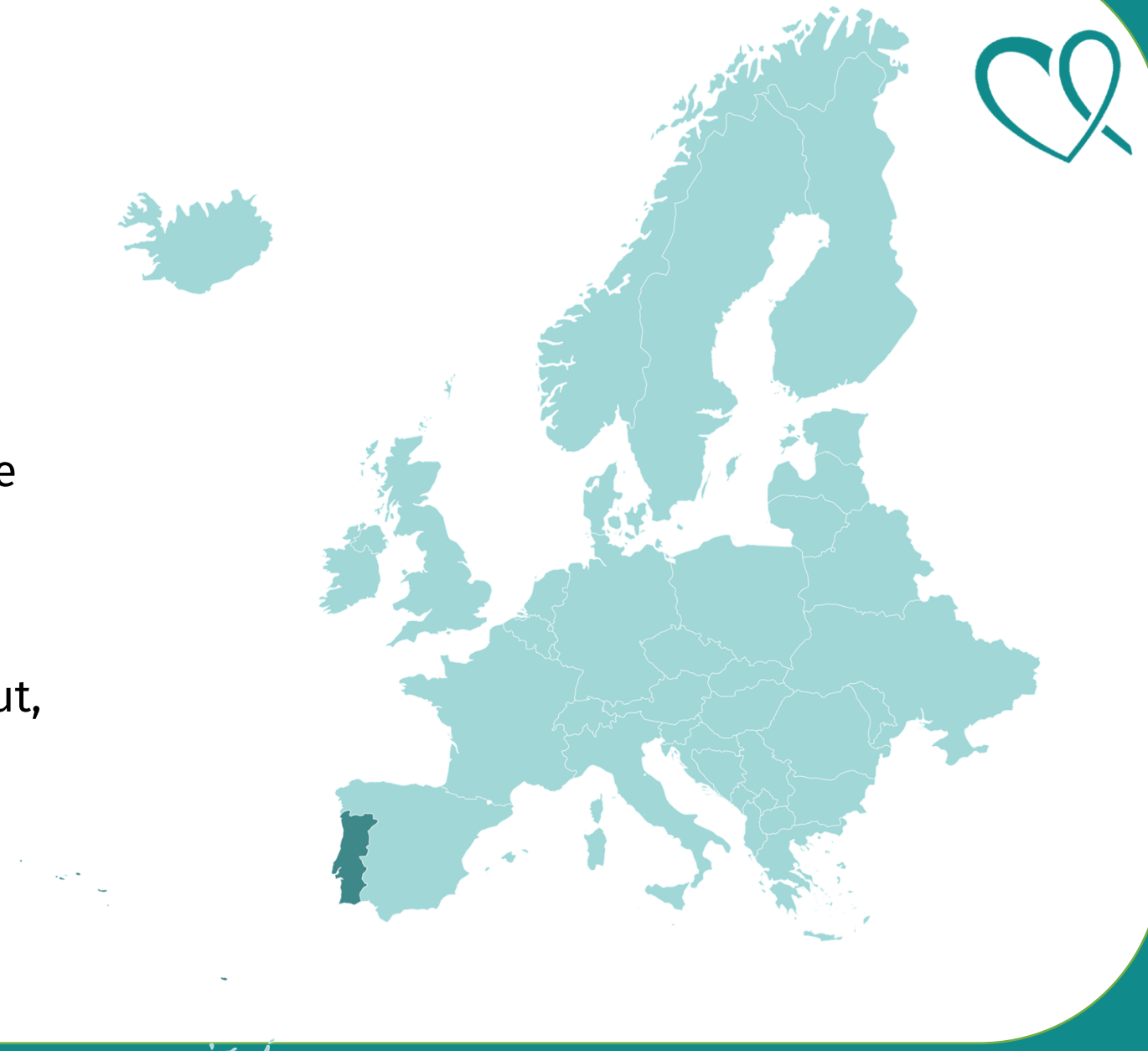


## PTPortugal

Relevant for house and credit insurance policies.

There are no defined maximum coverage amounts or age limits for termination.

Insurers cannot gather information about, nor impose additional premiums for, conditions protected under the law.

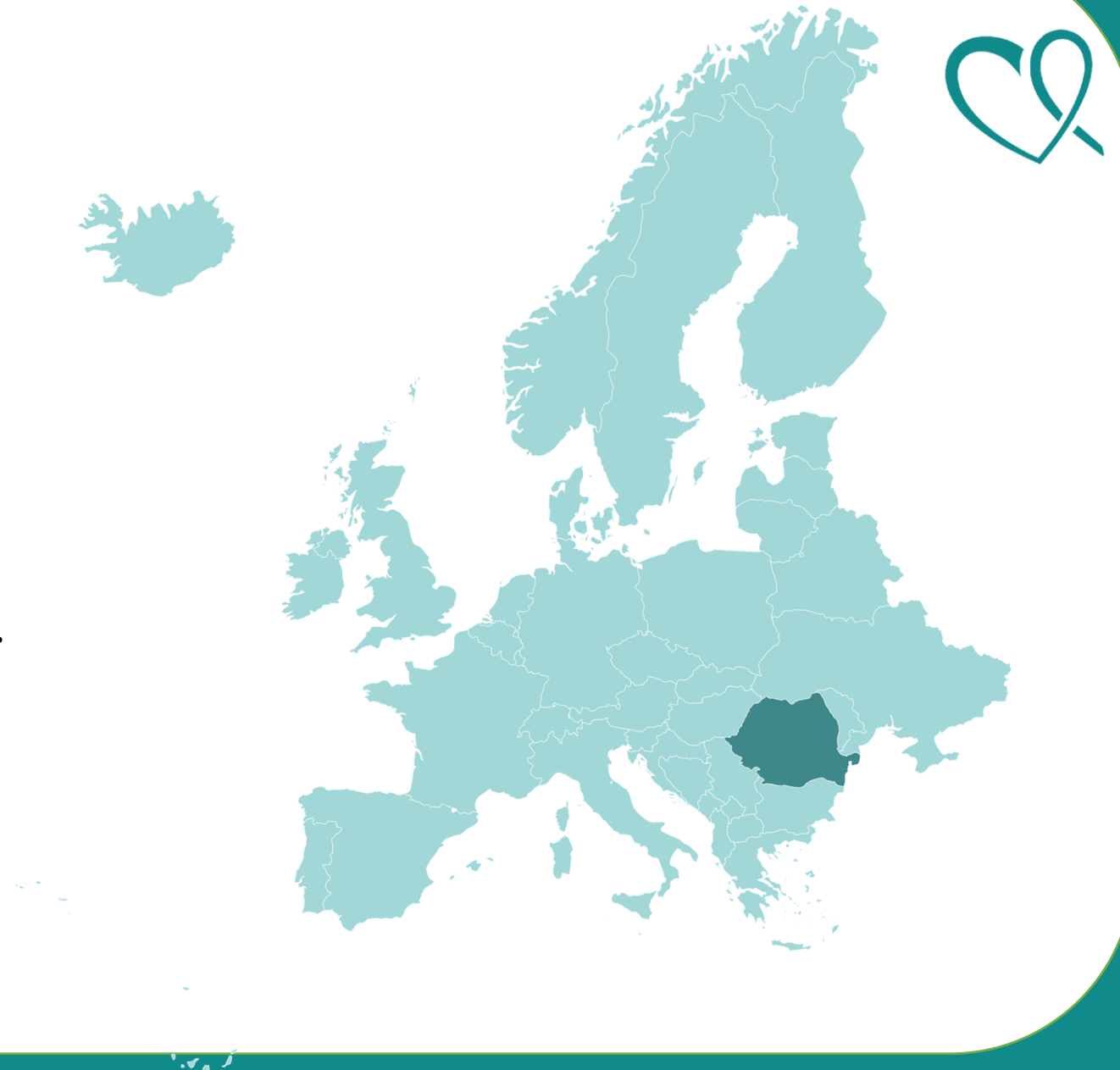


## RORomania

Insurance type, maximum coverage, and age limit for coverage are unspecified.

Insurers are required to clearly display information regarding the Right to be Forgotten (RTBF) on the application forms.

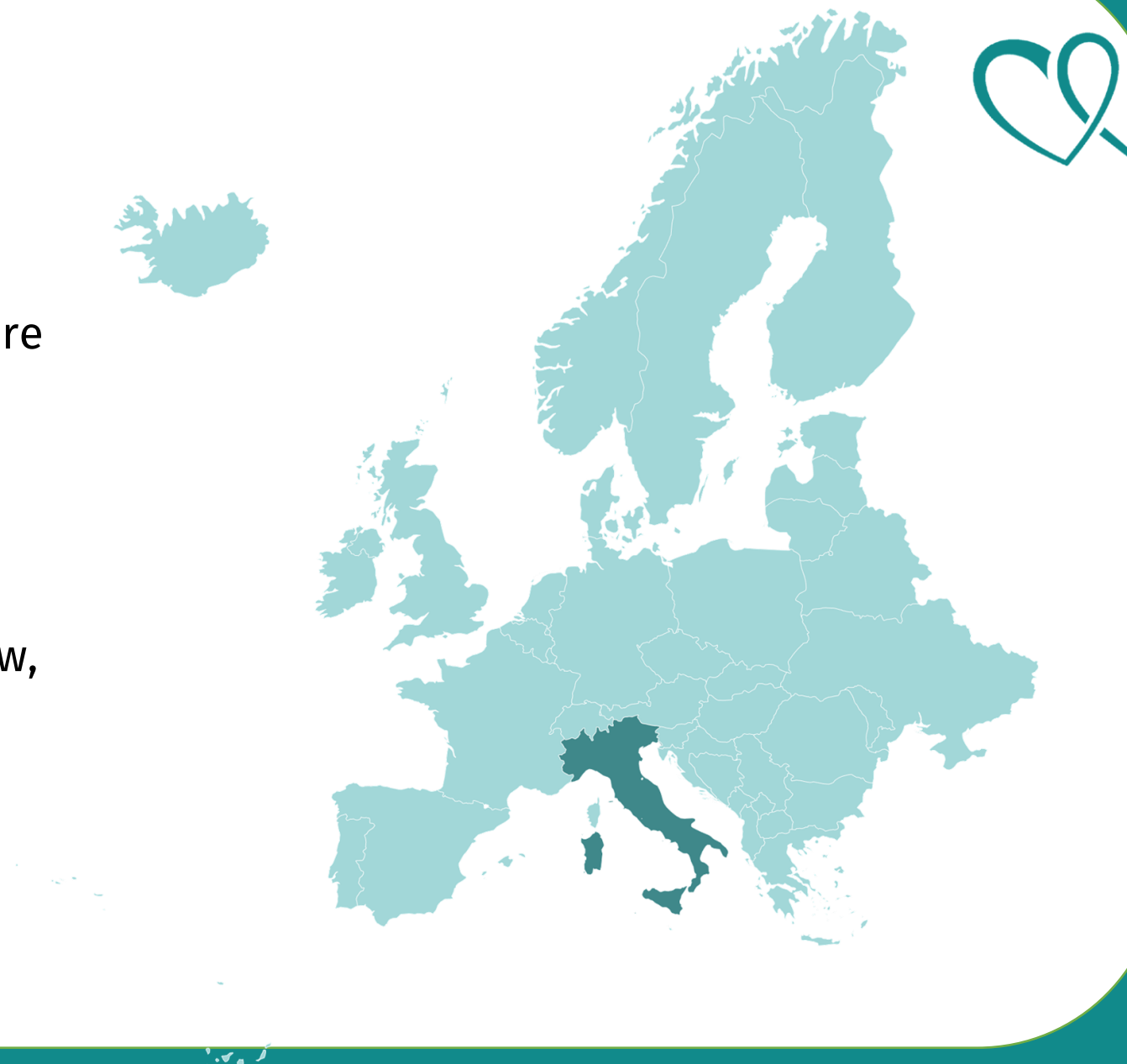
Both applicants and healthcare providers are entitled to withhold declarations of diagnoses protected by the law.



## ITItaly

Insurance type, maximum coverage amount, and coverage termination age are not specified.

Insurers are prohibited from inquiring about conditions protected under the law, and they cannot apply additional premiums for such conditions.







Thank you.

Dr. Delia Nicoară