Memo for action

To:	Anti-Discrimination Project Group,
From:	Conduct of Business Department
cc:	Conduct of Business Committee, Pensions Project Group, Health Platform, Personal Insurance Committee, General Insurance Committee, Public Affairs & Communications Committee
Date:	19-10-2018
Reference:	COB-DSC-18-003
Subject:	Anti-discrimination - cancer survivors: access to financial services

Input requested

Members are invited to confirm whether similar legal provisions to the 2016 French law on the right to be forgotten as a cancer survivor are in operation (or contemplation) in their national market and if so, details thereon (Rasmussen@insuranceeurope.eu) **by close of business Friday 2 November**.

Summary

On 17 October, the secretariat attended a conference entitled "the right to be forgotten for cancer survivors", organised by Youth Cancer Europe (YCE). The purpose was to highlight the difficulties cancer survivors have in accessing financial services, including health, travel and critical illness insurance. Cancer survivors may encounter difficulties in securing cover and/or encounter wildly diverging pricing as a result of disclosing cancer survival.

The conference was under the patronage of MEPs Sirpa Pietkikainen (EPP, FIN) and Cristian-Silviu Busoi (EPP, RO), and was attended by John Turner of Swiss Re.

The conference flagged a 2016 French law which introduced a right not to disclose the status of cancer survivor for specific financial products and subject to specific caps and limitations. The Belgian government allegedly made a commitment to similar exceptions in Belgium by the end of the year (2018).

The conclusion of the conference was the call for four points of action, in line with the European Cancer Organisation's (ECCO) recent resolutions on survivorship financial discrimination:

- #1 by end 2020, EIOPA should issue guidance to insurers about ethical principles that should apply to cancer patients (incl. travel and critical illness insurance) and on definitions used by insurers of cancer.
- #2 by end 2021, EU authorities should conduct an EU level comparative study of member state approaches to ensuring there is no discrimination of cancer survivors
- #3 by end 2022, national governments should recognise inequalities and disparities that exist within financial services that apply to cancer survivors and learn from others (such as the French law of 2016 that provides a 'right to be forgotten' for specific insurances after 10 years/5 years for adult/children survivors), and proposed remedial action.
- #4 by 2025, national governments and financial regulators should implement national legislations to prevent discrimination of cancer survivors if free of cancer after 10 years/5 years for adults/children respectively.

Depending on the input received from members, the secretariat will determine next steps, if any.

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