

Insurance companies and state collaboration to implement the “right to be forgotten” in Luxembourg



TYPE STATUS	Implemented and ongoing measure	LAST UPDATE	July 2021	LUXEMBOURG • NATIONAL	Survivorship
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PROBLEM & RATIONALE

To support former cancer patients in Luxembourg by ensuring fair financial conditions being applied to their housing loans and more specifically, to their credit life insurances linked to housing loans. Prior to the signature of the convention on the right to be forgotten (“droit à l’oubli”), the access to housing loans / credit life insurances for former cancer patients was not always automatically granted by insurance companies, and/or was a subject to significant premiums. The measure is designed to benefit also the people living with HIV, as well as those who have previously had Hepatitis C.

CONTACT

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KEY COMPONENTS / STEPS

- Negotiation of a voluntary convention between the State (Ministry of Health) and the Association of Insurance Companies, supported to-date by 7 major insurance companies in Luxembourg.
- Signature of the convention in October 2019.
- Entry into force of the measure as of January 2020.
- The applicant provides the necessary documents to the health insurance. In case of eligibility, under the right to be forgotten criteria, certain forms/ documentation (validated by the medical doctor) needs to be provided to the insurance company.
- Statistical data assessing various dimensions of the application of convention will be gathered by the insurance companies.
- An Expert and Assessment Committee, as well as an Information Service for the population are still to be created. (These will jointly ensure the effective application of the measure).
- The Expert and Assessment Committee is composed of 6 representatives, one for each entity: Association of Insurance Companies, one of the insurance companies, one nominated for his scientific competencies, one representative of associations and foundations representing patients, one representative of the Directorate of Health, and one representative of the INC.

KEY CONTEXTUAL FACTORS

- The measure implemented in Luxembourg considers the best practices of similar measures put in place in France and Belgium.
- The access to benefits and the premiums being applied are based on the fulfilment of a set of clearly defined criteria (e.g. type of cancer, time passed since it was cured).
- Responsible entity: Ministry of Health.
- Coordination: Expert and Assessment Committee.
- Target group: former cancer patients; people living with HIV; individual who have previously had Hepatitis C.

MAIN IMPACTS / ADDED VALUE

- Personal value: supporting (former) patients’ in achieving their personal and life goals (i.e. by providing a possibility of having a credit life insurance when buying a house).
- Societal value: creating the interface between health and social dimensions; promoting equality and reducing discrimination; safeguarding social adhesion by supporting (former) patients and their families.

LESSONS LEARNED

- Communication and agreement between key stakeholders (insurance companies and the Ministry of Health) have played a key role in implementing the measure.
- Periodic evaluations performed by Expert and Assessment Committee and the activities of the Information Service will support necessary adaptations at the operational level.

REFERENCES & DOCUMENTATION

N/A

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