

# Social Protection for Cancer Patients at National Level and in Europe

Patient Support Working Group of  
the



# Disclosure slide

- I have no conflicts of interest to declare

# Patient Journeys: What happens next?

- Mr X has been on sick leave for more than a year loses his employment income (valid only one year) because the Drs cannot say when he will be well and able to work again
- 20 years after childhood leukaemia, with no relapse, Mrs Y is charged over the average premiums by some insurance companies and refused by others when applying for home loan insurance.
- Ms Z was diagnosed with breast cancer in 2004. She immediately lost her job as a laborer in a factory as the bosses assumed she would be unable to return to work.

# Quality of life



Important to create business and economic opportunities, to improve health, education and overall well-being



# Legal social protection for cancer patients in EU member states

## Ireland

- 2004 Equality Act + 2005 Disability Act  
“disability” in relation to a person means a **substantial restriction** in the capacity of the person **to carry on a profession, business or occupation** in the State or to participate in social or cultural life of the State by reason of an **enduring physical, sensory mental health or intellectual impairment**”

# The UK



## The definition of 'disability' under the Equality Act 2010

- **Progressive conditions considered to be a disability**
- There are additional provisions relating to people with progressive conditions. **People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis.** People with some visual impairments are automatically deemed to be disabled.
- [http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG\\_4001068](http://www.direct.gov.uk/en/DisabledPeople/RightsAndObligations/DisabilityRights/DG_4001068)



# Sweden

- The Swedish government ratified the UN 's Convention on the Rights of Persons with Disabilities in 2008. The Convention is legally binding. As a result Sweden has committed itself to ensuring that national legislation does not discriminate against people with disabilities



# The UN Convention on the Rights of People with Disabilities

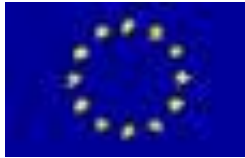
## Disability lies in the Society not in the person

The term disabilities is used to apply to all persons with disabilities including those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various attitudinal and environmental barriers, hinders their full and effective participation in society on an equal basis with others

<http://www.un.org/esa/socdev/faqs.htm#definition>



# Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation:



## The “Employment Directive”

Within this directive, the rights of people with disabilities for:

- equality before the law,
- social integration,
- attainment of good quality of life and appropriate measures to adapt the work place and patterns of working time,
- distribution of tasks or the provision of training or integration of resources are legislated for in all member states.

COMMISSION OF THE EUROPEAN COMMUNITIES



Brussels, 2.7.2008

COM(2008) 426 final

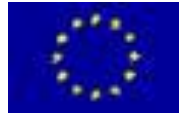
2008/0140 (CNS)

Proposal for a  
**COUNCIL DIRECTIVE**  
**on implementing the principle of equal treatment**  
**between persons irrespective of**  
**religion or belief, disability, age or sexual orientation**

(presented by the Commission)

{SEC(2008) 2180}

{SEC(2008) 2181}



# Article 2

## Concept of Discrimination

‘A special rule is added for **insurance and banking services**, in recognition of the fact that age and disability can be an essential element of the assessment of risk for certain products, and therefore of price. If insurers are not allowed to take age and disability into account at all, the additional costs will have to be entirely borne by the rest of the "pool" of those insured, which would result in higher overall costs and lower availability of cover for consumers. **The use of age and disability in the assessment of risk must be based on accurate data and statistics.**’

# Key Issues

## 1. European Legislation:

1. Cancer patients are not covered from discrimination at work or by insurance companies in any EU legislation.

There is no succinct or EU-wide accepted definition of disability

2. Anti-discrimination legislation 'Stuck' in the European Council, its implementation vetoed by the German government.

– Anti-Discrimination legislation needs all member states to vote yes in order to pass

## 2. 'Austerity' measures:

- Austerity = cutting back on social security and the public sector rather than investing in people and futures
- Under pressure from targets set imposed by the 'troika', some countries such as Greece are choosing to cut back disability payments.
- UK Secretary for State and Pensions announced cuts of 2.24bn sterling in disability payments over next four years

# DECLARATION OF SUPPORT FOR CANCER PATIENTS



The ECL Patient Support Working Group has committed to:

**“Call for, at the minimum, a definition of disability as set out by the UN Convention on the rights of people with disabilities, to be implemented in all member states and applied to all existing and proposed EU anti-discrimination legislation”**

To add your name to the list of signatories supporting this Declaration, simply email us with your intention with "Sign Declaration of Support" in the subject heading: [info@europeancancerleagues.org](mailto:info@europeancancerleagues.org)

# Working together to protect your income and security

We would like to hear from you, have you had problems with:

- Employment
- Insurance
- No access to disability benefits
- Cuts in disability benefits

PSWG Social Protection Survey:  
online at  
[www.europeancancerleagues.org](http://www.europeancancerleagues.org)

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# Thank you!



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