



Occupational Incapacity for Work Insurance

This document implements Article 61(1)(1) of the Act of 4 April 2014 on insurance and is applicable to the incapacity for work insurance referred to in Article 61(1)(2) of said Act.

Right to be forgotten

A legal regulation makes it easier for former cancer patients to access incapacity for work insurance. If you sign up to an incapacity for work insurance policy taken out by your employer from 1 January 2025, a 'right to be forgotten' applies in certain cases.

Cancer does not need to be reported after five years¹

If you want to take out an incapacity for work insurance policy, you must provide the insurer with information about your health. In practice, this takes place through a medical questionnaire that you have to fill in.

If you have had cancer, however, you **no longer need to report it** to your insurer **provided** that: five years have passed since your successful treatment; you have not relapsed during this period; and you have not been unfit for work due to your cancer. Should your insurer nevertheless become aware of your cancer, they may not take it into consideration when reviewing your application. Under these circumstances, your cancer may not be a reason for the insurer to apply an additional premium or refuse to provide you with insurance.

The term starts from the date on which the successful treatment ended. Active treatment for the cancer with surgery, radiotherapy and/or chemotherapy must have finished and you may no longer need any additional treatment. Hormone therapy is an exception to this rule. You must also not have suffered a new outbreak of cancer.

Note: It is only the cancer that you do not need to report after the five-year period. **Any symptoms or conditions resulting from your cancer or its treatment² must still be reported** to your insurer, as they may take this into account when reviewing your application. You do not need to state that these symptoms or conditions are the result of your cancer, however.

If you have a permanent incapacity for work as a result of your cancer when you conclude an Incapacity for work insurance policy taken out by your employer, the insurer may exclude this from your incapacity for work coverage. The 'pre-existing' incapacity for work cannot be insured and does not entitle you to a payout.

If you are unsure whether you should report your cancer to your insurer, ask your consulting physician beforehand. They have a good overview of your medical history and may be best placed to assess whether you are eligible or not.

You can always contact your insurer or insurance intermediary for any additional information on the right to be forgotten.

¹ The five-year period has been in force since 1 January 2025.

² This includes heart or lung symptoms that may present after chemotherapy or radiotherapy, for example.