

Recognition of professional qualifications:
Revision of Directive 2005/36/EC –
Main steps at EU-level + EPSU position

FP-CGIL

*Convegno “Professioni Sanitarie: Competenze e
Qualità: Al Servizio dei Cittadini”*

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**“Il punto – in Europa/in Italia: legislazione e percorsi“:
“Le professioni sanitarie in Europa”**

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Structure of presentation

- Milestones of process at EU-level
- Main issues for revision
- Voice of professional associations (nurses + doctors)
- EPSU reply
 - General principles + reference documents
 - Main requests and positions
- Joint EPSU-HOSPEEM contribution

Process EU-level (1) – Milestones

- Transposition of Directive 2005/36/EC in national legislation by MS until 20.10.07; some MS sued for having done this incompletely or late; applied as of 01.06.09; mandatory review 2012
- Meeting DG MARKT with various professional organisations (13.03.10) => 6 priorities + non-paper
- Internal Market Scoreboard (September 2010) and Commission Staff Working Paper on transposition and implementation of Professional Qualifications Directive (22.10.10)
- Inter-parliamentary meeting "The internal market for professionals: how to make it work? Improving the recognition of professional qualifications" (26.10.10), co-chaired by MEP B. Vergnaud (S&D, F)

Process EU-level (2) – Milestones

- 180 experience reports by national competent authorities and national coordinators for professions and different schemes and experience reports (autumn/end of 2010)
- Public consultation (07.01.11-15.03.11), i.a. with EPSU reply and joint EPSU/HOSPEEM contribution
- Meeting DG MARKT with European sectoral professions benefitting from automatic recognition, 5 of which from human health [dentists, doctors, midwives, nurses, pharmacists] (March 2011)
- Report EP drafted by MEP E. McClarkin (ECR, GB)
- Commission Staff Working Paper with Evaluation Report of Consultation on DRPQ (summer 2011)
- Green Paper (to be issued autumn/until end 2011)
- Revision of DRPQ during 2012 = legislative act

Main points (1) –

Scope of directive + Related processes

- Scope: 3 systems (automatic recognition; recognition based on professional experience; general system); as a rule not to 3rd country nationals; yes if family member of EU citizen that exercises mobility right
- Contexts/related processes
 - EU 2020 Strategy of 03.03.10 (COM(2010) 2020) + Flagship Initiative “Agenda for New Skills and Jobs” of 23.11.10 (COM(2010) 682 final)
 - Single Market Act of 27.10.10 (COM(2010) 608 final): proposal 33: European Professional Card; changes in educational/training systems + proposal 35: EQF + European Skills Passport
- RPQ accounts for about 20% of cases of SOLVIT

Main points (2) – Aspects under scrutiny for revision

- Use of point of single contact under services directive?
- Extended use of IMI System?
- Compensation measures/adaptation courses
- Partial access
- European Professional Card (EPC)?
- 28th regime/European curriculum (instead of harmonisation of certain minimum requirements)?
- Continuous professional development (CPD) and common principles/understanding at EU level
- Language requirements (point in time of test; who to do test?; extent and contents of test)

Main points (3) – Outcome of evaluation + Interfaces

- Results of evaluation of instruments: compensation measures not available; no guidance; abusive linguistic requirements; scope for improvement: user guide, CoC for competent authorities, IMI System
- EPC: only for those migrating?; regular updates how?; covering practical experiences? professional liability insurance?; minimum quorum? (9 MS?)
- DRPQ and Services Directive: Interaction not fully clear; IMI System an option under the DRPQ, whereas under the Services Directive a mandatory requirement
- Links to reforms in education systems: move towards regulated education (not: professions)?; European legislation on common curricula based on common set of competencies (feasible; desirable)?; trends in CPD

Voice of professional associations – Hearing DG MARKT 21.02.11

- Thompson (nurses): work organisation: autonomy, right to prescribe; shift from EQF level 5 to 6?; shift towards primary and out-patient care; trend towards output-based criteria; need to strengthen common trunk of competencies, then specialisation; specialisation and compensation measures/partial access
- Montgomery (doctors): reality: continuous evolution of curriculum; rejection of list of individual competencies, as regular updates too complex and time-consuming; however need of transparency on qualifications acquired; no need for European curriculum for doctors; IMI System a success, but not everywhere
- Nicodème (doctors): mutual confidence only builds on transparency on acquired qualifications, can't be decreed

EPSU Reply –

General Principles + Reference Documents

- Principles highlighted in EPSU (+ in joint reply)
- High level of qualification and professional standards to ensure minimum requirements for access to the profession for the health care workforce (professions benefitting from automatic recognition and those falling under the general system)
- Health and safety of patients and quality of service provision paramount
- Quality of service provision in health and social care
- Reference documents
- Make use of CoC Ethical Cross-Border Recruitment to minimise negative impact of brain and care drain
- FoA Recruitment and Retention in view of CPD

EPSU Reply (1) –

Main requests + positions

- IMI System developing in the direction to facilitate the process of the RPQ online and to assume the function of a “one stop shop”; use could become mandatory for all competent authorities and professionals, including those in health care
- Compensation measures as appropriate instrument, but no excessive lengths for adaptation periods; no EU-level CoC on aptitude tests or adaptation periods
- No support for moves towards facilitating partial access to the nursing profession
- Requirement of 2 years professional experience no barrier unduly restricting cross-border mobility
- EPC: no resistance + no enthusiasm, but demands; alternative preferred: IMI System

EPSU Reply (2) – Main requests + positions

- Diverse realities as to professional training and CPD; risks of a 28th regime establishing a “common European level” on PQ and CPD; engage in a pilote process for regulated professions
- Clarification of terms “temporarily” + “occasional” needed
- Current minimum training harmonisation offered real access to the profession + helped to advance the status of nurses and midwives
- Update Annex V for sectoral professions with new topics, contents and competencies
- Directive 2005/26/EC + EQF and Bologna process
- CPD: individual right to CPD; incentive vs. costs
- Language test by employer at point of employment

EPSU-HOSPEEM Contribution – Main requests + positions

- Dubious about concept of partial access for health care professions; hard to ensure that individuals later only would or can practise within the scope of their competencies
- Welcoming greater emphasis on CPD in revised Directive; need to improve cross-border recognition of certificates issued under CPD
- Support for placing a duty on regulatory bodies to exchange proactive warnings about fraudulent or incompetent registrants
- Primary responsibility for testing language competence (general; related to professional activity) to remain with employer; question: who to cover (which) costs?
employers responsible for proper workplace induction