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**Consultation Paper by DG MARKT on the
Professional Qualifications Directive**

As we were expecting, the European Commission has published its Consultation Paper relating to the revision of the 2005/36 Directive. In the following lines, we will give you the main points of this Paper insisting on the issues more relevant to the Healthcare Professionals. The Consultation Paper in question was released the 7th of January and our deadline for answering is March the 15th 2011.

FEPI must of course submit a position, and the coming meeting of our General Assembly as well as the Conference of Zagreb are excellent opportunities to start working on this. Let's profit of the time left before these two FEPI events in order to thoroughly study the Commission's questions. .

In what regards Professional Cards, a key item of the Consultation, we are lucky to benefit from Dr Koutroubas' participation in it. It is interesting to underline that neither EFN nor any other Nursing representative was chosen to be a part of this highly selective advisory body.

This Consultation Paper underlines three major challenges to consider:

1. A simplification of the framework for Recognition of Qualifications between Member States;
2. Integrating Professions into the Single Market;
3. Injecting confidence into the system.

1. A call for Simplification

▪ Why Simplification?

***Question 1:** Do you have any suggestions for further improving citizen's access to information on the recognition processes for their professional qualification in another Member State?*

***Question 2:** Do you have any suggestions for the simplification of the current recognition procedures? If so, please provide suggestions with supporting evidence.*

▪ Making best practice enforceable

***Question 3:** Should the Code of Conduct become enforceable? Is there a need to amend the contents of the Code of Conduct? Please specify and provide the reasons for your suggestions.*

▪ Mitigating unintended consequences of compensation measures

Question 4: *Do you have any experience of compensation measures? Do you consider that they could have a deterrent effect, for example as regards the three years duration of an adaptation period?*

Question 5: *Do you support the idea of developing Europe-wide codes of conduct on aptitude tests or adaptation periods?*

Question 6: *Do you see a need to include the case-law on “partial access” into the Directive? Under what conditions could a professional who received “partial access” acquire full access?*

- **Facilitating movement of new graduates**

Question 7: *Do you consider it important to facilitate mobility for graduates who are not yet fully qualified professionals and who seek access to a remunerated traineeship or supervised practice in another Member State? Do you have any suggestions? Please be specific in your reasons.*

Question 8: *How should the home Member State proceed in case the professional wishes to return after a supervised practice in another Member State? Please be specific in your reasons.*

- **Facilitating movement between non-regulating and regulating Member States**

Question 9: *To which extent has the requirement of two years of professional experience become a barrier to accessing a profession where mobility across many Member States in Europe is vital? Please be specific in your reasons.*

Question 10: *How could the concept of "regulated education" be better used in the interest of consumers? If such education is not specifically geared to a given profession could a minimum list of relevant competences attested by a home Member State be a way forward?*

2. Integrating Professionals into the Single Market

- **A European Professional Card**

Question 11: *What are your views about the objectives of a European professional card? Should such a card speed up the recognition process? Should it increase transparency for consumers and employers? Should it enhance confidence and forge closer cooperation between a home and a host Member State?*

Question 12: *Do you agree with the proposed features of the card?*

Question 13: *What information would be essential on the card? How could a timely update of such information be organized?*

Question 14: *Do you think that the title professional card is appropriate? Would the title professional passport, with its connotation of mobility, be more appropriate?*

- **Abandon Common Platforms, move towards European Curricula**

Question 15: *What are your views about introducing the concept of a European curriculum – a kind of 28th regime applicable in addition to*

national requirements? What conditions could be foreseen for its development?

- **Offering Consumers the high quality service they demand**

Question 16: *To what extent is there a risk of fragmenting markets through excessive numbers of regulated professions? Please give illustrative examples for sectors which get more and more fragmented.*

Question 17: *Should lighter regimes for professionals be developed who accompany consumers to another Member State?*

- **Making it easier for professionals to move temporarily**

Question 18: *How could the current declaration regime be simplified, in order to reduce unnecessary burdens? Is it necessary to require a declaration where the essential part of the services is provided online without declaration? Is it necessary to clarify the terms “temporary or occasional” or should the conditions for professionals to seek recognition of qualifications on a permanent basis be simplified?*

Question 19: *Is there a need for retaining a pro-forma registration system?*

Question 20: *Should Member States reduce the current scope for prior checks of qualifications and accordingly the scope for derogating from the declaration regime?*

3. Injecting more confidence into the System

- **Retaining automatic Recognition in the 21st century**

Question 21: *Does the current minimum training harmonization offer a real access to the profession, in particular for nurses, midwives and pharmacists?*

Question 22: *Do you see a need to modernize the minimum training requirements? Should these requirements also include a limited set of competences? If so what kind of competences should be considered?*

Question 23: *Should a Member State be obliged to be more transparent and to provide more information to the other Member States about future qualifications which benefit from automatic recognition?*

Question 24: *Should the current scheme for notifying new diplomas be overhauled? Should such notifications be made at a much earlier stage? Please be specific in your reasons.*

Question 25: *Do you see a need for modernizing this regime on automatic recognition, notably the list of activities listed in Annex IV?*

Question 26: *Do you see a need for shortening the number of years of professional experience necessary to qualify for automatic recognition?*

- **Continuing Professional Development**

Question 27: *Do you see a need for taking more account of continuing professional development at EU level? If yes, how could this need be reflected in the Directive?*

- **More efficient cooperation between competent authorities**

Question 28: *Would the extension of IMI to the professions outside the scope of the Services Directive create more confidence between Member States? Should the extension of the mandatory use of IMI include a proactive alert mechanism for cases where such a mechanism currently does not apply, notably health professions?*

Question 29: *In which cases should an alert obligation be triggered?*

- **Language skills**

Question 30: *Have you encountered any major problems with the current language regime as foreseen in the Directive?*

In order to read the Commission's arguments preceding each one of the questions, please go to http://ec.europa.eu/internal_market/consultations/docs/2011/professional_qualifications/consultation_paper_en.pdf

Our Secretariat is of course at your entire disposal for any further information.

