

ENMCA response to the political agreement on the proposal amending the recognition of professional qualifications Directive (2005/36/EC)

September 2013

The European Network of Medical Competent Authorities (ENMCA) brings together organisations in Europe responsible for recognising medical qualifications under the Directive. As doctors are one of the most mobile professions in Europe, ENMCA participants have significant experience with both the benefits and challenges of high levels of professional mobility.

We welcome the [political agreement](#) reached in June 2013 and would like to thank the EU institutions for the positive engagement with ENMCA and for ensuring that many of the suggestions to assure and improve patient safety have been taken on board during the revision process.

ENMCA have produced the following briefing in response to the political agreement which should be considered alongside the [ENMCA briefing on the European Parliament amendments, November 2012](#) and the [ENMCA briefing on the report of the IMCO committee, March 2013](#).

This briefing sets out ENMCA's views on some of the key changes proposed by the political agreement ahead of the European Parliament plenary vote on 9 October and the Council adoption in autumn 2013.

Common training frameworks and tests

We believe that medical education and training must remain a member state responsibility. We are encouraged that the political agreement respects this for basic medical training, in Article 24, and specialist training, in Article 25.

However, common training frameworks and tests would introduce a third recognition regime in addition to automatic recognition and the general system, thus bringing confusion to the professional and to the competent authority. They would also undermine member states' responsibility for education and training.

We therefore believe that common training frameworks that have been influenced unspecified private professional organisations must not apply to doctors.

ENMCA does not support the inclusion of the sectoral professions in Articles 49a and 49b.

Language requirements

The ability of a doctor to communicate effectively with patients and colleagues in the language of the host member state lies at the heart of good medical practice. We therefore welcome the new provisions in article 53 which would allow competent authorities to impose a language control for professionals with patient safety implications after recognition.

However, we are concerned that limiting language checks to a self-declaration for those doctors wishing to practise temporarily would not provide sufficient assurance to competent authorities and patients. Members of the public have a right to expect that the protection afforded to them by the regulatory system is the same regardless of whether a doctor practises temporarily or permanently.

We therefore call for the language requirements outlined in Article 7 (a) (ii) (f) to be amended¹ and brought into line with those of article 53. This will ensure that competent authorities can assure themselves that all doctors can effectively communicate with their patients and colleagues.

ENMCA strongly supports the new paragraphs added to article 53.

To ensure patient safety, ENMCA calls for Article 7 (a) (ii) (f) to be amended and brought into line with Article 53 to allow competent authorities to require doctors to submit evidence attesting knowledge of the language of the host member state.

Use of delegated acts

ENMCA remains concerned about the quantity and quality of legislation which the Commission is proposing to develop through delegated acts.

ENMCA calls for a greater involvement of the competent authorities in the decision-making procedure for both implementing and delegated acts.

Further information

For further information please visit ENMCA's website: <http://www.enmca.eu/>

or to discuss our position in more detail please contact:

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We have also produced a *facts and figures* document with useful information about the mobility and training of doctors. This can be found on our [publications page](#).

¹ ENMCA supports the text adopted by IMCO in amendment 71: "*(f) in the case of evidence of formal qualifications referred to in Article 21 (1) and in the case of certificates of acquired rights referred to in Articles 23, 26, 27, 30, 33, 33a, 37, 39, and 43, evidence attesting knowledge of the language in which the professional will exercise his profession, which shall be one of the official languages of the host Member State*"