

## Evaluating the Professional Qualifications Directive Experience reports from competent authorities

### QUESTIONNAIRE FOR THE MIDWIVES

#### A. RECOGNITION PROCEDURE IN CASE OF MIGRATION ON A PERMANENT BASIS

1. Do you accept applications from EU citizens for the recognition of foreign diplomas sent by email or requests made on line? Under which conditions can they send documents and declarations electronically? What are your experiences in this respect?

*The Ministry of Health accepts only paper applications. The documents can be sent by email to give a provisional assessment.*

2. What is the yearly number of applications for recognition, as well as negative and positive decisions from 2000 to 2009? Please submit specific data for applications for automatic recognition based on diplomas, automatic recognition based on acquired rights (as from 2005), and recognition based on the general system<sup>1</sup>. What is the average duration of the process for both automatic and general systems?
3. To what extent have the system of automatic recognition and the general system been a success? How do you see the costs and benefits? Specify in particular whether automatic recognition based on diploma, Annex V and the current notification system represent an efficient way to facilitate automatic recognition. Please submit comments for:
  - automatic recognition based on diploma
  - automatic recognition based on acquired rights
  - recognition based on the general system.

*The automatic recognition based on diploma works well. Sometimes the documents report wrong information. The Ministry of health proposes to consider the practical experience.*

*Problems about the recognition based on acquired rights concern how they were obtained. In some UE Country for the same profession there could be different training. (for example qualification of Romania)*

*There are some difficulties with the recognition based on the general system. It is difficult to compare different educations, the analysis of the training, to get documentation with details of the education undergone, to understand the duration of professional experience.*

*Compensation measures are not easily applicable.*

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<sup>1</sup> Please provide this information unless it has already been provided to the Commission in the Database or the implementation reports.

4. Is the general system applied in your country each time the conditions for automatic recognition are not met? Are there major difficulties in the recognition procedure under the general system? Please include any comments you may have on the implementation of adaptation periods and aptitude tests.

*The general system is applied every time when the conditions of automatic recognition are not fulfilled.*

5. What is your experience with the recognition procedure for EU citizens with professional qualifications obtained in a third country and already recognised in a first Member State (see Articles 2(2) and 3(3))?

*The competent authority in these cases apply the general system of recognition.*

*There are problems in getting documents issued in the first member state of EU stating that the applicant has effectively and lawfully been engaged in the relevant activities for 3 years in the EU member state that recognised the third country education.*

*The Ministry of the health is very careful to manage this cases, some applicants try to register first with an EU countries where it is easier for them to register and then they use that registration to register in their own country. In these cases it would be necessary to apply new compensation measures.*

6. Please describe the government structure of the competent authority or authorities in charge of the recognition.

*The ministry of health is the competent authority.*

## **B. TEMPORARY MOBILITY (OF A SELF-EMPLOYED OR AN EMPLOYED WORKER)**

7. Are EU citizens interested in using the provisions for exercising their professional activities on a temporary and occasional basis in your Member State? How many citizens used this new system in 2008 and 2009 (per month, per year)<sup>2</sup>?
8. How are the provisions of Directive 2005/36/EC concerning temporary mobility applied by the competent authorities in practice taking into account the relevant provisions of the Code of Conduct? For instance:
- How is the "legal establishment" criteria foreseen by Article 5(1) (a) interpreted in practice? What conditions does a migrant need to fulfil in his home Member State in order to be able to provide services?

*The migrant must be legally established; exhibit a certificate from competent authority and a certificate of good standing.*

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<sup>2</sup> Please provide this information unless it has already been provided to the Commission in the Database or the implementation reports.

- How are the “temporary and occasional basis” criteria foreseen by Article 5.2 interpreted in practice? Do Member States assess duration, frequency, regularity and continuity of an activity and if so according to which criteria?

*The temporary mobility is evaluated on a case by case on the basis of directive.*

9. Why is a prior declaration system necessary? What do competent authorities do with the information received? Are other possibilities conceivable?

*Prior declaration is necessary to check the training and the experience of provider’s services, to make sure that the person is indeed qualified to provide the planned service.*

### **C MINIMUM TRAINING REQUIREMENTS**

10. To what extent are the common minimum training requirements set out in Title III Chapter III of Directive 2005/36/EC and the compulsory training subjects as defined in Annex V in line with scientific progress and professional needs? Furthermore, are the knowledge and skills required by the directive still relevant for patient safety and up to date? Please specify. What about the conditions relating to the duration of training?

*The provisions formulated in the Directive are still appropriated. In Italy the Universities update the training.*

11. The Directive is based on mutual trust between Member States. To what extent is such trust actually achieved? Are training programmes accredited in your country? Does accreditation of a training program in another Member State enhance trust or is it not relevant?
12. To what extent are the existing Directive provisions (see recital 39 and Article 22(b) on continuous professional development (continuous training) adequate? Is continuous training mandatory in your country and what are the exact conditions? How do you define continuous professional development in your country?

*In Italy health professions must update their curriculum with refresher courses.*

### **D. ADMINISTRATIVE COOPERATION**

13. To which extent does administrative cooperation, as outlined in Articles 8, 50, and 56 of the Directive, simplify procedures for the migrant professionals?

*Administrative cooperation is very useful. It simplifies the procedure but sometimes it is very hard to get the relevant information. The network of European Midwifery Regulators could be a useful initiative..*

14. Is the competent authority in your country registered with IMI? Under which circumstances does your competent authority use IMI? Please comment on your experience of using IMI. If not registered, why not and what would be the conditions for changing this situation?

*Ministry of health is registered in the IMI. This is a useful tool to find information.*

15. How could a professional card (see Recital 32 of the Directive) facilitate recognition of professional qualifications and provision of temporary services? Under which conditions could it be issued by professional associations?

*It could be a useful tool. It is necessary to have more information.*

16. How do you share information about suspensions/restrictions with competent authorities in other Member States? Could more be done in this respect? Should an alert mechanism be put in place?

*These tools should be improved.*

#### **E. OTHER OBSERVATIONS**

17. How and when are the necessary language skills of migrants checked after recognition of the professional qualifications? Are you aware of any complaints (especially from patients/clients/employers) about insufficient language skills of migrants?

*Language skills should be checked before the professional recognition. The Orders often complain about insufficient language skills of migrating health professionals. The good communication between doctor and patient is very important.*

18. Do you charge any fee for the recognition process? If so, how much?

*There are no fees for now. The migrant has to pay only 14.50 euro for a duty stamp.*

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