

Cross-border recognition of professional qualifications – evaluation, consultation and revision process of Directive 2005/36/EC

Structure

- Process
- Main issues
 - Presentation Jürgen Tiedje SSDC HS 31.01.11
 - Hearing DG MARKT 21.02.11
 - Presentation, discussion and adoption of joint HOSPEEM-EPSU reply => Kate Ling
 - Next steps for HOSPEEM and EPSU; further exchange with affiliates; common key requests/red lines; how and when to get involved in next months?

Process (1)

- Transposition of Directive 2005/36/EC in national legislation by MS until 20 October 2007; some MS sued for having done this incompletely or late; applied as of 1 June 2009; 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

Process (2)

- 180 experience reports by national competent authorities and national coordinators for professions and different schemes and experience reports (autumn and end of 2010)
- Public consultation (07.01.11-15.03.11)
- Meeting DG MARKT with European sectoral professions benefitting from automatic recognition = 7 professions, 5 of which from human health [dentists, doctors, midwives, nurses, pharmacists] (end of March 2011)
- 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) –

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- 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
- Process
- Contexts/related processes: Single Market Act of 11 November 2010 (proposal 33: EPC; changes in educational/training systems – proposal 35: EQF + European Skills Passport); EU 2020 Strategy + Flagship Initiative “Agenda for New Skills and Jobs”
- RPQ accounts for about 20% of cases of SOLVIT

Main points (2) – Presentation Jürgen Tiedje SSDC HS 31.01.11

- Main issues
 - Use of point of single contact under services directive?
 - Compensation measures/adaptation courses
 - Partial access
 - European Professional Card (EPC)
 - 28th regime/European curriculum (instead of harmonisation)
 - Continuous professional development (CPD) and common principles/understanding at EU level
 - Language requirements (extent; point in time of test)

Main points (3) – Hearing DG MARKT 21.02.11

- Faull (DG MARKT): Erosion of public confidence in IM; deepening of IM key for growth; language tests + requirements (in particular in the health care sector)
- Vries (EP): IMCO hearing (16.11.09) + reflection group (2010); Inter-parliamentary meeting (26.10.10); EP hearing + EP own-initiative report (2011)
- Fobe (expert): compensation measures: not available; no guidance; abusive linguistic requirements; scope for improvement: user guide, CoC, IMI System; move towards regulated education (not: professions)
- De Siqueira (P): recognition of diploma/certificate of a profession that does not exist like this in another MS: example of special (here: geriatric) nurse (D vs. P)

Main points (4) – Hearing DG MARKT 21.02.11

- Janeba (CZ): need to better define temporary and occasional activity and related requirements
- Van der Lem (GB): interaction between DRPQ and Services Directive not clear; IMI System an option under former, but mandatory under latter; many regulated professions have duties (quality, integrity)
- Q: How to involve social partners in work on EPC?
=> DG MARKT multi-stakeholder Steering Group
- D: legislation on common curricula based on common set of competencies
- D: EPC: validity?; regular updates how? covering practical experiences? professional liability insurance?; only for those migrating?; minimum quorum? (9 MS?)

Main points (5) – Hearing DG MARKT 21.02.11

- Thompson (UK/nurses): work organisation; autonomy; right to prescribe; shift from EQF 5 or 6 level?; shift to primary and out-patient care; trend towards output-based criteria; strengthen common trunk, then specialisation; specialisation and compensation measures/partial access
- Montgomery (D/doctors): 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 (F/doctors): mutual confidence can't be decreed, only builds on transparency on qualifications