



**ASSOCIATION EUROPÉENNE DES MÉDECINS DES HÔPITAUX  
EUROPEAN ASSOCIATION OF SENIOR HOSPITAL PHYSICIANS  
EUROPÄISCHE VEREINIGUNG DER LEITENDEN KRANKENHAUSÄRZTE  
EUROPESE VERENIGING VAN STAFARTSEN  
DEN EUROPÆISKE OVERLÆGEFORENING  
ΕΥΡΩΠΑΪΚΟΣ ΣΥΛΛΟΓΟΣ ΝΟΣΟΚΟΜΕΙΑΚΩΝ ΙΑΤΡΩΝ ΔΙΕΥΘΥΝΤΩΝ  
ASSOCIAZIONE EUROPEA DEI MEDICI OSPEDALIERI  
DEN EUROPEISKE OVERLEGEFORENING  
ASSOCIAÇÃO EUROPEIA DOS MÉDICOS HOSPITALARES  
ASOCIACIÓN EUROPEA DE MÉDICOS DE HOSPITALES  
EUROPEISKA ÖVERLÄKARFÖRENINGEN  
EVROPSKO ZDRŽENJE BOLNIŠNIČNIH ZDRAVNIKOV  
EUROPSKA ASOCIACIA NEMOCNICNÝCH LEKAROV  
EUROPSKA UDRUGA BOLNIČKIHI LIJEČNIKA  
ΕΒΡΟΠΕΪΣΚΑ ΑΣΟΪΙΑΪΙΑ ΗΑ ΣΤΑΡΣΗΤΕ ΒΟΛΗΙΧΝΗ ΛΕΚΑΡΗ  
ASOCIATIA EUROPEANA A MEDICILOR DIN SPITALE**

<b>Document :</b>	<b>AEMH 12-044</b>
<b>Title:</b>	<b>Working Document Professional Qualifications Directive</b>
<b>Author :</b>	<b>Thomas Zilling, Helene Thornblad</b>
<b>Purpose :</b>	<b>Information</b>
<b>Distribution :</b>	<b>AEMH Member Delegations</b>
<b>Date :</b>	<b>14 May 2012</b>

Working document for the Professional Qualifications Directive

Subject	Directive 2005/36/EC (the current directive)	Corresponding recitals and articles in the EC proposal (European Commission 19.12.2011)	AEMH Policy statement suggestions
Professional card	<p><i>Recital 32</i></p> <p>The introduction, at European level, of professional cards by professional associations or organisations could facilitate the mobility of professionals, in particular by speeding up the exchange of information between the host Member State and the Member State of origin. This professional card should make it possible to monitor the career of professionals who establish themselves in various Member States. Such cards could contain information, in full respect of data protection provisions, on the professional's professional qualifications (university or institution attended, qualifications obtained, professional experience), his legal establishment, penalties received relating to his profession and the details of the relevant competent authority.</p>	<p><i>(Recital 22, see Alert Mechanism below)</i></p> <p><i>Recital 24</i></p> <p>In order to supplement or amend certain non-essential elements of Directive 2005/36/EC, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of updating of Annex I, setting the criteria for the calculation of fees related to the European Professional Card, establishing the details of the documentation necessary for the European Professional Card, the adaptations of the list of activities set out in Annex IV, the adaptations of points 5.1.1 to 5.1.4, 5.2.2, 5.3.2, 5.3.3, 5.4.2, 5.5.2, 5.6.2 and 5.7.1 of Annex V, clarifying the knowledge and skills for medical doctors, nurses responsible for general care, dental practitioners, veterinary surgeons, midwives, pharmacists and architects, adapting the minimum periods of training for specialist medical trainings and specialist dental training, the inclusion in point 5.1.3 of Annex V of new medical specialities, the amendments to the list set out in points 5.2.1, 5.3.1, 5.4.1, 5.5.1 and 5.6.1 of Annex V, inclusion in point 5.3.3 of Annex V of new dental specialities, specifying the conditions of application of common training frameworks, and specifying the conditions of application of common training tests. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at</p>	<p><b>Background:</b></p> <p>The AEMH Working group stated in 2011 : "AEMH is sceptical to the idea of a European Professional Card. We are not certain that such a card would facilitate the access to the market in any significant way, and we point out that such card could be subject to falsifications and other misuse, in addition to the question of duplications. It is also unclear how one can ensure that the information on the card at all times is updated."</p> <p><b>Policy statement proposal:</b></p> <p>Although sceptical to the idea of a European Professional Card and whether it would facilitate mobility in any significant way, <b>AEMH</b> could support the creation of an "Electronic Certificate" on a voluntary basis, but firmly rejects the idea of a hard copy card because of a high risk of falsification, duplication and other misuse.</p>

		<p>expert level. The Commission, when preparing and drawing-up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p> <p><i>Recital 26</i></p> <p>The advisory procedure should be used for the adoption of implementing acts in order to lay down common and uniform rules regarding the specification of European Professional Cards for specific professions, the format of the European Professional Card, the translations necessary to support an application for issuing a European Professional Card, details for the assessment of the applications for a European Professional Card, the technical specifications and the measures necessary to ensure integrity, confidentiality and accuracy of information contained in the European Professional Card and in the IMI file, the conditions and the procedures for making available a European Professional Card, the conditions of access to the IMI file, the technical means and the procedures for the verification of the authenticity and validity of a European Professional Card and the implementation of the alert mechanism, due to the technical nature of those implementing acts.</p> <p><i>Article 3</i></p> <p>(k) 'European Professional Card': an electronic certificate issued to the professional proving the recognition of his qualifications for establishment in a host Member State or that he has met all the necessary conditions to provide</p>	
--	--	---	--

		<p>services in a host Member State on a temporary and occasional basis;</p> <p><i>Article 4a</i></p> <p>European Professional Card</p> <p>1. Member States shall provide a holder of a professional qualification with a European Professional Card upon his request and on condition that the Commission has adopted the relevant implementing acts provided for in paragraph 6.</p> <p>2. Member States shall ensure that the holder of a European Professional Card benefits from all the rights conferred by Articles 4b to 4e, upon validation of the Card by the competent authority of the relevant Member State as provided for in paragraphs 3 and 4 of this Article.</p> <p>3. Where the holder of a qualification intends to provide services under Title II other than those covered by Article 7(4), the European Professional Card shall be created and validated by the competent authority of the home Member State in accordance with Articles 4b and 4c.</p> <p>4. Where the holder of a qualification intends to establish himself in another Member State under Chapters I to IIIa of Title III or to provide services under Article 7(4), the European Professional Card shall be created by the competent authority of the home Member State and validated by the competent authority of the host Member State in accordance with Articles 4b and 4d.</p> <p>5. Member States shall designate competent authorities for issuing European Professional Cards. Those authorities shall ensure an impartial, objective and timely processing of applications for European Professional Cards. The Assistance Centers referred to in Article 57b may also act</p>	
--	--	---	--

		<p>in the capacity of a competent authority to issue a European Professional Card. Member States shall ensure that competent authorities inform citizens, including prospective applicants, on the advantages of a European Professional Card where it is available.</p> <p>6. The Commission shall adopt implementing acts specifying European Professional Cards for specific professions, establishing the format of the European Professional Card, the translations necessary to support any application for issuing a European Professional Card and details for the assessment of applications, taking into account the particularities of each profession concerned. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 58.</p> <p>7. Any fees which applicants may incur in relation to administrative procedures to issue a European Professional Card shall be reasonable, proportionate and commensurate with the costs incurred by the home and host Member States and shall not act as a disincentive to apply for a European Professional Card. The Commission shall be empowered to adopt delegated acts in accordance with Article 58a concerning the setting of criteria for the calculation and distribution of fees.</p> <p>8. The recognition of qualifications through a European Professional Card shall serve as a procedural alternative to the recognition of professional qualifications under the procedures provided in Title II and III of this Directive. The availability of a European Professional Card for a specific profession shall not preclude a holder of a professional qualification for that profession from seeking recognition of his qualifications under the procedures, conditions, requirements and deadlines provided for in this Directive other than those for the European</p>	
--	--	---	--

		<p>Professional Card.</p> <p><i>Article 4b</i></p> <p>Application for a European Professional Card and creation of an IMI file</p> <p>1. The Member States shall provide that a holder of a professional qualification may apply for a European Professional Card by any means, including through an online tool, with the competent authority of the home Member State.</p> <p>2. Applications shall be supported by the documentation required by Article 7(2) and Annex VII as appropriate. The Commission shall be empowered to adopt delegated acts in accordance with Article 58a concerning the establishment of the details of the documentation.</p> <p>3. The competent authority of the home Member State shall acknowledge receipt of the application and inform the applicant of any missing document without delay from submission of the application. It shall create a file of the application containing all supporting documents within the Internal Market Information System (IMI) established by Regulation (EU) No [...] of the European Parliament and of the Council(*). In case of subsequent applications by the same applicant, the competent authorities of the home or the host Member State may not request the re-submission of documents which are already contained in the IMI file and which are still valid.</p> <p>4. The Commission may adopt implementing acts specifying the technical specifications, the measures necessary to ensure integrity, confidentiality and accuracy of information contained in the European Professional Card and in the IMI file, the conditions and the procedures for making available a European Professional Card to its</p>	
--	--	---	--

		<p>holder, including the possibility of downloading it or submitting updates for the file. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 58.</p> <p><i>Article 4c</i> European Professional Card for the temporary provision of services other than those covered by Article 7(4)</p> <p>1. The competent authority of the home Member State shall verify the application, create and validate a European Professional Card within two weeks from the date it receives a complete application. It shall inform the applicant and the Member State in which the applicant envisages to provide services, of the validation of the European Professional Card. The transmission of the validation information to the host Member States concerned shall constitute the declaration provided for in Article 7. The host Member State may not require a further declaration under Article 7 for the following two years.</p> <p>2. The decision of the home Member State, or the absence of a decision within the period of two weeks referred to in paragraph 1, shall be subject to appeal under national law.</p> <p>3. If a holder of a European Professional Card wishes to provide services in Member States other than those initially informed pursuant to paragraph 1 or wishes to continue providing services beyond the period of two years referred to in paragraph 1, he may continue to use the European Professional Card referred to in paragraph 1. In those cases the holder of the European Professional Card shall make the declaration provided in Article 7.</p> <p>4. The European Professional Card shall be valid for as long as its holder maintains the right to practice in the home Member State on the basis of the documents and</p>	
--	--	---	--

		<p>information contained in the IMI file.</p> <p><i>Article 4d</i></p> <p>European Professional Card for establishment and for the temporary provision of services under Article 7 (4)</p> <p>1. Upon receipt of a complete application for a European Professional Card, the competent authority of the home Member State shall, within two weeks, verify and confirm the authenticity and validity of the submitted supporting documents, create the European Professional Card, transmit it for validation to the competent authority of the host Member State and inform that authority on the corresponding IMI file. The applicant shall be informed by the home Member State of the state of the procedure.</p> <p>2. In the cases referred to in Article 16, 21 and 49a, a host Member State shall decide on validation of a European Professional Card under paragraph 1 within one month as from the date of receipt of the European Professional Card transmitted by the home Member State. In case of justified doubts, the host Member State may request additional information from the home Member State. That request shall not suspend the period of one month.</p> <p>3. In the cases referred to in Articles 7(4) and 14, a host Member State shall decide on whether to recognise the holder's qualifications or to subject him to compensation measures within two months from the date of receipt for validation of the European Professional Card transmitted by the home Member State. In case of justified doubts, the host Member State may request additional information from the home Member State. That request shall not suspend the period of two months.</p> <p>4. In case the host Member State subjects the applicant to</p>	
--	--	---	--



		<p>an aptitude test under Article 7(4), the applicant shall be able to provide the service within one month of the decision being taken in accordance with paragraph 3.</p> <p>5. Where the host Member State fails to take a decision within the time limits set out in the paragraphs 2 and 3 or to request additional information within one month from the date of receipt of the European Professional Card by the home Member State, the European Professional Card shall be deemed to be validated by the host Member State and to constitute recognition of the professional qualification to the regulated profession concerned in the host Member State.</p> <p>6. The actions taken by the home Member State in accordance with paragraph 1 shall replace any application for recognition of professional qualifications under the national law of the host Member State.</p> <p>7. The decisions of the home and of the host Member State under paragraphs 1 to 5 or the absence of decision by the home Member State shall be subject to appeal under the national law of the Member State concerned.</p> <p><i>(Article 4e, see Alert Mechanism below)</i></p> <p><i>Article 57</i> Central online access to information</p> <p>1. Member States shall ensure that the following information is available online and regularly updated through the points of single contact:</p> <p>(a) a list of all regulated professions within the meaning of Article 3(1)(a) in the Member State including contact details of the competent authorities for each regulated profession and the assistance centre referred to in Article 57b;</p>	
--	--	--	--

		(b) a list of the professions for which a European Professional Card is available, the functioning and the competent authorities for issuing the card;	
Alert mechanisms	Not regulated.	<p><i>Recital 22</i></p> <p>Whilst the Directive already provides for detailed obligations for Member States to exchange information, such obligations should be reinforced. Member States should not only react to request for information but also alert other Member States in a proactive manner. Such alert system should be similar to that of Directive 2006/123/EC. A specific alert mechanism is however necessary for health professionals benefiting from automatic recognition under Directive 2005/36/EC. This should also apply to veterinary surgeons unless the Member States have already triggered the alert mechanism provided for in Directive 2006/123/EC. All Member States should be alerted if a professional due to a disciplinary action or criminal conviction is no longer entitled to move to another Member State. This alert should be activated through the IMI regardless of whether the professional has exercised any of the rights under Directive 2005/36/EC or of whether he has applied for recognition of his professional qualifications through the issuance of a European Professional Card or through any other method provided for by that Directive. The alert procedure should comply with Union law on the protection of personal data and other fundamental rights.</p> <p><i>Article 4e</i></p> <p>Processing and access to data regarding the European Professional Card</p> <p>1. The competent authorities of the home and the host</p>	<p><b>Background:</b></p> <p>In several Member States, a large proportion of medical doctors are subjects of investigations at some time during their career, without any further consequences for their future practice. The expression “disciplinary action” in the EC proposal needs to be clarified. Note that medical doctors may have restrictions for their practice (such as restricted prescription rights) but still have the right to exercise the medical profession.</p> <p><b>Policy statement proposal:</b></p> <p><b>AEMH</b> supports the introduction of an alert mechanism in the directive, but advocates that only final decisions about prohibitions and restrictions should activate alerts or withdraw electronic certificates.</p>

		<p>Member States shall update in a timely manner the corresponding IMI file with information regarding disciplinary action or criminal sanctions taken or any other serious specific circumstances which are likely to have consequences for the pursuit of activities of the holder of the European Professional Card under this Directive. Such updates include the deletion of information which is no longer required. The holder of the European Professional Card and the competent authorities involved in the corresponding IMI file shall be informed of any updates by the competent authorities concerned.</p> <p>2. Access to the information in the IMI file shall be limited to the competent authorities of the home and the host Member State and the holder of the European Professional Card in accordance with Directive 95/46/EC of the European Parliament and of the Council(**)</p> <p>3. Information on individual applicants shall only be processed by the relevant competent authorities of the home and the host Member State for the purposes of the European Professional Card in accordance with the provisions for the protection of public safety and health and Directive 95/46/EC.</p> <p>4. The information included in the European Professional Card shall be limited to the information that is necessary to ascertain its holder's right to exercise the profession for which it has been issued, in particular name, surname, date and place of birth, profession, applicable regime, competent authorities involved, card number, security features and reference to a valid proof of identity.</p> <p>5. Member States shall ensure that the holder of a European Professional Card has the right at any time to request the rectification, deletion and blocking of his file within the IMI system upon request and that he is</p>	
--	--	--	--

		<p>informed of this right at the time of issuing the European Professional Card, and reminded of it every two years after the issuance of his European Professional Card.</p> <p>6. In relation to the processing of personal data in the European Professional Card and all files in the IMI, the relevant competent authorities of the Member States shall be regarded as controllers within the meaning of Directive 95/46/EC. In relation to its responsibilities under paragraphs 1 to 4 and the processing of personal data involved therein, the Commission shall be regarded as a controller within the meaning of Regulation (EC) No 45/2001 of the European Parliament and of the Council(**).</p> <p>7. Member States shall provide that employers, customers, patients and other interested parties may verify the authenticity and validity of a European Professional Card presented to them by the card holder without prejudice to paragraphs 2 and 3.</p> <p>The Commission shall adopt implementing acts specifying the conditions of access to the IMI file, the technical means and the procedures for the verification referred to in the first subparagraph. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 58.</p> <p><i>Article 56a</i> Alert mechanism</p> <p>1. The competent authorities of a Member State shall inform the competent authorities of all other Member States and the Commission about the identity of a professional who has been prohibited by national authorities or courts from pursuing, even temporarily, on the territory of that Member State the following</p>	
--	--	---	--

	<p>professional activities:</p> <ul style="list-style-type: none"><li>(a) doctor of medicine of general practice possessing evidence of a formal qualification referred to in point 5.1.4 of Annex V;</li><li>(b) specialist doctor of medicine possessing a title referred to in point 5.1.3 of Annex V;</li><li>(c) nurse responsible for general care possessing evidence of a formal qualification referred to in point 5.2.2 of Annex V;</li><li>(d) dental practitioner possessing a professional qualifications listed in, point 5.3.2 of Annex V;</li><li>(e) specialist dentists possessing evidence of a formal qualification referred to in point 5.3.3 of Annex V;</li><li>(f) veterinary surgeon possessing evidence of a formal qualifications referred to in point 5.4.2 of Annex V, unless they notified it already under Article 32 of Directive 2006/123/EC of the European Parliament and of the Council(*);</li><li>(g) midwife possessing evidence of a formal qualification referred to in point 5.5.2 Annex V;</li><li>(h) pharmacist possessing evidence of a formal qualification listed in point 5.6.2 of Annex V;</li><li>(i) holders of certificates mentioned in point 2 of Annex VII attesting that the holder completed a training which satisfies the minimum requirements listed in Articles 24, 25, 31, 34, 35, 38, 40, or 44 respectively, but which started earlier than the reference dates of the qualifications listed in points 5.1.3, 5.1.4, 5.2.2, 5.3.2, 5.3.3, 5.4.2, 5.5.2, 5.6.2 of Annex V.</li><li>(j) holders of certificates of acquired rights as referred to in Articles 23, 27, 29, 33, 37 and 43.</li></ul>	
--	---	--

		<p>The information referred to in the first subparagraph shall be sent at the latest within three days from the date of adoption of the decision prohibiting the professional concerned from exercising a professional activity.</p> <p>2. In the cases not covered by Directive 2006/123/EC, where a professional established in a Member State carries out a professional activity under a professional title other than those referred to in paragraph 1 and within the framework of this Directive, a Member State shall inform without delay other Member States concerned and the Commission upon gaining actual knowledge of any conduct, specific acts or circumstances which is related to such activity and which could cause serious damage to the health or safety of persons or to the environment in another Member State. That information shall not go beyond what is strictly necessary to identify the professional concerned and shall include the reference to the decision of a competent authority prohibiting him or her from pursuing the professional activities. Other Member State may request further information under the conditions set out in Articles 8 and 56.</p> <p>3. The processing of personal data of the purpose of the exchange of information according to paragraphs 1 and 2 shall be carried out in accordance with Directives 95/46/EC and 2002/58/EC. The processing of personal data by the Commission shall be carried out in accordance with Regulation (EC) No 45/2001.</p> <p>4. Member States shall provide that professionals on which alerts are sent to other Member States are informed in writing of decisions on alerts at the same time as the alert as such, may appeal to national courts against the decision or apply for rectification of such decisions and shall have access to remedies in respect of any damage</p>	
--	--	--	--

		<p>caused by false alerts to other Member States and in such cases the decision shall be qualified to indicate that it is subject to proceedings by the professional.</p> <p>5. The Commission shall adopt implementing acts for the application of the alert mechanism. The implementing act shall include provisions on the competent authorities entitled to sending and/or receiving alerts, on complementing the alerts with additional information, on the withdrawal and closure of alerts, on rights of access to data, ways of correcting the information contained in the alerts, and measures to ensure the security of processing and retention periods. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 58.</p>	
<p>Minimum training requirements</p>	<p><i>Article 24</i></p> <p>2. Basic medical training shall comprise a total of at least six years of study or 5 500 hours of theoretical and practical training provided by, or under the supervision of, a university.</p> <p>For persons who began their studies before 1 January 1972, the course of training referred to in the first subparagraph may comprise six months of full-time practical training at university level under the supervision of the competent authorities.</p> <p>3. Basic medical training shall</p>	<p><i>Article 24</i></p> <p>Article 24 is amended as follows:</p> <p>(a) Paragraph 2 is replaced by the following: "2. Basic medical training shall comprise a total of at least five years of study, which may also be expressed with the equivalent ECTS credits, and shall consist of at least 5500 hours of theoretical and practical training provided by, or under the supervision of, a university. For persons who began their studies before 1 January 1972, the course of training referred to in the first subparagraph may comprise six months of full-time practical training at university level under the supervision of the competent authorities."</p> <p>(b) The following paragraph 4 is added: "The Commission shall be empowered to adopt delegated acts in accordance with Article 58a to specify: (a) the adequacy of knowledge of sciences referred to in point (a) of paragraph 3 in line with scientific and</p>	<p><b>Background:</b> The length of the basic medical education varies in the EU, between 5 years (UK, Ireland, Malta) and 6 years. The Directive should allow for these variations.</p> <p><b>AEMH</b> supports the EC proposal allowing for the current variation in basic medical training length between Member States.</p> <p><b>AEMH</b> defends the Member States' rights to make their own decisions about basic medical training, and opposes the rights for the EC to add new requirements by the use of</p>

	<p>provide an assurance that the person in question has acquired the following knowledge and skills:</p> <p>(a) adequate knowledge of the sciences on which medicine is based and a good understanding of the scientific methods including the principles of measuring biological functions, the evaluation of scientifically established facts and the analysis of data;</p> <p>(b) sufficient understanding of the structure, functions and behaviour of healthy and sick persons, as well as relations between the state of health and physical and social surroundings of the human being;</p> <p>(c) adequate knowledge of clinical disciplines and practices, providing him with a coherent picture of mental and physical diseases, of medicine from the points of view of prophylaxis, diagnosis and therapy and of human reproduction;</p> <p>(d) suitable clinical experience in hospitals under appropriate supervision.</p>	<p>technological progress and the necessary competences that such knowledge should entail;</p> <p>(b) the degree of sufficiency of understanding of the items referred to in point (b) of paragraph 3 and the necessary competences for such understanding in line with scientific progress and developments in education in Member States (c) the adequacy of knowledge of clinical disciplines and practices, as referred to in point (c) of paragraph 3, and the necessary competences such knowledge should lead to in the light of scientific and technological progress</p> <p>(d) the suitability of clinical experience referred to in point (d) of paragraph 3 and the necessary competences that such experience should entail in the light of scientific and technological progress as well as developments in education in Member States."</p>	<p>"delegated acts".</p>
<p>Minimum training requirements</p>	<p><i>Article 25</i> Specialist medical training 1. Admission to specialist medical training shall be contingent upon completion and validation of six years of study as part of a training</p>	<p><i>Article 25</i>  Article 25 is amended as follows: (a) Paragraph 1 is replaced by the following: "1. Admission to specialist medical training shall be contingent upon completion and validation of a basic</p>	<p><b>Background:</b>  The question of partial exemptions from parts of specialist medical training, if that part of the training has been followed already during the</p>



	<p>programme referred to in Article 24 in the course of which the trainee has acquired the relevant knowledge of basic medicine.</p> <p>2. Specialist medical training shall comprise theoretical and practical training at a university or medical teaching hospital or, where appropriate, a medical care establishment approved for that purpose by the competent authorities or bodies.</p> <p>The Member States shall ensure that the minimum duration of specialist medical training courses referred to in Annex V, point 5.1.3 is not less than the duration provided for in that point. Training shall be given under the supervision of the competent authorities or bodies. It shall include personal participation of the trainee specialised doctor in the activity and responsibilities entailed by the services in question.</p> <p>3. Training shall be given on a full-time basis at specific establishments which are recognised by the competent authorities. It shall entail participation in the full range of medical activities of the department where the training is given, including duty on call, in such a way that the trainee specialist devotes all his</p>	<p>medical training programme as referred to in Article 24(2) in the course of which the trainee has acquired the relevant knowledge of basic medicine."</p> <p>(b) The following paragraph 3a is inserted: "3a. Member States may lay down in their national legislations partial exemptions from parts of the specialist medical training, if that part of the training has been followed already during the completion of another specialist training programme which is listed in point 5.1.3 of Annex V and provided that the former specialist qualification has already been obtained by the professional in that Member State.</p> <p>Member States shall ensure that the granted exemption is not more than one-third of the minimum duration of specialist medical training courses as referred to in point 5.1.3 of Annex V.</p> <p>Each Member State shall notify the Commission and the other Member States of their national legislation concerned together with detailed justification for such partial exemptions."</p> <p>(c) Paragraph 5 is replaced by the following: "5. The Commission shall be empowered to adopt delegated acts in accordance with Article 58a concerning the adaptations of the minimum periods of training referred to in point 5.1.3 of Annex V to scientific and technical progress."</p>	<p>completion of another specialist training programme, should be decided by national authorities after a target-oriented assessment and not regulated in time.</p> <p><b>Policy statement proposal:</b></p> <p><b>AEMH</b> emphasizes that a second (or third etc) specialist medical training should be target oriented, not regulated in time. It should be a national responsibility to decide about partial exemptions.</p>
--	---	--	--

	<p>professional activity to his practical and theoretical training throughout the entire working week and throughout the year, in accordance with the procedures laid down by the competent authorities. Accordingly, these posts shall be the subject of appropriate remuneration.</p> <p>5. The Commission may adapt the minimum periods of training referred to in Annex V, point 5.1.3, to scientific and technical progress. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 58(3).</p>		
<p>Knowledge of languages</p>	<p><i>Article 53</i></p> <p>Knowledge of languages Persons benefiting from the recognition of professional qualifications shall have a knowledge of languages necessary for practising the profession in the host Member State.</p>	<p><i>Article 53</i></p> <p>In Article 53, the following second paragraph is added: "A Member State shall ensure that any controls of the knowledge of a language are carried out by a competent authority after the decisions referred to in Articles 4d, 7(4) and 51(3) have been taken and if there is a serious and concrete doubt about the professional's sufficient language knowledge in respect of the professional activities this person intends to pursue. In case of professions with patient safety implications, Member States may confer to the competent authorities the right to carry out language checking covering all professionals concerned if it is expressly requested by the</p>	<p><b>Background:</b></p> <p>The conditions vary between Member States, hospitals and specialties.</p> <p><b>Policy statement proposal:</b></p> <p><b>AEMH</b> considers that Member States should determine the language skills needed regarding patient safety, quality and efficiency in the health sector. It should be the responsibility</p>

		<p>national health care system, or in case of self-employed professionals not affiliated to the national health care system, by representative national patient organisations. Any language control shall be limited to the knowledge of one of the official languages of the Member State according to the choice of the person concerned, it shall be proportionate to the activity to be pursued and free of charge for the professional. The person concerned shall be allowed to appeal such controls before national courts."</p>	<p>of the health care system (employers) in each Member State to carry out language testing or verifications of language skills by the most appropriate body.</p>
--	--	---	---