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ASOCIATIA EUROPEANA A MEDICILOR DIN SPITALE**

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**REPORT BY THE SPANISH DELEGATION TO THE PLENARY
ASSEMBLY OF THE AEMH**

Lisbon, 6, 7 and 8 May 2010

Dr. Manuel Sánchez García

Since the last Plenary Assembly of the AEMH, a number of events have occurred in Spain that I shall cover briefly.

Compulsory Registration:

This is the latest battlefield with the politicians who have taken advantage of the transposition of the Services Directive which actually specifically excludes the health care sector. Nowhere in Europe apart from Spain has there been a debate on compulsory professional registration, perhaps because control of doctors by doctors is seen as natural in Europe, because in Europe there is a thing called “social fabric” and no such thing as “State interventionism”.

Compulsory registration is a right for patients and an obligation for doctors. It helps guarantee the quality of health care because there is no other profession that submits to self-control like the medical profession does. Because no other profession has anything like our Code of Ethics, or the guarantees of training and qualification that we require of each other.

We, in the Spanish medical association, await with concern the Government’s final decision on this matter.

The Spanish delegation would be pleased to receive a statement of support from the AEMH in favour of control of doctors by the profession and opposition to State control of the medical profession.

The second problem we face is a Royal Decree approved on 16 April. We have not yet seen the exact wording, but it covers the recognition of third country medical qualifications.

Are patients aware that sometimes the so-called “specialists” treating them are primary care doctors taken on by the administration to work as specialists in certain areas where there is a shortage of qualified specialists? Are patients aware that the Medical Association threatened to report managers taking on such “unqualified” doctors to work as specialists? Do they know the Administration reacted by bringing out a bill of law allowing them to work as specialists during the process of acceptance of their non-EU qualifications? What will happen if the specialist qualification is finally rejected? What will happen if there is a complication, which can happen even with experienced specialists? Who will be responsible?

The National Specialist Commissions are to be replaced by an “ad hoc” commission which will consider all the qualifications in all specialisations. It is to be appointed by the Administration and will include a single representative of the Medical Association. And this commission is expected to be able to deal with everything.

What is going on in Spain that politicians are deciding on matters that in the EU countries are left exclusively in the hands of professionals?

On this matter, too, we are requesting the AEMH Plenary Assembly to make a statement of protest to the Spanish health authorities for limiting the participation of the profession in the recognition of third country medical qualifications.

Another problem we are facing in spite of the protests made by the Spanish Medical Association is what is inaccurately known as **Prescription by Nurses**, which unfortunately is already in force in Spain. An Act recently passed in the Spanish parliament now allows nurses to prescribe drugs.

Prescription of a drug is the culmination of a careful process between doctor and patient, and aims to prevent, improve or cure a disease or health problem. Prescription is the result of diagnosis, evaluation of possible interactions with other treatments and consideration of the patient's will and capacity to use the prescribed drug. Prescription must be the result of a process of deduction, based on full, objective information. It cannot be a reflex, routine action, or a response to commercial pressure, or the result of consulting a "digital platform" used by staff that is not competent because it has not received training for this purpose.

Only training and the professional authorities can determine the necessary competencies for each profession. Therefore, only a doctor with a qualification received after years of study and specific practical experience can give the necessary guarantees to society and to patients by performing correct clinical activity. "Prescription by nurses" clearly entails a health risk and is clearly illegal, because it places patients in the hands of a non-medical practitioner who has neither knowledge nor clinical responsibility.

If there are insufficient doctors, the system must find more. Spain makes great efforts to train huge numbers of doctors, but this effort is being wasted, because some of them are moving elsewhere even though they are needed in our own country. It would be contradictory that the working burden borne by Spanish doctors, because of incorrect calculations of the staff needed to meet the real demand for health care, be used as an excuse for handing over doctors' tasks and responsibilities to other professionals.

Who will be responsible and on the basis of what knowledge will certain symptoms be diagnosed as mild? Only doctors are capable of establishing a diagnosis and only they can determine to what degree symptoms are serious or not. Who is going to be responsible for the algorithms used by nurses to determine how serious symptoms are? Who is going to be responsible for the adverse effects of drugs or for their interaction with others in polymedicated patients? The fact is that most nurses are not in a position in which they can face lawsuits resulting from incorrect prescription.

Why, once again, have politicians taken a decision on a matter that should be left exclusively to professionals by passing a law that endangers the health of citizens?

The Law on Abortion and Conscientious Objection:

I shall not go into philosophical considerations about the nasciturus or the start of life. Most doctors are clear about these matters and politicians are not going to make us change our minds. But this bill of law covers the right of women to request the “morning-after pill” without the need for a prescription and with no age limit.

Are they aware of the problems that can be created by uncontrolled use of this drug that some people have described as a real “hormone bomb”? Are they aware of the side effects and after-effects of overuse? Are they going to be liable for all these problems? Will it be up to them to check how this drug is used?

Moreover, this law allows minors to abort, as it sees interruption of pregnancy as a right for women. This concept of the right is unique in Europe. But what about the right to be informed by a professional about the psychosocial disorders that can follow an abortion? Why are they so keen to sideline medical professionals?

And another problem is that this law does not guarantee the right for doctors to object to this practice, even though this right is covered by the Spanish Constitution. Fortunately, the Medical Association is prepared to defend this right to conscientious objection.

I would like to know your opinion about the lists of doctors who object. Why don't they draw up lists of doctors who don't object?

But I won't tire you any longer. Goodbyes are always difficult and, except for rare occasions, they are difficult for the person who is leaving. I have a colleague at my hospital who is already retired but he always carries a white overall in his car in case he is needed at the hospital in which he worked for 35 years, because he says no-one remembers him and sometimes he can't even get past the front door.

That's our destiny. Few of us leave a mark, not even a small one!

If over the last 24 years as Spanish delegate to the AEMH, I have offended anyone, I sincerely apologise. I would like everyone here to know that it has been a privilege and an honour for me to belong to this organisation.

I would especially like to express my gratitude to the two secretaries of the AEMH who have put up with me all this time, Madame Khazza and Madame Jencik. My sincere thanks!

But I'm not going with empty hands. I'm taking with me the medal of Aesculapius that you were generous enough to grant me in spite of my limited merits. It is the greatest honour I have received in my career. You have no idea how grateful I am.

I hope I am leaving behind only friends. And if there is anything I can do for you, I would be only too happy to hear from you!. I and my possessions are at your disposal. In all sincerity!.

