

Crossing Borders Update



Welcome to the April 2009 Healthcare Professionals Crossing Borders (HPCB) Update. This briefing includes information about the recent HPCB Spring 2009 Meeting in Dublin, Ireland, as well as news on HPCB's statement on the *Green Paper on the European Workforce for Health*, the General Medical Council's (GMC) consultation on end of life treatment and care and the Nursing and Midwifery Council's (NMC) new guidance for nurses on the care of older people. Other items focus on the work of Ireland's Health and Social Care Professionals Council (HSCPC) and the results of last year's HPCB website survey.

Please contact us if you would like to share regulatory news or promote forthcoming regulatory events to other European healthcare regulators. For more information, please visit the HPCB website at www.hpcb.eu.

HPCB submits statement on European Commission Green Paper

Healthcare Professionals Crossing Borders (HPCB) has submitted a statement in response to the European Commission's *Green Paper on the European Workforce for Health*. The statement was supported by 29 national or European-level organisations.

The Green Paper was adopted by the European Commission in December 2008. It identifies and highlights the common challenges facing health systems in Europe, such as Europe's ageing population and new and re-emerging threats to health, and hopes to identify areas for further

action. The Green Paper mentions HPCB as an initiative aimed at improving access to information between EU member states when professional conduct has been brought into question.

The HPCB statement with the full list of organisations in support of it can be viewed on the HPCB website at www.hpcb.eu/hpcb/news/documents/HPCB%20Green%20Paper%20statement%20FINAL.pdf.

To view the Green Paper visit http://ec.europa.eu/health/ph_systems/docs/workforce_gp_en.pdf.

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European healthcare regulators discuss patients' rights in Dublin

Over 80 representatives from 30 healthcare regulators in 16 European countries gathered in Dublin, Ireland, on 6 March for the HPCB Spring 2009 Meeting.

The meeting was hosted by the Pharmaceutical Society of Ireland and chaired by Jos van den Heuvel, former Chief Dental Officer of the Netherlands. The theme of the meeting was 'Patients' rights to effective healthcare regulation'.

The morning session focused on the European Commission's proposed Directive on the application of patients' rights in cross-border healthcare, with speakers giving different perspectives on the proposed legislation. Professor Charles Normand of Trinity College Dublin gave an academic perspective on the Directive, followed by Ralph Hughes of the European Public Health Alliance speaking about the impact on patients. John Lamont of the Medical Council of Ireland presented the regulatory view, whilst Dr John Jenkins of the General Medical Council (UK) spoke about professional standards.

The afternoon session took the form of a structured open debate, with an expert panel. Delegates were encouraged to consider the benefits and challenges of transferring the *Portugal Agreement* onto a more formal footing, and to discuss the future of the HPCB initiative.

The event drew to an end with conclusions from Jos van den Heuvel. The meeting revealed strong support for the creation of a small steering group to set the future direction of HPCB and the development of a survey to establish the progress that healthcare regulators across Europe have made with the implementation on the *Portugal Agreement*.

To view the presentations given at the meeting visit the HPCB website at www.hpcb.eu/hpcb/news/events.asp.

About the Health and Social Care Professionals Council, Ireland

The Health and Social Care Professionals Council (HSCPC) was established in 2007 to set up statutory registration for the following 12 professionals:

- Clinical biochemists
- **Chiropodists/podiatrists**
- Medical scientists
- Dieticians
- **Psychologists**
- **Occupational therapists**
- Orthoptists
- **Physiotherapists**
- Radiographers
- Social care workers
- **Speech and language therapists**
- **Social workers**

It was the first Irish health regulatory body established with a lay majority and has the potential to expand to include other professional groups. The National Social Work Qualifications Board (NSWQB), the Pre-Hospital Emergency Care Council (PHECC) (regulators of emergency medical technicians, paramedics and advanced paramedics) and the Opticians Board (regulators of optometrists and dispensing opticians) will join the Council within the next two years. Statutory registration will apply across public, voluntary, and private sectors.

Statutory registration will act as a quality assurance for the public. The legislation protects titles, allows the establishment of codes of conduct and ethics and sets standards of proficiency and education. It also establishes methods to deal with complaints, enquiries and disciplinary issues

As each registration board opens for the first time, there will be a two year 'grandparenting' period to allow current practitioners who have been working for a minimum period of time to be considered for the registers, even if they do not have the prescribed educational approved courses or relevant experience. After this period, only people meeting the established criteria will be able to register.

HSCPC will have to be self-funding and must meet the EU legislative requirements. The Minister for Health and Children will be announcing the appointment of the first two registration boards shortly and, subject to resources, the registers for these two professions will open in the first half of 2010.

We will keep HPCB participants up to date as to when the registers are open. Meanwhile details on the validation of EU qualification requirements can be found on www.dohc.ie. Enter 'validation' for full details on all of the health and social care professions.

For more information, please contact Ginny Hanrahan at ginnyhanrahan@hscpc.ie.

Contact details (until May 2010):

The Health and Social Care Professionals Council
c/o National Social Work Qualifications Board
8-11 Lower Baggot Street, Dublin 2, Ireland
Telephone: +353 (1) 644 9703

HPCB survey reveals strong support for regulatory collaboration

The HPCB survey, carried out online at the end of 2008, has revealed strong support for HPCB's key aims and objectives.

Thirty-nine organisations responded to the survey, 57% of which represented an organisation currently participating in HPCB. The survey showed overwhelming support for HPCB, with 98% believing it to be an important and valuable initiative.

All of the respondents (100%) agreed that it is important to ensure that all health professionals in Europe are competent and safe to practise and 84% expressed support for HPCB's aim to introduce greater regulatory safeguards. 99% of respondents believed that European regulatory co-operation and collaboration is a positive working method. This supports the role and purpose of HPCB as a regulatory partnership.

Respondents came from 18 European countries and a selection of regulatory authorities, health services organisations, government departments and European institutions.

Finnish healthcare regulator changes name

On 1 January 2009 the Finnish healthcare regulator, the National Authority for Medicolegal Affairs (TEO) merged with the National Product Control Agency for Welfare and Health (STTV) to form the National Supervisory Authority for Welfare and Health (Valvira). Valvira is a new central office of the administrative sector of the Ministry of Social Affairs and Health and retains responsibility for the regulation of all healthcare professionals in Finland.

For more information visit the Valvira website at www.valvira.fi or contact Pirjo Pennanen at pirjo.pennanen@valvira.fi

Dealing with ethical dilemmas: how easy is it to apply ethical guidance in practice?

Research by Warwick Medical School has found that non-UK-qualified doctors working in the UK have difficulty accessing information and support that could help them to apply good practice guidance in their day-to-day practice.

The UK's General Medical Council (GMC) commissioned the research to explore the experiences of international medical graduates (including those from the European Economic Area) in adjusting to working within the GMC's professional and ethical regulatory framework.

All doctors registered with the GMC are required to follow the guidance set out in *Good Medical Practice* (2006) and supplementary guidance such as **Consent: patients and doctors making decisions together** (2008). It is important that all doctors understand how to apply the guidance when dealing with ethical dilemmas and where to turn for support if they are unsure of what to do. The GMC is therefore keen to develop case studies and other learning materials to help doctors understand and incorporate these principles into their everyday practice.

The researchers sought the views of a sample of doctors, from a range of specialties in the ten countries from which the GMC receives the most applications for registration. The study used a mixture of qualitative and quantitative methods to explore familiarity with the guidance and where doctors would turn for support to deal with ethical dilemmas. Researchers also conducted a review of the information available to doctors wishing to apply for registration with the GMC.

The study made several recommendations including:

- the provision of targeted information on ethics in the UK for doctors arriving in the country
- in-post induction and training
- ongoing mentoring for doctors beginning work in the UK, having qualified in another country.

The GMC is considering how to take forward the recommendations in the report.

An executive summary and the full report are available on the GMC website at www.gmc-uk.org/about/research/research_commissioned.asp

For more information please contact the GMC's Standards and Ethics Team at standards@gmc-uk.org

Two more regulators sign HPCB MoU

The Health Care Board (Estonia) and the Pharmaceutical Society of Ireland have become the two newest regulators to sign the HPCB *Memorandum of Understanding on Case-by-Case and Proactive Information Exchange (MoU)*

Both have committed to undertaking reactive information exchange. A total of 13 competent authorities have now signed the MoU since its publication in early 2008

The MoU was created to describe an agreed minimum level of information-sharing between regulators in disciplinary cases, and the processes for undertaking that exchange of information. Its purpose is to protect patients and the public from healthcare professionals whose practice might put patients at risk and to contribute to high-quality healthcare across Europe. The new signatories to the MoU demonstrate that both the *Edinburgh* and *Portugal Agreements* have led

to practical and important changes to the way in which healthcare regulators in Europe collaborate and share information.

The MoU and a list of signatories is available on the HPCB website at www.hpcb.eu/hpcb/activities/information_sharing.asp.

If your organisation would like to sign the MoU, or if you require any more information, please contact Liz Austin at hpcb@gmc-uk.org.

For more information on the Pharmaceutical Society of Ireland contact Lorraine Horgan at lhorgan@pharmaceuticalsociety.ie

GMC launches consultation on end of life treatment and care

This month the General Medical Council (GMC) in the UK launched a public consultation on draft guidance for doctors *End of life treatment and care: Good practice in decision-making*.

Most doctors, at some time in their career, will be involved in caring for adult or child patients who have a life-limiting illness. Together with the patient and the patient's family and carers, the doctor will have to face difficult decisions about the extent and type of treatments that should be provided and how best to meet a patient's needs for emotional, spiritual or other support. A particular challenge in end of life care is the question of when it may be legally and ethically acceptable to withdraw or not to start a potentially life-prolonging treatment. This raises very painful issues which everyone involved in the decision can find difficult to face.

The GMC draft guidance provides an ethical framework to support doctors in approaching these often complex and distressing situations, in a way that reflects current UK law. It seeks to ensure that patients receive treatment when they need and want it; and patients who are dying are treated with dignity and not

subjected to treatments which they do not want or which offer no overall benefit. It is not about assisted suicide or euthanasia which is illegal in the UK.

As part of the public consultation, the GMC are holding a UK consultative conference on 3 June 2009 in London. It will bring together doctors, groups representing adult and child patients, nursing and other healthcare professionals, healthcare service providers, and Government representatives. It will include presentations from leading figures in the law and specialist areas of practice, and representing different religious and cultural perspectives.

The GMC also wants to learn from the different legal and ethical frameworks that underpin end of life decisions in other European countries, and to share knowledge with European regulatory bodies. It plans to hold a half day Forum on End of Life Treatment and Care for European regulators in London on 2 June 2009. This will include an invitation to attend the UK consultative conference on 3 June 2009.

The GMC forum on end of life treatment and care for European regulators will take place on 2 June 2009 in London. For more information and to register, please contact Liz Austin on +44 (0) 20 7189 5027 or email eaustin@gmc-uk.org.

New guidance for UK nurses on the care of older people

The Nursing and Midwifery Council (NMC), the regulator of the UK's 660,000 nurses and midwives, has published new guidance on the care of older people. It sets out what older people expect from nurses providing their care.

The guidance asks nurses to challenge negative attitudes to older people, be mindful of older people's dignity, show kindness and compassion, and to communicate effectively and respectfully. It can be used by employers to measure performance and is underpinned by the NMC *Code of Conduct* to help nurses provide safe, effective care, in a way that ensures an older person's dignity and demonstrates respect. In addition to the guidance itself, the NMC has also published a leaflet for members of the public, explaining how they can use the guidance to ensure

they or their loved ones receive the best possible care.

The NMC has made reference to this guidance in its response to the *Green Paper on the European Workforce for Health*, arguing that all healthcare professionals should be aware of the specific needs of older people, especially in the context of an ageing population. The guidance, as well as the NMC's response to the Green Paper, has been shared with patient groups at EU level, as well as AGE, the European Older People's Platform, MEPs in the European Parliament Intergroup on Ageing and the European Commission.

For further information or to ask for a copy of the guidance, please contact Polly Kettenacker at polly.kettenacker@nmc-uk.org.



Forthcoming Dates and Events

- 13 – 14 May 2009** **The World Healthcare Congress Europe 2009, Brussels.** A major international forum where over 600 health leaders will share best-practice and successful initiatives for improved delivery and outcomes in Europe. www.worldcongress.com
- 14 – 15 May 2009** **BEME conference, Coventry.** The first Best Evidence Medical Education (BEME) conference, hosted by the Association for Medical Education in Europe (AMEE). The theme of the conference will be 'the use of portfolios in the education of healthcare practitioners: an evidence-based approach'. www.amee.org
- 15 May 2009** **CEOM meeting, Paris.** The next meeting of the Conférence Européen des Ordres des Médecins (CEOM).
- 26 May 2009** **Patient choice: Pandora's box? EV health check debate, Brussels.** A *European Voice* (EV) health check event entitled 'Patients' choice: Pandora's box? How can patients influence safety and quality standards in healthcare?. www.europeanvoice.com
- 1 – 2 June 2009** **IPAC meeting, Québec.** A meeting of the International Physician Assessment Coalition (IPAC), open to those with current or potential interest in performance assessment. www.iamra.com
- 2 June 2009** **GMC Forum on end of life treatment and care.** A forum for European standards-setting and regulatory bodies entitled 'Supporting good quality end of life treatment and care'. For more information or to register, contact Liz Austin on +44 (0) 20 7189 5027 or email eaustin@gmc-uk.org
- 4 – 5 June 2009** **CPE spring meeting, Toronto.** A meeting hosted by the Coalition for Physician Enhancement (CPE) on 'The effectiveness of physician enhancement programs'. www.physicianenhancement.org
- 26 – 31 July 2009** **European Observatory Summer School, Venice.** The annual summer school of the European Observatory on Health Systems and Policies. The theme of the summer school will be 'Innovation and health technology assessment: Improving health system quality'. www.observatorysummerschool.org

HPCB Portugal Agreement made in Lisbon, Portugal on 8 April 2007

Agreement 1

Identifying Shared Principles of Regulation:

- a) Competent authorities should ensure that patient safety is of over-riding importance within their model of professional regulation.
- b) The pursuit of safe and high quality practice by health professionals should shape the continued development of health regulation across Europe.
- c) Competent authorities should identify common or shared concepts and values of healthcare regulation through a series of focused European level discussions.
- d) Competent authorities should collectively consider how the five principles of good regulation – accountability, transparency, proportionality, consistency, targeting – may contribute to the effective development of healthcare regulation in Europe, through a series of European level discussions.

Agreement 2

Transparent and Accessible Healthcare Regulation:

- a) Competent authorities should run a website signposted or accessible via the **www.healthregulation.org** website and/or **http://ec.europa.eu/internal_market/qualifications/compauth_en.htm**.
- b) Competent authorities will share experience in the development of web-based information and publicly transparent lists of registered professionals and identify good practice.
- c) Competent authorities should work to develop real-time web-based publicly searchable lists of registered professionals.
- d) Competent authorities should work towards making all notifications of disciplinary hearings and decisions public, where legally possible.
- e) Competent authorities will continue to adopt and implement the European template for a Certificate of Current Professional Status, as appropriate, as agreed within the Edinburgh Agreement.
- f) Competent authorities will continue to work towards adopting the HPCB Memorandum of Understanding on Case by Case and Proactive information exchange.
- g) Competent authorities will continue to support the development of the European Commission's Internal Market Information System (IMI) and will utilise this information exchange tool in accordance with the provisions for administrative cooperation contained within Directive 2005/36/EC.

Agreement 3

Competence Assurance of European Healthcare Professionals:

- a) Competent authorities will identify best practice from existing competence assurance and performance enhancement initiatives from across the globe.
- b) Competent authorities will undertake an audit of all existing or proposed competence assurance and performance enhancement initiatives within the EEA.
- c) Competent authorities should, where possible, work to develop appropriate competence assurance and performance enhancement initiatives based on global good practice.
- d) Competent authorities should develop appropriate information exchange tools to provide assurance to other competent authorities of current practitioner performance competence when practitioners seek to practise in other member states.
- e) All competent authorities should take proactive steps to make new registrants familiar with the relevant professional standards, codes and guidance on registration that apply in their jurisdiction.
- f) All competent authorities should make their standards, codes and guidance publicly available.