

Introduction

Welcome to the June 2008 Update briefing of the Health Professionals Crossing Borders initiative. This briefing includes articles on the HPCB spring 2008 meeting, news about the publication of an EU draft directive on patient's rights in cross-border healthcare, the launch of the new French language version of the HPCB website, and a retrospective of the recent HPCB implementation meeting on proactive information exchange. For more information please contact cherbert@gmc-uk.org or rsmith@gmc-uk.org or see www.hpcb.eu

Crossing Borders meets in The Hague for Spring 2008 Meeting

On 30th June 2008 over 60 regulators from 19 European countries participated in the HPCB Spring 2008 meeting in The Hague. The meeting, which was hosted by the Dutch Ministry of Health and RIBIZ, focused on the practical implementation of the Portugal Agreement, HPCB's work plan for 2007 to 2009. The Agreement contains three strands of action which European healthcare regulators are working to implement as appropriate to their national context: identifying shared regulatory principles; assuring the competence of their registrants, and providing accessible and transparent regulation.

At the meeting delegates strongly agreed that healthcare regulators need to identify shared regulatory principles and take a consistent approach to the registration and assessment of non-EEA graduates across Europe. Regulators also supported the idea that the robust regulation of healthcare professionals should be achieved through the regulation of qualifications, ongoing performance enhancement, and assuring the current competence of healthcare professionals. Delegates also agreed that through further discussions around the implementation of the Portugal Agreement, Crossing Borders would continue to provide a constructive forum for collaborative work between European healthcare regulators.

The spring meeting was a timely discussion of the potential for further collaborative work for European healthcare regulators. Two days after the meeting, the European Commission published its proposal for a directive on the application of patients' rights in cross border healthcare. Since its publications several European regulators have called on the Commission to balance the right of healthcare professionals to move freely in Europe as workers, with the right of patients to be treated by effectively regulated healthcare professionals who are fit and safe to practise.

HPCB French language website goes live

The HPCB French language website is now live. The site contains information about the background to Crossing Borders, its current areas of work, and details of many participating organisations.

Several French speaking HPCB participants including Julie-Jeanne

Regnault of the French Midwives Chamber (Ordre National des Sages-Femmes) and the French Dental Chamber (Ordre National des Chirurgiens-dentistes) provided valuable comments during the development of the site. The French language website can be viewed at: www.hpcb.eu/fr

Healthcare regulators meet to discuss Case-by-Case and Proactive Information Sharing

*Cathrine Lien Jensen and Lars Swanstrøm,
Norwegian Registration Authority for Health Personnel*

On 30th May 2008 over 30 representatives of competent authorities from 10 EU member states and four EU-wide organisations met in Oslo to discuss the practical implementation of the HPCB 'Memorandum of Understanding on Case-by-Case and Proactive Information Sharing' between regulators. The MoU establishes guiding principles for information sharing between regulators in complex disciplinary cases and situations of registration fraud.

The meeting, which was hosted and chaired by the Norwegian Registration Authority for Health Personnel, included several national case-study presentations on the principles of proactive information exchange and its contribution to patient safety, and a discussion session on overcoming obstacles faced by regulators in exchanging information. Cathrine Lien Jensen and Lars Swanstrøm of the Norwegian Registration Authority, outline the purpose of the MoU and its role in safe, high quality effective healthcare regulation.

"Healthcare professionals are moving across borders today more than ever before. Many European trained healthcare professionals are now choosing to spend some or all of their careers working in another country. This movement of healthcare workers cross borders leads in many ways to a positive development for the European welfare systems, but an improvement of information exchange is absolutely necessary to stop those who could and would pose a treat to the public and patients safety in Europe.

The proactive information sharing between regulators could be fairly uncomplicated in theory, but it seems that differences in systems and culture make the process more complicated and difficult than many may have expected. The competent authorities in Europe have well developed and well incorporated systems often anchored in national legislation, which can make the commitment to giving out information proactively difficult.

A big part of overcoming these barriers could be found in our own understanding of what these challenges consist of and how one chooses to use and interpret national laws and regulations. In order to ensure patients' safety, European countries need to give out more information than what is obligated by law today.

The high mobility of healthcare workers requires not only good communication between regulators, but also that information is given correctly so that the competent authorities can act on the information given to them for the benefit of both the health workers and the patients."

HPCB to launch website survey

In August 2008 HPCB will launch a web-based questionnaire for visitors to the French and English language versions of the HPCB website. All competent authorities in the EEA are encouraged to respond during September 2008.

A number of questions relating to views will be asked about the key areas of work for Crossing Borders and the role of effective, good quality healthcare

regulation on healthcare in Europe. The survey will be available for visitors to complete during the month of September.

From August 2008 the website will also include a Frequently Asked Questions page. This will summarise key information about the background to HPCB and its current plan of work and activities, and set its work in the context of the issues of patient safety and professional mobility in Europe.

European Commission publishes proposal for a ‘Directive on the application of patients’ rights in cross-border healthcare’

The European Commission published a proposal for a ‘Directive on the application of patients’ rights in cross-border healthcare’ on 2nd July 2008. The Directive is intended to clarify patients’ existing rights of access to cross-border healthcare services in the EU, encourage cooperation between the healthcare systems of EU member states, and increase the quality and safety of cross-border healthcare.

The Commission considers the Directive would establish a ‘clear framework’ for the provision of cross-border healthcare and encourage all EU member states to adopt the same values and principles in the provision of healthcare. It would also ensure patient safety by designating responsibility for safe, high quality and effective treatment to the member state of treatment. Whilst several European healthcare regulators and professional bodies have welcomed the draft Directive’s emphasis on patient rights, they have called on the Commission to balance the mobility rights of healthcare professionals with patients’ right to be treated by healthcare professionals who are fit and safe to practise.

HPCB continues to be in close and regular contact with the European Commission regarding the proposal, which can be viewed at:

http://ec.europa.eu/health/ph_overview/co_operation/healthcare/docs/COM_en.pdf

Forthcoming Dates and Events

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| 30th August–3rd September 2008 | Association for Medical Education in Europe (AMEE) 2008 conference , Prague. |
| 1st - 2nd September 2008 | European Healthcare Fraud and Corruption Network (EHFCN) seminar , Hotel Catalonia Ramblas, Barcelona. |
| 11th September 2008 | Debate on high quality healthcare in Europe (hosted by the Council of European Dentists (CED) and the Standing Committee of European Doctors (CPME), Brussels. |
| 29th – 30th October 2008 | DG SANCO high level discussion , ‘Delivering for tomorrow’s European Consumers’, Brussels.
http://www.sanco-tomorrow.eu/en/articles/sanco-tomorrow/home.cfm |
| 9th October 2008 | GMC workshop , ‘Supporting good practice in end of life care: a role for European regulators’, (supported by the Marie Curie Palliative Care Institute, Liverpool), Liverpool, UK. <i>For more information contact:</i> rsmith@gmc-uk.org |
| Autumn 2008 | HPCB – 2008 Autumn Meeting Date and venue to be confirmed. |

The Maltese Perspective on Crossing Borders

Mary Scicluna, Registrar, and David Muscat, Medical Council of Malta

At the Medical Council of Malta we are inundated with applications from both EU professionals and non-EU medical professionals with third country qualifications. Being part of the HPCB partnership gives us a direct insight into the workings of the other 26 EU member states and allows us to come to the correct decision for each individual case. This is integral to our work and proper functioning.

Each member state can help others in preventing the 'bad apples' from skipping the country where they are under investigation and sprouting up elsewhere. Co-operation and information sharing is crucial, so the principles of regulation are shared and should become uniform.

The 2008 HPCB Spring Conference informed us on assessment procedures for International medical graduates in Holland, Germany, Finland, Britain, Norway and Ireland to mention a few. The establishment of contacts and the healthy exchange of ideas at the meeting was vital. It was a meeting of minds. It was what the EU is all about - helping one another for the common good.

Through the partnership we will strive towards proper transparent and accessible regulation to achieve patient safety, as well a quality service with competent health personnel one can trust, within a framework of legal protection of the professionals themselves.

'Supporting good practice in end of life care: a role for European regulators' – GMC event

On 10th October 2008, the General Medical Council, with support from the Marie Curie Palliative Care Institute Liverpool (MCPCIL), plans to host a half day workshop for European medical regulatory bodies on 'Supporting good practice in end of life care: a role for European regulators.' The workshop will follow the Marie Curie Palliative Care Institute's conference on Thursday 9 October 2008, entitled '*Care of the Dying: Meeting the Challenge: a European perspective*' at the Arena and Convention Centre, Liverpool, UK. Further details about the MCPCIL conference are available at:

<http://www.mcpcil.org.uk/files/MCPCILConferenceFlyerfinalprintablepdf.pdf>

The workshop will explore ways in which regulators might support health professionals, patients and carers, to more effectively deal with difficult ethical, legal and practical issues surrounding decisions about withholding or withdrawing life-prolonging treatments.

The workshop will seek to enable regulators to share their knowledge and experience about the challenges that arise when a decision has to be made to limit life-prolonging treatments for seriously ill patients. In particular, the focus will be on the extent to which European countries have developed a regulatory framework to guide professional decision making.

For more information about the free workshop and to reserve a place please contact Rachel Smith at rsmith@gmc-uk.org

The Portugal Agreement made in Lisbon in 2007

An Agreement of the Healthcare Professionals Crossing Borders

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 IMInet system 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.