

## Introduction

Welcome to the February 2008 Update briefing of the Health Professionals Crossing Borders initiative. This briefing includes articles on the new French language version of the HPCB website, a discussion on proactive information exchange, and a retrospective on the HPCB round-table discussion in the European Parliament. For more information please contact [cherbert@gmc-uk.org](mailto:cherbert@gmc-uk.org) or [rsmith@gmc-uk.org](mailto:rsmith@gmc-uk.org) or see [www.hpcb.eu](http://www.hpcb.eu)

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## Crossing Borders calls on the European Parliament to support high quality healthcare regulation

On 22<sup>nd</sup> January 2008 HPCB facilitated a round-table discussion on professional regulation at the European Parliament in Brussels. The meeting, which was co-hosted by Arlene McCarthy MEP, Chair of the Internal Market and Consumer Protection Committee, brought together MEPs, healthcare regulators and European policy makers to discuss the role of effective healthcare regulation in ensuring safe, high quality healthcare in the European Single Market.

A panel of HPCB participants delivered presentations on the central purpose of healthcare regulation, the impact of patient and professional mobility on European healthcare regulation, and the importance of regulatory collaboration. Speakers included: Jos Van Den Heuvel (former Chief Dental Officer of the Netherlands), András Zsigmond (Ministry of Health, Hungary), Dr. Ambrose McLaughlin (Registrar of the Irish Pharmaceutical Society) and Professor Sir Graeme Catto (President of the General Medical Council, UK).

MEPs and regulators also participated in a structured open discussion which focused on the challenges and next steps for effective healthcare regulation in Europe. Participants considered the relationship between freedom of movement in the EU and patient safety, and ways in which regulators and MEPs can remain in dialogue over these issues.

The then EU Commissioner for Health, Markos Kyprianou, acknowledged the importance of collaborative work between healthcare regulators, stating: *“Clearly a fundamental requirement for safe and high quality healthcare in Europe is ensuring that European citizens are treated by safe and high quality healthcare professionals. I welcome all efforts made...to develop procedures that protect the public against dangerous or impaired practitioners.”*

Arlene McCarthy, who chaired the discussion, welcomed the work of Crossing Borders in raising these issues at a European level. She said: *“Ensuring patient safety is top of MEP’s list of priorities when it comes to healthcare. Health professionals, as well as patients, cross European borders, and we need to ensure there is proper regulation in place to guarantee a high standard of patient care and safety.”*



Photo credit: European Parliament

## French language version of Crossing Borders website

Crossing Borders has developed a French language version of the HPCB website. The site contains information about the background to the HPCB initiative and its current plan of work, details of organisations that participate in the Crossing Borders partnership, and sets the issues of patient safety and professional mobility in a clear European context.

Early feedback on the site was provided by Julie-Jeanne Régnault, of the French Midwives Council and the French Dental Council. She believes the French language site is a good and inclusive step for the Crossing Borders partnership.

She said: *"This new version was introduced to ensure the greater*

*representation of the project in Europe. French is one of the working languages of the European Union and is not only spoken in France but also in Belgium, Switzerland, and Luxembourg.*

*HPCB French speaking participants (such as the French Orders of dentist-surgeons, midwives, pharmacists, and the Belgian Order of Physicians) welcome the introduction of a multilingual website that will facilitate the promotion of HPCB in Europe."*

The French language version of the HPCB website will be live from early April 2008 and will be accessible from <http://www.hpcb.eu/hpcb/fr/default.asp>

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### The Spanish Perspective on Crossing Borders

*by Miguel Rodríguez Gómez, Ricardo Fernández Fidalgo, Ana M. Giménez Maroto,  
Ministry of Health and Consumerism, Spain*

In recent years, there has been an increase in the migration of health professionals to and from Spain, which is the main reason why our country has been voluntarily involved in the HPCB project since the beginning.

As the competent Spanish authority in the regulation of health professions and the organisation responsible for implementing the agreements reached by HPCB, the Ministry of Health and Consumerism (in Spanish, MSC) has a dual function - guaranteeing the competence and professional status of the health professionals wishing to work in Spain, and ensuring the correct practice of the Spanish professionals who emigrate.

Our experience in processing applications for such recognition has made us aware of the difficulties often encountered by applicants when applying for the Certificate of Current Professional Status in their countries of origin. Very often, applicants are unaware of the appropriate competent authority to which they should apply for the certificate and what the content of the document should be. The implementation of the Portugal and Edinburgh agreements undoubtedly makes this procedure easier with regard to both the application and to standardising the information given in the certificate.

In Spain 'professional colleges' represent healthcare professionals, defend their interests and control their practise. They have the most complete first-hand knowledge of their professionals' status. They are the organisations responsible in Spain for certifying the current professional status. The MSC has included all the professional health colleges in the Edinburgh Agreement and the implementation of the Certificate of Current Professional Status has been adopted accordingly. The MSC remains in contact with the professional college to report the progress made in the agreements reached and to study their viability and potential implementation in each case.

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

Healthcare Professionals Crossing Borders will hold a meeting on case by case and proactive information exchange on 30<sup>th</sup> May, hosted by the Norwegian Registration Authority for Health Personnel in Oslo.

The discussion-based meeting will bring HPCB participants together to consider the practical implementation of the new HPCB Memorandum of Understanding and to reflect more generally how competent authorities can improve information exchange in complex cases, where patient safety could be at risk, and when speed is of the essence.

Some regulators have already shown support for the MoU:

Persefoni Lambrou from the Cyprus Dental Council welcomes the MoU's focus on regulators' proactive contribution to patient safety, stating: *"the main reason to support this effort is the safeguard the quality of the health services in the EU having in mind that patient safety is a crucial element of the EU health policy."*

Martha Pawluczyk from The Royal Pharmaceutical Society of Great Britain says that signing the MoU *"shows our commitment to enhancing administrative cooperation with competent authorities responsible for regulating pharmacists...With the increasing movement of health care professionals around Europe there is an increasing risk that some health practitioners may seek registration in other parts of Europe when they have been erased or suspended from the register or in order to avoid disciplinary action in their home country. It is in the interests of public and patient safety that when professionals move to another member state there are systems in place to ensure that their fitness to practise history is passed onto the new host regulator."*

These views are echoed by Sam Mars from the UK's Health Professions Council, who states that by signing up to the MoU: *"patient safety will be greatly improved with closer collaboration between competent authorities, and we [the HPC] welcome the Memorandum of Understanding on Case-by-Case and Proactive Information Sharing as a way to achieve this."*

Further information about the MoU can be found at [www.hpcb.eu](http://www.hpcb.eu) and to register for the event please contact Rachel Smith at [rsmith@gmc-uk.org](mailto:rsmith@gmc-uk.org)

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### Forthcoming Dates and Events

<b>Now Open</b>	<b>European Commission Public Consultation on Patient Safety in Europe</b> (deadline 20 May) <a href="http://ec.europa.eu/health/ph_overview/patient_safety/consultation_en.htm">http://ec.europa.eu/health/ph_overview/patient_safety/consultation_en.htm</a>
<b>9 April 2008</b>	<b>HPro Working Group</b> , Madrid Spain (European professional card project of the French Order of Pharmacists) For more information contact: Isabelle Baron at <a href="mailto:IBaron@ordre.pharmacien.f">IBaron@ordre.pharmacien.f</a>
<b>30<sup>th</sup> May 2008</b>	<b>HPCB Implementation meeting on the 'Memorandum of Understanding for Case-by-case and Proactive Information Sharing</b> Hosted by the Norwegian Registration Authority for Health Personnel, Oslo, Norway. <i>Registration open – contact <a href="mailto:rsmith@gmc-uk.org">rsmith@gmc-uk.org</a></i>
<b>30<sup>th</sup> June 2008</b>	<b>Healthcare Professionals Crossing Borders – 2008 Spring Meeting</b> Hosted by RIBIZ/Ministry for Health Welfare and Sport, The Hague, the Netherlands. <i>Registration not yet open</i>
<b>During 2008</b>	<b>Publication of draft European Healthcare Directive</b>

## News on the European Commission's draft directive on cross-border healthcare

The European Commission has announced further delays to the publication of the draft directive on Patient Rights. The aim of the directive is to clarify the means by which patients can access cross-border healthcare. The draft was initially scheduled for publication in December 2007 but has since then faced a number of delays. It is now expected to be published later in 2008, although no publication date has been announced. The delay in the publication of the draft has received considerable media attention. The newly appointed EU Commissioner for Health, Mrs. Androulla Vassiliou has yet to formally comment on plans for the draft directive. Mrs. Vassiliou succeeds Markos Kyprianou, who attended HPCB's round-table discussion at the European Parliament in January 2008. The HPCB secretariat continues to be in contact with the European Commission regarding developments around the draft directive.

### 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](http://www.healthregulation.org) website and/or [http://ec.europa.eu/internal\\_market/qualifications/compauth\\_en.htm](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.