Response of the European Federation of Organizations for Medical Physics (EFOMP) to the call by DG MARKT for Public Consultation on the Recognition of Professional Qualifications Directive (Directive 2005/36/EC)

The EFOMP is the umbrella organization for the profession ‘Medical Physicist / Medical Physics Expert’ in Europe. Its membership consists of the national professional organizations of all states in Europe and therefore represents the interests of all European Medical Physicists / Medical Physics Experts.

The definition of the role of Medical Physicists is as follows:

“Medical Physicists will contribute to maintaining and improving the quality, safety and cost-effectiveness of healthcare services through patient-oriented activities requiring expert action, involvement or advice regarding the selection, acceptance, commissioning, quality assurance and optimised clinical use of medical devices and regarding risks from associated physical agents (particularly though not exclusively ionising radiation); all activities will be based on current best evidence or own scientific research when the available evidence is not sufficient”

Medical Physicists apply the above role to many areas of medicine. Medical Physics Experts are defined in European Directives related to ionizing radiation and apply the above role in Diagnostic and Interventional Radiology, Nuclear Medicine and Radiation Oncology.

Below are the consultation questions and our responses. The consultation questions are underlined, our responses are in italics.

Question 1: Do you have any suggestions for further improving citizen's access to information on the recognition processes for their professional qualification in another Member State?

The commission should set up a one-stop-shop website with the recognition processes for each profession and with appropriate links to the website of the European professional organisation representing the profession, e.g. the EFOMP for Medical Physicists / Medical Physics Experts.

Question 2: Do you have any suggestions for the simplification of the current recognition procedures? If so, please provide suggestions with supporting evidence.

The commission should establish a framework of minimum qualifications / training and knowledge-skills-competences for effective and safe practice for entry into each profession in association with the European organization representing the particular profession. The EFOMP is at the moment involved in an EC funded project 'Guidelines on Medical Physics Expert' (TENDER NO. TREN/H4/167200) coordinated by the Complutense University, Madrid to produce exactly such a European Qualifications and Curriculum Framework for the Medical Physics Expert. This project will be finalised by the end of August 2011 and may act as an exemplar of such a framework.

It is then up to the Competent Authority in liaison with the employer / client to assess an applicant’s actual on-the-job competency level for a specific post and accept or reject. In the case of self-employed persons wishing to move from one member state to another, evidence from the original member state where the individual practiced should be considered.

Question 3: Should the Code of Conduct become enforceable? Is there a need to amend the contents of the Code of Conduct? Please specify and provide the reasons for your suggestions.

Any Code of Conduct should become enforceable, experience shows that what is not enforceable ends up as imperfect at best or in the worst scenario simply a paper exercise.

Question 4: Do you have any experience of compensation measures? Do you consider that they could have a deterrent effect, for example as regards the three years duration of an adaptation period?

Compensation measures can be variable and subjective. A three year adaptation period would be considered too long for a self-motivated, gifted professional. The commission, in consultation with the European organization representing the particular profession should establish the minimum qualifications / training and knowledge-skills-competences for effective and safe practice for entry into each profession. It is then up to the
Competent Authority in a particular country in liaison with the employer/client to assess an applicant’s actual competency level for a particular post and accept or reject. In the case of self-employed professionals one can suggest a period of employment following which the professional can be assessed by the Competent Authority and allowed to practice independently.

Question 5: Do you support the idea of developing Europe-wide codes of conduct on aptitude tests or adaptation periods?

Yes

Question 6: Do you see a need to include the case-law on “partial access” into the Directive? Under what conditions could a professional who received “partial access” acquire full access?

Yes. The conditions may need to vary by profession and should be established with the European organization representing the particular profession. What we consider important is that the conditions are simple and transparent for each profession and do not contain specific elements which are merely introduced to inhibit the full integration of the professional.

Question 7: Do you consider it important to facilitate mobility for graduates who are not yet fully qualified professionals and who seek access to a remunerated traineeship or supervised practice in another Member State?

Do you have any suggestions? Please be specific in your reasons.

Yes this is very important. In the case of our profession part traineeships in states more developed than the home state are often essential to achieve high levels of competency. Traineeships should be publicly available and accessible to individuals of other Member States. One suggestion by which this could be done is to expand schemes such as Curie Fellowships (at present restricted to research training) to allow for professional training.

Question 8: How should the home Member State proceed in case the professional wishes to return after a supervised practice in another Member State? Please be specific in your reasons.

In the case of traineeships in states where the training of the profession is more highly developed than the home state of the trainee, the traineeship should be recognized automatically on the basis of a report signed by the training mentor and the accrediting organization of the state where the training took place. This report would confirm that the minimum acceptable standard for the target knowledge-skills-competences has been achieved.

Question 9: To which extent has the requirement of two years of professional experience become a barrier to accessing a profession where mobility across many Member States in Europe is vital? Please be specific in your reasons.

The two years professional experience is an unnecessary barrier. It should be made easier for a professional to acquire qualifications and training in one state and acquire professional experience in the state in which he/she seeks employment.

Question 10: How could the concept of “regulated education” be better used in the interest of consumers? If such education is not specifically geared to a given profession could a minimum list of relevant competences attested by a home Member State be a way forward?

We are in favour of pan-European projects under the auspices of the EC to produce European guidelines for Qualification and Curriculum Frameworks for each profession. We are already involved in such a project (please refer to our response to Question 2 below for further details).

Question 11: What are your views about the objectives of a European professional card? Should such a card speed up the recognition process? Should it increase transparency for consumers and employers? Should it enhance confidence and forge closer cooperation between a home and a host Member State?

We agree with the introduction of a European professional card to increase speed of recognition and transparency for consumers and employers.

Question 12: Do you agree with the proposed features of the card?
Yes.

Question 13: What information would be essential on the card? How could a timely update of such information be organised?

The information should include qualifications and record / details of training periods and location. If a registration scheme exists in the state of origin the national authorities should provide the European professional card automatically to avoid the professional having to reapply for a second card.

Question 14: Do you think that the title professional card is appropriate? Would the title professional passport, with its connotation of mobility, be more appropriate?

We would prefer the title ‘professional passport’.

Question 15: What are your views about introducing the concept of a European curriculum – a kind of 28th regime applicable in addition to national requirements? What conditions could be foreseen for its development?

EFOMP recognises that in a considerable number of member states appropriate mechanisms exist to ensure that adequate standards for quality of the Medical Physics profession exist. However, there are also a large number of member states which do not have such measures in place and who – by reason of size – would find it difficult to develop such standards. In this context, the concept of rules under the 28th regime would constitute an alternative. EFOMP would look forward to develop such rules for the profession of medical physics.

In this context, EFOMP agrees with the concept of a European Qualification and Curriculum Framework for Medical Physicists / Medical Physics Experts and has in fact already taken several steps in this regard namely:

1. Direct involvement in an EC funded project 'TENDER NO. TREN/H4/1672009 'Guidelines on Medical Physics Expert' coordinated by the Complutense University, Madrid to produce a European Qualifications and Curriculum Framework for the Medical Physics Expert. This project will be finalised by the end of August 2011 and the European Qualifications and Curriculum Framework for the Medical Physics Expert may act as an exemplar of a European framework.

2. Setting minimum standards (through the Tuning process) for Masters in Medical Physics which is part of the recommended educational qualification for Medical Physicists / Medical Physics Experts in Europe. Initial work has already been carried out.

3. Establishment of minimum training requirements. Initial work has already been carried out.

Within the overall concept of subsidiarity, EFOMP recognises that rules developed under 28th regime would be in parallel to, but not substitute existing National legislation and regulations.

Question 16: To what extent is there a risk of fragmenting markets through excessive numbers of regulated professions? Please give illustrative examples for sectors which get more and more fragmented.

A certain level of regulation is required particularly in the health professions where there is a duty to protect the patient from the actions of inadequately trained professionals. Medical Physicists perform a unique role in health care. EFOMP is very much in favour of European wide regulation of this profession. It does not believe that this is an unnecessary fragmentation.

Question 17: Should lighter regimes for professionals be developed who accompany consumers to another Member State?

Not relevant to the Medical Physics profession.

Question 18: How could the current declaration regime be simplified, in order to reduce unnecessary burdens? Is it necessary to require a declaration where the essential part of the services is provided online without declaration? Is it necessary to clarify the terms "temporary or occasional" or should the conditions for professionals to seek recognition of qualifications on a permanent basis be simplified?
Only a very limited part of the profession of medical physicist can be exercised on-line. Simplicity and transparency for easy dissemination is the secret of success in such endeavours.

Question 19: Is there a need for retaining a pro-forma registration system?

Yes.

Question 20: Should Member States reduce the current scope for prior checks of qualifications and accordingly the scope for derogating from the declaration regime?

No.

Question 21: Does the current minimum training harmonisation offer a real access to the profession, in particular for nurses, midwives and pharmacists?

We do not consider that we are competent to comment on other professions.

Question 22: Do you see a need to modernise the minimum training requirements? Should these requirements also include a limited set of competences? If so what kind of competences should be considered?

Should include a detailed set of knowledge-skills-competences as required by the European Qualifications Framework. A draft set of such Knowledge, Skills and Competences for the Medical Physics Expert is currently under discussion within EFOMP (please refer to our response to Question 2 above).

Question 23: Should a Member State be obliged to be more transparent and to provide more information to the other Member States about future qualifications which benefit from automatic recognition?

Yes, and not just future qualifications, but also current.

Question 24: Should the current scheme for notifying new diplomas be overhauled? Should such notifications be made at a much earlier stage? Please be specific in your reasons.

Yes, to ensure consistency. There is limited knowledge of notification of new diplomas.

Question 25: Do you see a need for modernising this regime on automatic recognition, notably the list of activities listed in Annex IV?

Definitely yes! As explained earlier this should be done in terms of knowledge-skills-competences as recommended by the European Qualifications Framework. More professions should be included in the Annex and we would like our profession to be included also. The above project for the Medical Physicist / Medical Physics Expert is an exemplar of the type of framework we envisage. However we insist on more detailed knowledge-skills-competences than presently found in the Annex.

Question 26: Do you see a need for shortening the number of years of professional experience necessary to qualify for automatic recognition?

Years of professional experience are an imperfect measure, though they do give an idea of the extent of learning required. Any recognition should be based on a minimum set of qualifications/training and knowledge-skills-competences for effective and safe practice for entry into each profession in association with the European organization representing the particular profession. It is then up to the Competent Authority in a particular country in liaison with the employer / client to assess an applicant’s actual competency level for a particular post and accept or reject. In the case of self-employed professionals one can suggest a period of employment following which the professional can be assessed by a competent body and allowed to practice as self-employed.

Question 27: Do you see a need for taking more account of continuing professional development at EU level? If yes, how could this need be reflected in the Directive?

Inclusion in the professional passport. CPD is an essential component of the maintenance of knowledge, skills and competences. EFOMP already has a CPD scheme which has been accepted across Europe.
Question 28: Would the extension of the Internal Market Information System (IMI) to the professions outside the scope of the Services Directive create more confidence between Member States? Should the extension of the mandatory use of IMI include a proactive alert mechanism for cases where such a mechanism currently does not apply, notably health professions?

Yes and yes.

Question 29: In which cases should an alert obligation be triggered?
The following situations mentioned in the document should be sufficient: A professional presents a fake diploma to a competent authority or gives false declarations/evidence; a professional is subject to sanctions and is no longer allowed to practice in country of origin; a professional is subject to investigations possibly leading to a withdrawal of licence to practice.

Question 30: Have you encountered any major problems with the current language regime as foreseen in the Directive?

Communication is an essential part of the work of medical physicists. It is up to the competent authorities to decide on level and extent of language skills required provided these do not lead to unnecessary barriers.

Stelios Christofides, EFOMP President and EFOMP Officers
European Federation of Organizations for Medical Physics (EFOMP, www.efomp.org)
A Company Limited by Guarantee in England and Wales Registered Number 6480149
Registered Office: Fairmount House, 230 Tadcaster Road, York, YO24 1ES, United Kingdom