



European dentists, doctors and pharmacists conclude: proposed proportionality tests for professional regulation ignore public interest and threaten quality and safety of patient care

The Council of European Dentists (CED), the Standing Committee of European Doctors (CPME) and the Pharmaceutical Group of the European Union (PGEU) have met the publication of the proposal for a Directive on a proportionality test for the adoption of a new or for amendments to the existing professional regulation with great concern.

The three health professions re-emphasise that purpose of the regulation of their professions is to assure the quality of healthcare services in public interest. Therefore, it has to remain clear and comprehensive and ensure safe and effective care. The regulation¹ of the health professions along with all the rules applying to their activities must remain in the full competence of Member States² and be based on local needs and national strategies. Such national strategies take into account demographical, geographical and cultural realities and reflect national preferences, such as the delegation of the regulatory task to the profession itself.

The three organisations are concerned by the lack of specificity in addressing the overall issue of health professional regulation. The CED, CPME and PGEU are convinced that health professions should be considered distinctly from other professions. Therefore, the three organisations call upon the EU institutions to exclude said professions from the scope of the harmonised EU proportionality test.

“We believe that the regulation of doctors’ practice is essential for the safety of patients more than anything else. As health professions we are very supportive of the regulatory measures the new Professional Qualifications Directive introduced to improve patient safety, mainly the

¹ The regulation of a healthcare profession involves the setting of standards of professional qualifications and practice, the professional ethics and supervision, the continuing professional development requirements, the rules relating to the organisation of the profession, quantitative and territorial restrictions etc.

² Article 168 of TFEU requires EU to respect the responsibilities of each Member State to define their own health policy and to organise, deliver and manage health services; as well as to allocate resources to their health systems.

alert mechanism and controls on language knowledge. We therefore regret that the Commission's own efforts to make professional practice safer are now being threatened by the draft Directive. Case in point: does any small change to the national laws in place implementing the alert mechanism have to pass the proportionality test too?" asks Dr Jacques de Haller, President of the Standing Committee of European Doctors.

"It is a fundamental principle of EU and national law that public health must be protected by all possible means. That is why we highly question the intention of the draft Directive which reverses this fundamental principle: instead of protecting public health by regulation, the draft Directive challenges us to justify when regulation wants to protect public health. We are confident that the dentists and other health professions can pass this test, but at what price? The increase of bureaucracy and related costs will be immense," argued Dr Marco Landi, President of the Council of European Dentists.

"The draft Directive gives priority for implementation of the Internal Market for services and professionals at any costs. It appears to identify any professional regulation at national level as a potential 'barrier'. A sub-standard service provided by a pharmacist or a doctor or any other health professional will put patients at risk and in some cases, may lead to fatalities." added Rajesh Patel MBE, President of the Pharmaceutical Group of the European Union. "The new law will only increase costs and bureaucracy with no added value and may result in lower quality of healthcare services in the EU."

*The **Council of European Dentists (CED)** is a European not-for-profit association representing over 340,000 dental practitioners across Europe through 32 national dental associations and chambers in 30 European countries. Established in 1961 to advise the European Commission on matters relating to the dental profession, the CED aims to promote high standards on oral healthcare and dentistry with effective patient-safety centred professional practice, and to contribute to safeguarding the protection of public health. The CED is registered in the Transparency Register with the ID number 4885579968-84.*

*The **Pharmaceutical Group of the European Union (PGEU)** is the association representing community pharmacists in 33 European countries. In Europe over 400.000 community pharmacists provide services throughout a network of more than 160.000 pharmacies, to an estimated 46 million European citizens daily. PGEU's objective is to promote the role of pharmacists as key players in healthcare systems throughout Europe and to ensure that the views of the pharmacy profession are taken into account in the EU decision-making process.*

*The **Standing Committee of European Doctors (CPME)** represents national medical associations across Europe. We are committed to contributing the medical profession's point of view to EU institutions and European policy-making through pro-active cooperation on a wide range of health and healthcare related issues.*

- *We believe the best possible quality of health and access to healthcare should be a reality for everyone.*
- *We see the patient-doctor relationship as fundamental in achieving these objectives.*
- *We are committed to interdisciplinary cooperation among doctors and with other health professions.*
- *We strongly advocate a 'health in all policies' approach to encourage cross-sectorial awareness for and action on the determinants of health.*