



**PRESIDENT
SUPREME MEDICAL COUNCIL
POLISH CHAMBER OF PHYSICIANS AND DENTISTS
Łukasz Jankowski M.D.**

NRL/MS/*ZAM* /11/2022

Warsaw, 9 November 2022

Mr Henning Ehrenstein
European Commission
DG Internal Market, Industry,
Entrepreneurship and SMEs
Head of Unit D1 Skills, Services,
Professions
Avenue des Nerviens 105
1049 Brussels, Belgium

Dear Mr Ehrenstein,

I am contacting you on behalf of the Polish professional self-government of medical doctors and dental practitioners composed of the Supreme Chamber of Physicians and Dentists (Naczelna Izba Lekarska) and 24 regional chambers of physicians and dentists (okręgowe izby lekarskie) which are the competent authorities in Poland for the two professions within the meaning of the Directive 2005/36/EC on the recognition of professional qualifications empowered to receive training diplomas and other documents or information and to receive the applications, and take the decisions, referred to in this Directive. Chambers of physicians and dentists are also by law authorized to issue certificates provided for by the Directive 2005/36/EC, in particular the so called certificates of conformity in regard to medical and dental diplomas awarded in Poland.

The chambers of physicians and dentists have doubts and would like to ask for legal clarifications related to full compliance with the training requirements laid down in art. 24 of Directive 2005/36/EC in those cases when medical studies were provided by a higher education institution other than university.

Art. 24 of the Directive 2005/36/EC which determines the minimal requirements for the basic medical training of doctors provides that:

1. Admission to basic medical training shall be contingent upon possession of a diploma or certificate providing access, for the studies in question, **to universities.**

2. Basic medical training shall comprise a total of at least five years of study, which may in addition be expressed with the equivalent ECTS credits, and shall consist of at least 5 500 hours of theoretical and practical training **provided by, or under the supervision of, a university.**

At the same time relevant provisions regarding the minimal training requirements for dental practitioners (art. 34), veterinary surgeons (art. 38) and pharmacists (art. 44) refer to training (studies) either **at or under supervision of a university or at a higher education institute providing training recognized as being of an equivalent level.**

According to the current Law on Higher Education and Science (ustawa z dnia 20 lipca 2018 r. Prawo o szkolnictwie wyższym i nauce) in Poland the higher education institutions are divided into two main categories: academic and vocational institutions. Academic higher education institutions are classified either as academies or universities:

the term „academy” is reserved for the name of an academic higher education institution, the term „university” is reserved for the name of an academic higher education institution having the scientific category A+, A or B+ in at least 6 scientific or artistic disciplines, falling within at least 3 fields of science or art.

Since 2015 additional higher educational institutions in Poland started to receive accreditation and authorization to provide medical studies and to award the medical diplomas (with degree “lekarz”) after completion of these studies. Currently medical studies in Poland are provided by 23 higher education institutions – 19 of them have the status of a university, while 4 do not have such a status:

- Krakowska Akademia im. Andrzeja Frycza Modrzewskiego in Cracow;
- Uczelnia Łazarskiego in Warsaw;
- Wyższa Szkoła Techniczna in Katowice;
- Uczelnia Medyczna im. Marii Skłodowskiej-Curie in Warsaw.

„Krakowska Akademia im. Andrzeja Frycza Modrzewskiego” and „Uczelnia Łazarskiego” are classified as academic higher education institutions, whereas „Wyższa Szkoła Techniczna” and „Uczelnia Medyczna im. Marii Skłodowskiej-Curie” are classified as vocational higher education institutions.

These higher education institutions have recently started to award diplomas with the degree of "lekarz" (dyplom ukończenia studiów wyższych na kierunku lekarskim z tytułem „lekarz”) as listed for Poland in Annex V point 5.1.1 of the Directive 2005/36/EC. And, in turn, some of their graduates are requesting a so called certificate of conformity – attesting that the basic medical training (studies) they completed in accordance with the minimal training requirements laid down in art. 24 of the Directive.

The Supreme Chamber of Physicians and Dentists some time ago highlighted that in its opinion qualifications obtained after completing medical studies conducted by higher education institutions that are not universities or at least academic institutions will not be considered as fully compliant with the requirements of EU law.

Having to proceed with requests for certificates of conformity, as competent authorities we feel obliged to raise our doubts to the attention of the Commission's legal services with a request to provide us with a legal opinion/guidance on whether basic medical training (medical studies) provided by:

- 1) academic higher education institutions not having the status of a university,
- 2) vocational academic higher education institutions

may be considered as meeting the minimal training requirements laid down in art. 24 of the Directive 2005/36/EC provided that other, substantive requirements are fulfilled.

We would appreciate if you could treat this request as urgent. Should you need any further information or clarifications regarding this issue, please feel free to contact the Polish Supreme Chamber of Physicians and Dentists.

Yours sincerely,

Łukasz Jankowski, M.D.



President

Supreme Medical Council

Cc:

1.

Mr Adam Niedzielski
Minister of Health of the Republic of Poland

2.

Mr Przemysław Czarnek
Minister of Education and Science of the Republic of Poland

3.

Presidents of the Regional Medical Councils

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