



Information for health professionals with Ukrainian qualifications

A. Background

As a result of the war in Ukraine, many people, including healthcare professionals, are currently fleeing to Switzerland. Since 12 March 2022, people who have fled Ukraine seeking protection have been granted protection status S. Protection status S means that among other things the three-month waiting period before taking up employment is lifted. The Federal Council also allows self-employment. Owing to this decision, the FOPH has received many enquiries asking whether it would be possible for healthcare professionals who have fled Ukraine to be rapidly deployed in federal asylum centres or healthcare institutions.

This document sets out the possibilities for the various healthcare professions.

B. Possibilities for foreign healthcare professionals

1. University-level medical professions (doctor, dentist, veterinary surgeon, pharmacist, chiropractor)

Engaging in **unsupervised practice** in Switzerland requires a licence granted by the competent cantonal authority. The conditions are:¹

- a relevant federal or federally recognised foreign qualification (see sections 1.1 and 1.2);
- trustworthiness;
- a guarantee that the person is physically and mentally fit to practise;
- a sufficient command of the official language of the canton.

Practice **under supervision** is possible if the person:²

- is entered in the Register of Medical Professions (MedReg) (see section 1.3);
- has the necessary language skills to practise the relevant profession.

1.1. Recognition of medical professions requiring university-level study:

A foreign university-level medical qualification can be recognised provided that a mutual recognition agreement exists with the relevant state to prove that it is equivalent to a federal qualification.³ There are no such agreements with countries outside of the EU/EFTA, so Ukrainian qualifications cannot be recognised.

Indirect recognition is when the qualification from a third country is recognised by an EU/EFTA country, and this recognition is adopted by Switzerland, provided the person meets the following requirements:

- they are an EU/EFTA citizen;
- their qualification has been recognised in an EU/EFTA country;
- they have three years of professional experience in the recognition country or in Switzerland.

¹ Art. 36 para. 1 Medical Professions Act (MedPA)

² Art. 33a MedPA

³ Art. 15 para. 1 MedPA

However, on the basis of the requirements listed, this is not a workable solution for the people currently fleeing Ukraine to seek protection in Switzerland.

1.2. Postgraduate qualifications for medical professions requiring university-level study:

A foreign postgraduate qualification can be recognised,⁴ provided its equivalence with a federal postgraduate qualification is provided for in a mutual recognition agreement with the state in question. No such agreement exists with Ukraine, so Ukrainian postgraduate qualifications cannot be recognised. The MedPA does not allow the possibility of registering a postgraduate qualification.

For the reasons set out above, the requirements for a licence for unsupervised practice are not fulfilled for people with protection status S.

1.3. Registration in the Register of Medical Professions (MedReg) is possible

Since 1 January 2018, all persons who practice a medical profession requiring a university degree must be entered in the MedReg. Those who wish to practise **under supervision** in Switzerland and who do not hold a federal or federally recognised qualification from an EU/EFTA country can submit an application for registration of their foreign qualification.⁵ Both the following conditions must be met for registration to be successful:

- the qualification must entitle the holder to practise the relevant medical profession under supervision in their country of origin;
- the qualification obtained abroad must be based on training that meets the stipulated minimum requirements in terms of number of hours/years of theoretical and practical instruction at a university recognised as being of an equivalent level.

Once the registration process has been completed successfully, the healthcare professional concerned will receive a Global Location Number (GLN) and will be entered in the MedReg. The nationality and residency status of the applicant has no influence on the registration process, and it does not affect activation of the protection status S. Once MEBEKO has received the complete application dossier, the registration process takes around six weeks. The process is delayed if documents are missing, which may well be a problem for people fleeing war.

Healthcare professionals currently seeking protection in Switzerland can in principle register their qualification in the MedReg under the stated conditions and therefore undertake practice under supervision.

The competent cantonal authority (public health directorate, office of the cantonal medical officer) decides whether and under what conditions and in what roles (e.g. as junior doctors) university-educated healthcare professionals with a registered qualification can practise in Switzerland. It is also for the relevant cantonal authorities to decide whether special regulations may be considered at the current time with regard to holders of Ukrainian qualifications carrying out advisory activities.

1.4. Background information on registering qualifications:

Since the registration requirement came into effect on 1 January 2018, the training department at MEBEKO has registered 91 Ukrainian university-level medical qualifications. However, it is not possible to tell in the MedReg how many of these people went on to practise in Switzerland after registering their qualification. The FOPH is not aware of the cantons' procedure for dealing with professional practice with a registered qualification (or a postgraduate qualification that cannot be recognised or registered) for medical professions requiring university-level study.

2. Psychology professions

⁴ Art. 21 para. 1 MedPA

⁵ Art. 33a para.2 MedPA

Unsupervised practice as a psychotherapist requires a licence from the competent cantonal authority. In order to be granted this licence, the person must:⁶

- hold a federal or federally recognised foreign postgraduate qualification in psychotherapy (see section 2.2);
- be trustworthy;
- provide a guarantee that they are physically and mentally fit to practise;
- have a sufficient command of the official language of the canton.

The Psychology Professions Act (PsyPA) does not contain any provisions regarding the supervised practice of psychology professions. It is therefore the responsibility of the cantons to decide whether people with a Ukrainian university degree in psychology or a Ukrainian postgraduate qualification in psychotherapy can work under supervision in an institution in the canton in question.

It is thus possible in principle for those seeking protection to work as psychologists or psychotherapists under supervision if they comply with the cantonal provisions, even if their qualification is not recognised.

2.1. Recognition of the qualification of psychologist

Since the Psychology Professions Act (PsyPA) entered into force on 1 April 2013, the job title psychologist has been protected.⁷ Those who have a Swiss or recognised foreign university qualification in psychology can use the protected job title. Recognition of a foreign qualification requires equivalence to be:

- set out in a mutual recognition agreement with the state in question or a supranational organisation;
- demonstrated on a case-by-case basis.

The Psychology Professions Commission is responsible for recognition. The process usually takes 3 to 4 months.

There is no agreement between Switzerland and Ukraine governing the equivalence of Ukrainian university qualifications in psychology. Recognition is therefore only possible on a case-by-case basis.

2.2. Recognition of postgraduate qualifications (e.g. in psychotherapy)

Recognition of a foreign postgraduate qualification requires the equivalence to be:

- set out in a mutual recognition agreement with the state in question or a supranational organisation;
- demonstrated on a case-by-case basis.

The Psychology Professions Commission is responsible for recognition. The process usually takes 3 to 4 months.

There is no agreement between Switzerland and Ukraine governing the equivalence of Ukrainian postgraduate qualifications. Recognition is therefore only possible on a case-by-case basis.

2.3. Background information on recognition practice

To date there have been **no** cases of Ukrainian postgraduate qualifications being recognised. On account of this, it seems unlikely that people from Ukraine seeking protection would meet the requirements for unsupervised professional practice of psychotherapy.

⁶ Art. 24 PsyPA

⁷ Art. 4 PsyPA

3. Healthcare occupations under the Healthcare Occupations Act (HOA)

For healthcare occupations (e.g. nurses, physiotherapists)⁸, a licence for unsupervised practice is granted if the person:⁹

- holds a relevant federal qualification or a recognised foreign qualification (see section 3.2);
- is trustworthy;
- can provide a guarantee that they are physically and mentally fit to practise;
- has a sufficient command of the official language of the canton.

A large proportion of healthcare professionals under the HOA **do not practice unsupervised**. The question of whether they need a recognised qualification to exercise their profession under supervision is decided at **cantonal**, not federal, level. Regulation may vary from one canton to the next. However, according to the information from the Swiss Red Cross, it is usual for healthcare institutions to require a recognised qualification, even if the canton does not. In any case, sufficient language skills are important to work as a healthcare professional, even to work as an assistant under supervision. When cantonal law does not require a recognised qualification to practise under supervision, it **is up to the healthcare institution to assess on a case-by-case basis what activities a healthcare professional can undertake**. Protecting the health of patients must be the top priority.

The question of whether a healthcare professional under the HOA with a non-recognised foreign qualification may practise under supervision is governed by cantonal legislation. If no such legislation exists, it is up to the institution employing the person.

3.2. Recognition of foreign qualifications

Recognition of foreign qualifications requires equivalence. This exists if:¹⁰

- it is set out in a mutual recognition agreement with the state in question or a supranational organisation;
- it is demonstrated on a case-by-case basis.

As no international treaty exists between Switzerland and Ukraine on this matter, recognition is based on examination of an application dossier.¹¹

According to information from the Swiss Red Cross, the level of training for healthcare professionals in Ukraine is not deemed equivalent to the level of training in Switzerland. Compensatory measures are required, or for nurses, qualifications may be recognised as equivalent to qualifications at another level, e.g. nurse in Ukraine -> healthcare assistant in Switzerland.

For more information on all these matters, please see the SERI website: www.sbf.admin.ch > Recognition Ukrainian qualifications

In order to apply for recognition of qualifications from third countries, a residence permit is required. Those with S status already have a residence permit. The recognition process takes 3-4 months provided no compensatory measures are necessary.

3.3. Indirect recognition

In order for Switzerland to recognise a qualification from a third country that has been recognised by an EU country (indirect recognition), the person must have practised for three years in the country in which their qualification was recognised.¹² There is no legal basis at present for simplified recognition.

⁸ Art. 12 para. 2 HOA

⁹ Art. 12 para. 1 HOA

¹⁰ Art. 10 para. 1 HOA

¹¹ Art. 10 para. 1 let. b HOA

¹² Art. 3 para. 3 of Directive 2005/36

However, on account of the requirements listed, this is not currently a workable solution for people fleeing Ukraine and seeking protection in Switzerland. SERI is not aware of any EU countries that currently have a simplified process for recognising the qualifications of healthcare professionals from Ukraine.

3.4. Background information on the recognition of foreign qualifications

According to information from the Swiss Red Cross, in the 10-year period from 2011 to 2021, qualifications were recognised for 25 healthcare assistants, 14 nurses and 1 physiotherapist from Ukraine.

C. Assessment of the situation in EU/EFTA countries

According to the FOPH's International division, specific solutions are being discussed in Switzerland's neighbouring countries, which are intended to enable displaced Ukrainians who have temporary protected status to take up a professional activity. But in principle, these solutions have no bearing on the processes for recognition of degrees or professional qualifications in the receiving country.

Ukraine has concluded agreements on the recognition of academic qualifications with various countries. However, these agreements do not concern the recognition of vocational or professional qualifications.

In Germany and France, for example, the competent regional authorities are trying to allow Ukrainian workers rapid access to the labour market. The challenge is allowing Ukrainian healthcare professionals to take up a professional activity at short notice, although the equivalence of their Ukrainian training must first be reviewed for their professional qualifications to be recognised, and the required language skills will in general be lacking.

This issue is also to be discussed at European level and a number of member states would like to see a uniform European solution. However, a Europe-wide harmonised mechanism for the recognition of Ukrainian degrees or professional healthcare qualifications would be difficult to implement.