

Übersetzung durch Ute Reusch

Translation provided by Ute Reusch

Stand: Pflegeberufegesetz vom 17. Juli 2017 (BGBl. I S. 2581)

Version information: Act on the Nursing Professions of 17 July 2017 (Federal Law Gazette I, p. 2581)

Act on the Nursing Professions (Pflegeberufegesetz – PfIBG)¹

Full citation: Nursing Professions Act of 17 July 2017 (Federal Law Gazette I, p. 2581)

This Act serves to implement Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22; L 271, 16.10.2007, p. 18), as last amended by Commission Delegated Decision (EU) 2016/790 (OJ L 134, 24.5.2016, p. 135).

Part 1 General part

Division 1 Authorisation to use professional title

Section 1 Use of professional title

(1) Anyone who wishes to use the professional title of 'General Nurse' (*Pflegefachfrau* or *Pflegefachmann*) requires authorisation to do so. Persons who gained their qualification under the terms of Part 3 use the professional title of 'General Nurse' together with their academic degree.

(2) The certificate granting authorisation as required under subsection (1) states the professional title referred to in subsection (1) and the specialist placement undertaken in accordance with section 7 (4) sentence 1.

Section 2 Conditions for granting of authorisation

Authorisation to use the professional title of 'General Nurse' is to be granted upon application to applicants who

1. have completed the vocational or university training as required under this Act and have passed the final state examination,
2. have not been found guilty of conduct which indicates a lack of good character or repute to pursue the profession,
3. are not unsuited in respect of their state of health to pursue the profession and
4. have the German language skills which are necessary to pursue the profession.

¹ Translations of any materials into languages other than German are intended solely as a convenience to the non-German-reading public. If any questions arise related to the accuracy of the information contained in the translation, please refer to the German version of the document which is the official version of the document. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

Section 3

Withdrawal, revocation and suspension of authorisation

(1) Authorisation is to be withdrawn where either the condition of section 2 no. 1 or the condition of section 2 no. 2 was not met upon the granting of authorisation or the training pursuant to sections 40 to 42 had not yet been completed. Authorisation may be withdrawn where either the condition of section 2 no. 3 or the condition of section 2 no. 4 was not met upon the granting of authorisation.

(2) Authorisation is to be revoked where it subsequently becomes known that the condition of section 2 no. 2 is not met. Authorisation may be revoked where the condition of section 2 no. 3 subsequently ceases to be met.

(3) An order may be made to suspend authorisation where criminal proceedings have been instituted against the person concerned on suspicion of committing a criminal offence which would result in his or her lack of good character or repute to pursue the nursing profession. The order is to be lifted where the conditions on which it was based are no longer met.

Division 2

Reserved activities

Section 4

Reserved activities

(1) Nursing care activities as defined in subsection (2) may only be performed on a professional basis by persons who have been granted authorisation pursuant to section 1 (1). Where authorisation has been suspended under the terms of section 3 (3) sentence 1, nursing care activities as defined in subsection (2) may no longer be performed.

(2) 'Nursing care activities' within the meaning of subsection (1) encompass

1. the identification and assessment of individual nursing care needs pursuant to section 5 (3) no. 1 (a),
2. the organisation, design and control of the nursing care process pursuant to section 5 (3) no. 1 (b) and
3. the analysis, evaluation, assurance and development of the quality of nursing care provided pursuant to section 5 (3) no. 1 (d).

(3) Anyone who, in the capacity as an employer, employs persons to engage in nursing care activities who have not been granted authorisation as required under section 1 (1) or persons whose authorisation has been suspended under the terms of section 3 (3) sentence 1 may neither assign the activities as defined in subsection (2) to such persons nor allow such persons to engage in the activities as defined in subsection (2).

Part 2

Vocational nursing training

Division 1

Training

Section 5

Training objective

(1) Training as a general nurse teaches the professional and personal skills required to administer independent, comprehensive and process-oriented nursing care to persons of all ages in acute and long-term inpatient and outpatient care settings, including the underlying methodological, social, intercultural and communication skills and underlying learning and knowledge transfer skills, and the capacity for self-reflection. Lifelong learning is regarded as a process throughout professional life and is recognised as necessary for ongoing personal and professional development.

(2) 'Nursing care' within the meaning of subsection (1) encompasses preventive, curative, rehabilitation, palliative and social care measures which serve to maintain, promote, restore

or improve the physical and mental condition of persons needing nursing care, giving advice and support to those persons at all stages of life, and providing end-of-life care to the dying. Nursing care is delivered on the basis of the generally recognised state of knowledge in the nursing, medical and other related sciences and based on professional ethical principles. It takes account of the person needing nursing care's specific situation in life, his or her social, cultural and religious background, sexual orientation and stage of life. It promotes the independence of persons needing nursing care and respects their right of self-determination.

(3) Nursing training in particular serves to qualify trainees

1. independently to engage in the following activities:
 - a) the identification and assessment of individual nursing care needs and planning of the required nursing care,
 - b) the organisation, design and control of the nursing care process,
 - c) the delivery of the nursing care and documentation of measures administered,
 - d) the analysis, evaluation, assurance and development of the quality of nursing care,
 - e) the assessment of the need for and administration of preventive and health-promoting measures,
 - f) the giving of advice, instruction and support to persons needing nursing care in regard to their individual means of dealing with health and illness, as well as maintaining and promoting an independent lifestyle and the skills required for everyday living, thereby involving the persons to whom they closely relate,
 - g) the maintenance, restoration, promotion, activation and stabilisation of the person needing nursing care's individual skills, in particular as part of rehabilitation concepts, as well as the delivery of nursing care and support to those with restricted cognitive abilities,
 - h) the initiation of life-sustaining immediate measures until a doctor arrives and the carrying out of measures in crisis and disaster situations,
 - i) the giving of instruction, advice and support to members of other professional groups and volunteers in the respective care contexts, as well as participation in the practical training of members of the health professions,
2. independently to perform measures ordered by a doctor, in particular medical diagnostic, therapeutic or rehabilitation measures,
3. to engage in professional, interdisciplinary communication with other professional groups and effectively to cooperate with them, thereby developing individual, multi-disciplinary and cross-professional solutions based on clinical findings and care needs and implementing them in a team-oriented manner.

(4) Throughout their training as a general nurse, trainees develop and strengthen a professional, ethically grounded understanding of the nursing profession and a professional self-image.

Section 6

Training period and structure

(1) Regardless of when the final state examination is taken, training as a general nurse lasts three years when undertaken on a full-time basis and no more than five years when undertaken on a part-time basis. It comprises theoretical and practical instruction and practical training; the share of practical training predominates.

(2) The theoretical and practical instruction is delivered at state, state-approved or state-recognised nursing training schools in accordance with section 9 on the basis of a school-related curriculum which each nursing training school is required to draw up. The school-related curriculum is drawn up on the basis of the recommendations set out in the framework syllabus as referred to in section 53 (1) and (2) and the requirements set out in the training and examination regulations pursuant to section 56 (1) and (2). The *Länder* may issue a binding syllabus which meets the requirements of the training and examination regulations on the basis of which the nursing training schools are to draw up their school-related curricula.

(3) The practical training is delivered in facilities in accordance with section 7 on the basis of a training plan to be drawn up by each practical training provider. The practical training is divided into compulsory placements, a specialist placement and further placements. A key component of the practical training is the guidance which facilities provide to trainees during their placements amounting to no less than 10 per cent of the hours of practical training time. Nursing training schools support the practical training by guaranteeing an appropriate level of supervision during placements.

(4) The nursing training school, the practical training provider and other facilities involved in the practical training cooperate on the training on the basis of corresponding cooperation agreements.

(5) An intermediate examination is held at the end of the second third of the training period.

Section 7

Delivery of practical training

(1) Compulsory placements in general acute care settings in inpatient facilities, general long-term care in inpatient facilities and general acute and long-term outpatient care settings are delivered in the following facilities:

1. hospitals licensed to provide nursing care in accordance with section 108 of Book Five of the Social Code (*Fünftes Buch Sozialgesetzbuch*),

2. inpatient care facilities licensed to provide nursing care in accordance with section 71 (2) and section 72 (1) of Book Eleven of the Social Code (*Elftes Buch Sozialgesetzbuch*),

3. outpatient care facilities licensed to provide nursing care in accordance with section 71 (1) and section 72 (1) of Book Eleven of the Social Code and in accordance with section 37 of Book Five of the Social Code.

(2) Compulsory placements in the specialist fields of paediatric care and general, gerontological, child or adolescent psychiatric care and further placements may also be delivered in other facilities suited to teaching the training content.

(3) The compulsory placements referred to in subsection (1) and the compulsory placement in paediatric care referred to in subsection (2) are, as a general rule, to be undertaken prior to the interim examination referred to in section 6 (5).

(4) The specialist placement is, as a general rule, to be undertaken at the practical training provider in one of the fields in which a compulsory placement has already been undertaken. Where a specialist placement is undertaken in the same field as the compulsory placement pursuant to subsection (1) no. 3, it may focus on the provision of long-term outpatient nursing care. The majority of the practical training is, as a general rule, to be undertaken at the practical training provider. Further details are set out in the training and examination regulations pursuant to section 56 (1).

(5) The suitability of the facilities referred to in subsections (1) and (2) to deliver parts of the practical training is governed by the regulations applicable in the respective *Land*, whereby an appropriate ratio between the number of trainees and the number of nursing professionals must be guaranteed. In the event of legal infringements, the competent *Land* authority may prohibit a facility from delivering the training.

(6) The *Länder* may determine in their respective *Land* legislation that an ombuds office be established at the competent agency pursuant to section 26 (4) to settle disputes between trainees and practical training providers.

Section 8

Practical training providers

- (1) Practical training providers are responsible for the delivery of the practical nursing training, including its organisation. They conclude a training contract with each trainee.
- (2) Practical training providers must be facilities as defined in section 7 (1) which
1. themselves operate a nursing training school or
 2. have concluded a contract with at least one nursing training school regarding the delivery of the theoretical and practical instruction.
- (3) Practical training providers must conclude agreements with the other facilities involved in the delivery of the practical training to guarantee that
1. the prescribed placements which form part of the practical training can be delivered in the other facilities involved in the practical training and
 2. the training can be delivered on the basis of a training plan designed, in terms of content and timetabling, so as to enable achievement of the training objective within the allotted time.
- (4) The tasks of the practical training provider as set out in subsection (3) may be performed by a nursing training school if the two are one and the same or if the practical training provider has delegated those tasks, by way of agreement, to a nursing training school. A nursing training school may also be authorised, under such an agreement, to conclude training contracts on behalf of the practical training provider.
- (5) Throughout the entire training period trainees are employees, within the meaning of section 5 of the Works Constitution Act (*Betriebsverfassungsgesetz*) or section 4 of the Federal Staff Representation Act (*Bundespersönalvertretungsgesetz*), of their respective practical training provider. Practical training providers continue to be facilities as defined in subsections (1) and (2) in the cases under subsection (4).

Section 9

Minimum requirements for nursing training schools

- (1) Nursing training schools must fulfil the following minimum requirements:
1. they must have a full-time head of school with a pedagogical qualification and a master's or comparable university degree,
 2. they must furnish evidence of having an appropriate number of professionally and pedagogically qualified teaching staff in relation to the number of training positions who have a master's or comparable university degree, in particular in nursing education, which qualifies them to deliver the theoretical instruction or with a university-level education, in particular in nursing education, which qualifies them to deliver the practical instruction,
 3. they must have the premises and facilities needed to deliver the training as well as sufficient teaching and learning material which is to be provided to trainees free of charge.
- (2) The ratio between full-time teaching staff and trainees in accordance with subsection (1) no. 2 is, as a general rule, to be at least one full-time teaching post per 20 training positions. A reduced number of full-time teaching staff is only permissible on a temporary basis.
- (3) The *Länder* may determine further details regarding the minimum requirements under subsections (1) and (2) by way of their *Land* legislation and may set additional requirements. As regards the teaching staff delivering the theoretical instruction in accordance with

subsection (1) no. 2, they may set rules applicable until 31 December 2029 concerning the extent to which those teaching staff do not need to have the required master's or comparable university degree or whether only a proportion of them need to have the required master's or comparable university degree.

Section 10

Overall responsibility of nursing training schools

(1) Nursing training schools bear overall responsibility for coordinating the theoretical and practical instruction with the practical training. They conduct an assessment as to whether the practical training plan corresponds to the requirements of the school-related curriculum. Where this is not the case, the practical training provider is required to amend the training plan.

(2) Nursing training schools evaluate, on the basis of the written record of evidence of formal qualifications which trainees are required to keep, whether the practical training is being carried out in line with the training plan. The facilities involved in delivering the practical training support the nursing training schools when it comes to providing the required supervision during placements.

Section 11

Requirements for admission to training

(1) The requirement for admission to training as a general nurse is

1. an intermediate school-leaving qualification (*mittlerer Schulabschluss*) or another qualification which is recognised as equivalent or
2. a general secondary school-leaving qualification (*Hauptschulabschluss*) or another qualification which is recognised as equivalent, together with evidence of
 - a) having successfully completed vocational training of a minimum of two years' duration,
 - b) having successfully completed training as a nursing assistant or auxiliary nurse as regulated under *Land* law of a minimum of one year's duration which meets the Criteria for Training in the Nursing Assistant and Auxiliary Nursing Professions Falling within the Jurisdiction of the *Länder* (Official Section of the Federal Gazette, 17.02.2016, B3) adopted as minimum requirements by the 2012 Conference of Ministers of Labour and Social Affairs of the *Länder* and by the 2013 Conference of Ministers of Health of the *Länder*,
 - c) having commenced, before 31 December 2019, and successfully completed training as an auxiliary nurse or auxiliary geriatric nurse as regulated under *Land* law of a minimum of one year's duration or
 - d) authorisation as Auxiliary Nurse granted on the basis of the Act on Nursing Care (*Krankenpflegegesetz*) of 4 June 1985 (Federal Law Gazette I, p. 893), which was revoked under Article 18 of the Act of 16 July 2003 (Federal Law Gazette I, p. 1442),

or

3. 10 years of successfully completed other general schooling.

(2) Section 2 nos. 2 to 4 applies accordingly.

Section 12

Crediting of equivalent training

(1) Upon application, the competent authority may credit another successfully completed course of training or successfully completed parts of a course of training, to the extent that they are deemed equivalent, towards no more than two thirds of the training period referred

to in section 6 (1) sentence 1. Achievement of the training objective may not be jeopardised on account of such crediting.

(2) Upon application, training courses which meet the Criteria for Training in the Assistant and Auxiliary Nursing Professions Falling within the Jurisdiction of the *Länder* (Official Section of the Federal Gazette, 17.02.2016, B3) adopted as minimum requirements by the 2012 Conference of Ministers of Labour and Social Affairs of the *Länder* and by the 2013 Conference of Ministers of Health of the *Länder* are to be credited towards one third of the training period referred to in section 6 (1) sentence 1.

Section 13 Crediting of absences

(1) The following count towards the duration of the training:

1. annual leave, including educational leave or holidays,
2. absences due to sickness or on other grounds beyond the trainee's control
 - a) of no more than 10 per cent of the hours of theoretical and practical instruction and
 - b) of no more than 10 per cent of the hours of the practical training

in accordance with the provisions of the training and examination regulations,

3. absences due to prohibitions of employment under maternity protection law for trainees not exceeding a total of 14 weeks, including the absences pursuant to no. 2.

(2) Upon application, the competent authority may also make allowances for absences in addition to those referred to in subsection (1) in the case of special hardship and if achievement of the training objective is not jeopardised thereby. Where it is not possible to credit such absences, the duration of the training may be extended accordingly.

(3) Entitlements to leaves of absence under the Works Constitution Act, the Federal Staff Representation Act or under the staff representation acts of the *Länder* remain unaffected.

Section 14

Training in model projects pursuant to section 63 (3c) of Book Five of Social Code

(1) In order to enable the time-limited testing of training courses which serve to develop the profession regulated under this Act within the framework of model projects pursuant to section 63 (3c) of Book Five of the Social Code, extended competences required to administer medical procedures may be taught in addition to those required to engage in the activities described in section 5. Achievement of the training objective may not be jeopardised thereby.

(2) Where the training in accordance with subsection (1) goes beyond the training content set out in this Act and in the training and examination regulations pursuant to section 56 (1), the training content is laid down in separate school-related curricula drawn up by the nursing training schools and in training plans drawn up by the practical training providers.

(3) The school-related curricula and training plans referred to in subsection (2) must be authorised jointly by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health. Such authorisation presupposes that the extended training is based on a model project agreed in accordance with section 63 (3c) of Book Five of the Social Code and that the training is suited to teaching the qualifications required to conduct that model project.

(4) By way of derogation from subsection (3) sentence 2, the Expert Commission referred to in section 53 may develop standardised modules for the additional training, which may be authorised jointly by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health even if no model project has been agreed in accordance with section 63 (3c) of Book Five of the Social Code. Authorisation for such standardised modules is given once; changes require renewed authorisation.

(5) The duration of the training as per section 6 (1) sentence 1 is to be extended in accordance with authorised school-related curricula and training plans.

(6) The final state examination also covers the extended skills acquired as part of the additional training.

(7) Subsections (1) to (5) apply accordingly to persons who are already entitled to use the professional title pursuant to section 1 (1). The acquired extended skills form part of a state examination taken at the end of the training course.

Section 15

Model projects for ongoing development of nursing profession

(1) In order to enable the time-limited testing of concepts relating to the delivery of the school-based and practical training, the *Länder*, in agreement with the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health, may permit derogations from sections 6, 7 and 10 and from the provisions of the training and examination regulations pursuant to section 56 (1) which do not refer to requirements as to content or examination requirements insofar as achievement of the training objectives set out in section 5 is not jeopardised thereby and it is guaranteed that the training complies with Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22; L 271, 16.10.2007, p. 18), as last amended by Commission Delegated Decision (EU) 2016/790 (OJ L 134, 24.5.2016, p. 135). Parts of the theoretical instruction referred to in section 6 (2) may be delivered through distance learning.

(2) Authorisation of a model project presupposes that

1. a description of the test objective has been provided and indicates which qualitative improvements are expected in respect of nursing training, taking account of the specific requirements of the profession,
2. proper ongoing and final scientific evaluation of the model project is guaranteed and
3. the term of the model project does not exceed five years and any extension of a maximum of two years is reasoned on the basis of the results of the evaluation.

Division 2

Training relationship

Section 16

Training contract

(1) A written training contract is to be concluded between the practical training provider and the trainee in accordance with the provisions of this Division.

(2) The training contract must, at a minimum, include the following:

1. the designation of the profession for which training is being delivered in accordance with the provisions of this Act and the chosen specialist placement, including a specialism pursuant to section 7 (4) sentence 2,
2. the date on which training is to commence and its duration,
3. a reference to the training and examination regulations on which the training is based,
4. an outline of the practical training design in terms of content and timetabling (training plan),
5. the trainee's obligation to attend the nursing training school's training sessions,
6. the duration of the regular daily or weekly practical training time,

7. the duration of the probation period,
8. details concerning payment and the amount of the training allowance, including the amount of any benefits in kind pursuant to section 19 (2),
9. the duration of annual leave,
10. the conditions under which the training contract may be terminated and
11. a general reference to the collectively agreed regulations or works or service agreements on which the training contract may be based, as well as rights as an employee, within the meaning of section 5 of the Works Constitution Act or section 4 of the Federal Staff Representation Act, of the practical training provider.

(3) The training contract must be signed by a person authorised to represent the practical training provider and by the trainee, in the case of minors also by the trainee's legal representatives. A copy of the signed training contract is to be given to the trainee or to his or her legal representatives.

(4) The legal provisions and legal principles applicable to employment contracts apply to the training contract, unless otherwise provided by dint of its nature and purpose or under this Act.

(5) Changes to the training content must be made in writing. It is possible to change the specialist placement by mutual agreement at any time up until the start of the specialist placement. Subsections (2) to (4) apply accordingly.

(6) In the case under section 8 (2) no. 2, the training contract requires the written approval of the nursing training school for it to be valid. Where such approval has not yet been given upon conclusion of the contract, the practical training provider must promptly obtain it. The trainee's attention must be drawn to this fact, in the case of minors also the trainee's legal representatives.

Section 17 Obligations of trainees

Trainees must endeavour to acquire those skills referred to in section 5 which are necessary to achieve the training objective. In particular, they are under the obligation

1. to attend the training sessions prescribed by the nursing training school,
2. diligently to perform the activities assigned to them during their training,
3. to keep a written record of evidence of formal qualifications,
4. to comply with the provisions applicable to employees in the facilities referred to in section 7 concerning confidentiality and to maintain secrecy concerning all trade secrets and
5. to respect the rights of persons needing nursing care.

Section 18 Obligations of practical training providers

(1) Practical training providers are under the obligation to

1. deliver the training on the basis of the training plan designed, in terms of content and timetabling, so as to enable achievement of the training objective within the allotted time,
2. guarantee that the practical training placements agreed in accordance with section 16 (2) no. 4 can be delivered,

3. ensure that the guidance to be guaranteed in accordance with section 6 (3) sentence 3 is provided to trainees during their placements for no less than 10 per cent of the practical training time,
4. provide, free of charge, the training materials, including textbooks, instruments and apparatus, which trainees need to complete the practical training and to take the final state examination and
5. release trainees so that they can attend the nursing training school's training sessions and take examinations and, when designing the training, make allowances for the necessary study and preparation times.

(2) Trainees may only be assigned those activities which correspond to the purpose and level of their training; any activities assigned must be appropriate to trainees' physical and mental capabilities.

Section 19 Training allowance

- (1) Practical training providers are required to pay trainees an appropriate training allowance throughout the entire training period. Trainees are equal in status to those employed for the purposes of their vocational training within the meaning of the provisions of social security law.
- (2) Payments in kind may be credited in the amount of their value as determined by statutory instrument pursuant to section 17 (1) sentence 1 no. 4 of Book Four of the Social Code (*Viertes Buch Sozialgesetzbuch*); they may not, however, exceed 75 per cent of the gross amount of the allowance. Where trainees are not able, on legitimate grounds, to accept payments in kind, these are to be compensated on the basis of the value of the payments in kind. It is only permissible to credit the payments in kind if this has been agreed in the training contract.
- (3) Employment over and above the agreed regular daily or weekly training time is only permissible by way of exception and is to be remunerated separately or compensated as time off in lieu.

Section 20 Probation

The training relationship commences with a probation period. The probation period lasts for six months, unless collectively agreed rules provide for another period.

Section 21 End of training relationship

- (1) The training relationship ends upon the expiry of the training period, regardless of when the final state examination is taken.
- (2) Trainees who do not pass the state examination or who are unable, through no fault of their own, to take the state examination before the end of the training period may, upon written request being made to the practical training provider, have their training relationship extended up until the date of the next possible repeat examination, but for no more than one year.

Section 22 Termination of training relationship

- (1) The training relationship may be terminated by either contracting party at any time during the probation period without observing a period of notice.
- (2) After the end of the probation period the training relationship may only be terminated
 1. by either contracting party without observing a period of notice where there is good cause,
 2. by the trainee observing a period of notice of four weeks.

(3) Notice of termination must be made in writing. Where the practical training provider terminates the contract, this must be done in consultation with the nursing training school. In the cases under subsection (2) no. 1, the grounds for termination must be stated.

(4) Termination for good cause is invalid if the facts on which it is based were known to the person entitled to give notice for more than 14 days. Where conciliation proceedings which are provided for have been instituted before a non-judicial agency, this period ceases to run up until their conclusion.

Section 23

Employment following completion of training

Where trainees are hired after the end of their training relationship without any express agreement having been reached on the matter, their employment relationship is deemed to be established for an indefinite period.

Section 24

Nullity of agreements

(1) Any agreements which deviate from the remaining provisions of this Division to the trainee's detriment are null and void.

(2) Any agreements on the basis of which a trainee is restricted in terms of the exercise of his or her professional activities in the period following the end of the training relationship are null and void. This does not apply if the trainee enters into an employment relationship in the last three months of the training relationship which is set to commence following the end of that training relationship.

(3) The following agreements are also null and void:

1. the obligation on the part of the trainee to pay compensation for the practical training or to pay remuneration or school fees for participating in the theoretical and practical instruction delivered by the nursing training school,
2. contractual penalties,
3. the exclusion or limitation of claims for damages and
4. damages set as lump-sums.

Section 25

Non-application of provisions under this Division

Sections 16 to 24 do not apply to trainees who are members of a Protestant community of sisters ('*Diakonissen*', '*Diakonieschwestern*') or members of a religious community.

Division 3

Financing of vocational nursing training

Section 26

Principles

(1) With a view to

1. safeguarding quality-assured training within easy reach across the whole of Germany,
2. training a sufficient number of qualified nursing professionals,
3. avoiding competitive disadvantages between facilities providing training and those not providing training,
4. promoting training in small and medium-sized facilities and
5. guaranteeing profitable training structures,

the costs of nursing training under Part 2 are financed through equalisation funds in accordance with the provisions of sections 26 (2) to 36.

(2) The equalisation funds are organised and administered by the *Länder*.

(3) The following are involved in financing the equalisation funds:

1. hospitals as defined in section 7 (1) no. 1,
2. inpatient and outpatient care facilities as defined in section 7 (1) nos. 2 and 3,
3. the respective *Land*,
4. the social nursing care insurer and private statutory nursing care insurer.

(4) The competent agency in the respective *Land* determines the funding requirements in accordance with section 32 and levies contributions to be paid to the equalisation fund from the facilities in accordance with section 33 (3) and (4). It administers the contributions received in accordance with section 33 (1), including those from *Land* resources in accordance with section 33 (1) no. 3 and contributions paid pursuant to section 33 (1) no. 4 as special assets, and makes equalisation payments to the practical training providers and nursing training schools.

(5) The funding and accounting period is the calendar year.

(6) Each *Land* designates the competent agency as referred to in subsection (4) and may issue additional regulations. It likewise designates the competent authority as referred to in section 30 (1) as well as another authority which delegates representatives of the *Land* in accordance with section 36 (2). The competent agency is subject to the legal oversight of the competent ministry in the *Land*. The tasks of the competent agency pursuant to subsection (4) may be entrusted to a legal person under private law which is suited to performing these tasks and which can guarantee their proper fulfilment. Such delegation of tasks may be linked to conditions and is revocable. Sentence 3 applies accordingly.

(7) Several *Länder* may delegate performance of these tasks to one competent agency.

Section 27 Training costs

(1) The costs of nursing training comprise the additional costs of the training allowances paid and the costs of the practical training, including the costs of providing guidance during placements. Training costs also include the nursing training schools' operating costs pursuant to section 6 (2), including the costs of providing supervision during placements. Training costs do not include investment costs. Investment costs comprise expenditure for those measures, including capital costs, which are taken to develop, purchase, replace or augment buildings and other depreciable fixed assets which are necessary in the operation of a nursing training school.

(2) When assessing the additional costs of the training allowances paid, persons undertaking nursing training under Part 2 are to be counted at a ratio of 9.5 to 1 per fully qualified nursing professional in the case of hospitals and inpatient care facilities; the ratio is 14 to 1 in the case of outpatient care facilities. Those who are in the first third of their training are not included in the calculation as per sentence 1.

Section 28 Contribution system

(1) Hospitals and outpatient and inpatient care facilities finance the equalisation funds via a regional contribution system in accordance with the provisions of subsection (2) and sections 29 to 35.

(2) Hospitals participating in the contribution system may raise the contributions they are required to pay by levying training surcharges in addition to the fees or charges they impose for the services they provide; in the case of outpatient and inpatient care facilities, the contributions they are required to pay are deductible from payments for general nursing services (section 84 (1) and section 89 of Book Eleven of the Social Code).

Section 29

Training budget, principles

(1) Practical training providers and nursing training schools receive a training budget to finance the costs of training for a future period (funding period). A practical training provider's training budget also covers the training costs of other facilities involved in the practical training in accordance with section 8 (3); it comprises the anticipated additional costs of the training allowances paid and the costs of the practical nursing training per trainee.

(2) The training budget is, as a general rule, required to cover the costs of training where the principles of economic size and economic business management are applied. Payment of collectively agreed remuneration and corresponding remuneration under canon labour law may not be refused on the ground of its being uneconomic. Those training statistics which are reported to the competent agency and the amount of the additional costs of the training allowances paid form the basis of the training budget. Additional costs of the training allowances paid may not be inappropriate; they may not be contested on the ground of their being inappropriate if they are based on collectively agreed training allowances and corresponding remuneration under canon labour law.

(3) Account is to be taken of those cost developments which are expected over the course of the funding period. Training in the region may not be jeopardised thereby. Where a nursing training school is needed in a particular region because, for example, other nursing training schools are located too far away and journey times are unreasonable, provision may also be made for higher funding contributions in the long term. The parties referred to in section 31 (1) may conclude structural contracts to subsidise the extension, closure or amalgamation of nursing training schools and to create economic training structures. Section 27 (1) sentence 3 applies accordingly.

(4) Where training costs are covered under the terms of other provisions, account is to be taken thereof when determining training budgets by making the relevant deduction.

(5) Training budgets take the form of a lump sum budget in accordance with section 30. They take the form of an individually agreed budget where the respective *Land* or the parties referred to in subsection (6) make a unanimous declaration to that effect in writing by 15 January of the year preceding the funding period. Such declarations may also be made in respect of only the financing of practical training providers or only the financing of nursing training schools.

(6) Declarations by parties as per subsection (5) are made in respect of the financing of the practical training providers by the parties referred to in section 30 (1) sentence 1 and in respect of the financing of nursing training schools by the parties referred to in section 30 (1) sentence 2. An explicit declaration of abstention is permissible. Where one of the parties has several representatives, that party's declaration is deemed to have been made where the relevant declarations have been made by the majority of its representatives.

(7) The *Land* and the parties are bound by their declarations for the following funding period. Furthermore, the declarations made as per subsection (5) apply until such time as a deviating declaration is made. Such deviating declarations may likewise be made by 15 January of the year preceding the respective funding period.

Section 30

Lump sum budgets

(1) The competent authority in the respective *Land*, the regional hospital association, the associations of organisations or agencies responsible for outpatient or inpatient care facilities in the respective *Land*, the regional associations of health and nursing care insurers, as well as the regional committee of the Association of Private Health Insurers determine, by way of joint agreements, lump sums to cover the costs of the practical training. A joint agreement on such lump sums to cover the costs of the training delivered by nursing training schools is concluded between the competent authority in the *Land*, the regional associations of health and nursing care insurers, the regional association of the Association of Private Health Insurers and representatives of the public and private nursing training schools in the

respective *Land*. No agreements concerning lump sums may be made in respect of the additional costs of the training allowances paid.

(2) If no agreement is concluded by 30 April of the year preceding the funding period, the arbitration board referred to in section 36 gives a decision, upon application of one of the contracting parties, within six weeks.

(3) The lump sums are to be adjusted every two years. If no agreement can be reached by 30 June of the year preceding the relevant funding period, either by agreement or by arbitral award, the previous lump sum agreement is deemed to continue to apply. By way of derogation from sentence 1, the agreement on the lump sum may be terminated by either of the contracting parties with effect for all by 1 January of the year preceding the relevant funding period.

(4) Practical training providers and nursing training schools notify the competent agency of the anticipated number of training relationships or the anticipated number of trainees, the anticipated additional costs of the training allowances paid and the resulting overall budget. They also notify the amount of the anticipated training allowance incurred per trainee. Detailed reasons are to be provided for the assumed training and trainee statistics. The competent agency determines the training budget on the basis of the notifications made in accordance with sentences 1 to 3; it disallows inappropriate training allowances and implausible training and trainee statistics.

(5) Where the notification as required under subsection (4) sentences 1 to 3 is not made or is not made in full within the period set for such notification, or if certain information in the notification as required under subsection (4) sentence 4 is disallowed and the disallowed information is not subsequently notified within a set time limit, the competent agency makes an estimate.

Section 31 Individually agreed budgets

(1) Where training budgets are individually agreed in accordance with section 29 (5) sentences 2 and 3, the parties to the budget negotiations are

1. the practical training provider or the nursing training school,
2. the competent authority in the respective *Land* and
3. the health and nursing care insurers or their working groups, insofar as they account for more than 5 per cent of the days covered by a flat rate and billing days or the number of persons needing nursing care being cared for in the case of outpatient care providers cooperating with a practical training provider in the year before budget negotiations commence.

Nursing training schools and practical training providers may reach agreement to the effect that the practical training provider's training budget also encompasses the nursing training school's training costs and that the practical training provider is responsible for negotiating those costs.

(2) The negotiations referred to in subsection (1) are to be conducted swiftly. Before negotiations commence, the practical training provider must, in good time, provide the involved parties with evidence and reasons, in particular concerning the number of anticipated filled training positions and the training costs and must supply additional information during the negotiations where this is necessary and is not disproportionate. Sentence 2 applies accordingly to nursing training schools.

(3) Where agreement cannot be reached on a training budget for the relevant funding period within two months following submission of the negotiation documents, the arbitration board pursuant to section 36 gives a decision, upon application by one of the contracting parties, within six weeks.

(4) The parties referred to in subsection (1) jointly notify the competent agency of the amount of the agreed training budget or that determined by the arbitration board pursuant to

subsection (3) as well as of the respective practical training provider. They state the number of training positions and anticipated additional costs of the training allowances paid and also notify the amount of the probable training allowance incurred per trainee on which the agreement or determination is based. The competent agency disallows inappropriate training allowances.

(5) Where the notification required under subsection (4) sentences 1 and 2 is not made or is not made in full within the period set for such notification, or if certain information in the notification required under subsection (4) sentence 3 is disallowed and the disallowed information is not subsequently notified within the time limit set, the competent agency makes an estimate.

Section 32

Amount of funding requirements; administrative costs

(1) The competent agency determines the amount of the funding requirements for nursing training in the *Land* for the relevant funding period on the basis of

1. the sum of all training budgets in the *Land* in accordance with sections 30 and 31,
2. a 3 per cent mark-up on these sums to create cash reserves to cover the funds needed for training positions of which account was not yet taken when notifying the training budget in accordance with section 30 (4) and section 31 (4) as well as to cover bad debts and delayed payments.

Estimates made in accordance with section 30 (5) and section 31 (5) are equal to the funding requirements determined or the agreed training budget.

(2) The competent agency levies 0.6 per cent of the sum referred to in subsection (1) no. 1 as compensation for administrative and enforcement costs arising (administrative costs charge). This amount is accounted for separately and is added to the funding requirements referred to in subsection (1).

Section 33

Raising funding requirements; authorisation to issue statutory instruments

(1) The funding requirements determined in accordance with section 32 are raised by levying contributions and payments in accordance with section 26 (3) based on the following weighting:

1. 57.2380 per cent from the facilities referred to in section 7 (1) no. 1,
2. 30.2174 per cent from the facilities referred to in section 7 (1) nos. 2 and 3,
3. 8.9446 per cent from the *Land* and
4. 3.6 per cent through direct payments from the social nursing care insurer, whereby the private statutory nursing care insurer reimburses 10 per cent of the direct payments made by the social nursing care insurer.

(2) The payments referred to in subsection (1) nos. 1 and 2 are made to the competent agency in the form of monthly partial payments. Where a facility obliged to pay a contribution is entitled to an equalisation payment in accordance with section 34 on account of delivering practical nursing training, the competent agency may set off these payments against each other.

(3) The share to be paid by the sponsoring agencies of the facilities referred to in section 7 (1) no. 1 may be paid as a partial payment of the training levy per inpatient and day-care case pursuant to section 17a (5) sentence 1 no. 2 of the Hospitals Financing Act (*Krankenhausfinanzierungsgesetz*) or as a separate training levy per inpatient and day-care case. The contracting parties agree the amount of the levy or of the partial payment in accordance with section 18 (1) sentence 2 of the Hospitals Financing Act. The contracting

parties jointly notify that competent agency of the amount of the agreed levy or partial amount which determines the contribution paid by the facilities referred to in subsection (1) no. 1.

(4) The share referred to in subsection (1) no. 2 which is to be paid by the sponsoring agencies of the facilities referred to in section 7 (1) nos. 2 and 3 is raised via training levies. The competent agency determines the contribution to be paid by each facility. To that end, the share referred to in subsection (1) no. 2 is broken down into the sectors 'inpatient and day-care' and 'outpatient' at the same ratio as the number of nursing professionals employed in these sectors. Details regarding the procedure are governed by regulations concerning the levying of contributions pursuant to section 56 (3) no. 3. The *Länder* may issue additional regulations.

(5) The payments referred to in subsection (1) nos. 3 and 4 are made as one-off payments per funding period two months before the due date of the first equalisation payment. The social insurance scheme's direct payment and the private statutory nursing care insurer's reimbursement pursuant to subsection (1) no. 4 are paid from out of the equalisation fund in accordance with section 65 of Book Eleven of the Social Code or to the equalisation fund. Section 45c (7) of Book Eleven of the Social Code applies accordingly.

(6) The parties representing the *Länder* referred to in section 30 (1) sentence 1 agree the necessary procedural rules relating to payment of the funding and levies to be raised. These include, in particular, rules on interest on outstanding payments, which is to be paid at a rate of 8 per cent above the basic rate of interest quoted in section 247 (1) of the Civil Code (*Bürgerliches Gesetzbuch*). If no agreement is reached, the arbitration board under section 36 gives a decision upon application of the parties involved.

(7) Recourse is possible to the administrative courts against the competent agency's written notice and order for payment as referred to in subsections (3) and (4). Objections and actions have no suspensive effect.

(8) The Federal Government conducts a review every three years, for the first time in 2023, of the need for and amount of the adjustment to be made to the percentage of the direct payment made by the social nursing care insurer in accordance with subsection (1) no. 4. The Federal Government submits a report detailing the outcome of the review and its reasoning to the legislative bodies of the Federal Government. The Federal Government is authorised, by way of statutory instrument requiring the approval of the Bundesrat,

1. after submitting the report and giving due consideration to any statements submitted by the legislative bodies of the Federal Government, to adjust the percentage referred to in subsection (1) no. 4 as of 1 January of the following year and

2. when adjusting the percentage referred to in subsection (1) no. 4, to also adjust the percentage referred to in subsection (1) no. 2 so that the sum of the percentages referred to in subsection (1) nos. 2 and 4 remains unchanged.

Statutory instruments pursuant to sentence 3 must be forwarded to the Bundestag. They are forwarded to the Bundestag before being forwarded to the Bundesrat. The statutory instruments may be amended or rejected by resolution of the Bundestag. The resolution of the Bundestag is forwarded to the Federal Government. If the Bundestag has not dealt with the statutory instrument within three weeks in which Parliament is sitting following its receipt, the statutory instrument is forwarded to the Bundesrat in its unamended form.

Section 34

Equalisation payments

(1) Equalisation payments are made to practical training providers and nursing training schools in the form of monthly payments pursuant to the training budget determined by the competent agency in accordance with section 29. Equalisation payments are earmarked for nursing training. The practical training providers notify the competent agency of any discrepancies between the number of training positions on which the notification referred to in section 30 (4) or the budget agreement referred to in section 31 was based, as well as of

the actual number of training positions; providers state the additional or reduced expenditure incurred on account of the discrepancy. Full account is to be taken of any reduced expenditure when making the monthly equalisation payments; account is to be taken of additional expenditure, insofar as cash reserves so permit. Nursing training schools have the same reporting duties.

(2) Practical training providers forward the costs incurred by other cooperating partners and, in the case under section 31 (1) sentence 2, by the nursing training schools which are included in the equalisation payments to those other cooperating partners and nursing training schools on the basis of cooperation agreements and in the case of individually agreed budgets in accordance with section 31, taking account of the agreed training budget.

(3) Notwithstanding section 24 (3) no. 1 alternative 2, nursing training schools charge training costs in an appropriate amount to trainees who are receiving support pursuant to section 81 of Book Three of the Social Code (*Drittes Buch Sozialgesetzbuch*) or pursuant to section 16 of Book Two of the Social Code (*Zweites Buch Sozialgesetzbuch*) in conjunction with section 81 of Book Three of the Social Code. Payments to cover training costs are to be made to the nursing training school, in its capacity as provider, pursuant to section 83 (2) sentence 1 of Book Three of the Social Code. Payments to fund the nursing training, such as funding under Chapter 3 of Book Three of the Social Code, are to be notified by the person authorised to disburse the payment and are set off against the equalisation payment, unless account has already been taken of them in the context of the training budget in accordance with section 29 (4).

(4) The entitlement to receive equalisation payments only exists insofar as the funded facility providing nursing training has been issued with a final and binding assessment notice as referred to in section 33 (3) sentence 3 or in section 33 (4) sentence 2. Where costs are estimated in accordance with section 30 (5) or section 31 (5), the equalisation payment is limited to that cost estimate, even if the information required under section 30 (4) sentences 1 to 3 or under section 31 (4) sentences 1 and 2 is subsequently submitted to the competent agency. Remittance of the equalisation payment is suspended until all the necessary information is available. Section 34 (6) clause 1 applies accordingly.

(5) After the end of the funding period, practical training providers and nursing training schools must submit to the competent agency an account of income derived from the equalisation payments and the training costs agreed in the training budget. As regards the share paid as a lump sum, only that evidence and a statement of account may be required which indicates that the basic conditions, such as the number of training contracts, were met in the accounting period.

(6) If actual expenditure exceeds the amount of the equalisation payment on account of an increase in the number of training positions, the additional expenditure is taken into account when determining or agreeing the training budget in accordance with sections 30 and 31; this does not apply where such additional expenditure was already financed in accordance with subsection (1). Excess payments due to a reduction in the number of training positions are to be repaid promptly to the competent agency. Further details concerning the review procedure are set out in *Land* legislation, unless the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health exercise the authorisation under section 56 (3) no. 4.

Section 35

Competent agency's rendering of account

(1) After the end of the funding period and after completion of the accounts as referred to in section 34 (5) and (6), the competent agency renders account in regard to the funding administered in the equalisation fund and the contribution system.

(2) Surpluses or deficits identified when rendering account are factored into the funding requirements determined in accordance with section 32 in the assessment and fiscal year which follows the rendering of account.

Section 36

Arbitration board; authorisation to issue statutory instruments

(1) The regional associations of health and nursing care insurers, the associations of organisations or agencies responsible for outpatient or inpatient care facilities in the respective *Land*, the regional hospital association and representatives of the *Land* establish an arbitration board for each *Land*.

(2) The arbitration boards comprise a neutral chairperson, three representatives of the health and nursing care insurers, two hospital representatives, one representative of the outpatient care services, one representative of the inpatient care facilities and one representative of the *Land*. They also include one representative appointed by the regional committee of the Association of Private Health Insurers, who counts as one of the representatives of the health insurers. The representatives of the health and nursing care insurers and their deputies are appointed by the regional associations of health and nursing care insurers, the hospital representatives and their deputies by the regional hospital association, the representatives of the care facilities and their deputies by the regional associations of care facilities, the representatives of the *Land* and their deputies by the *Land*. The chairperson and his or her deputy are appointed jointly by the participating organisations; where no agreement can be reached, the decision is taken by the drawing of lots.

(3) Where arbitration proceedings concern the nursing training schools' lump sums in accordance with section 30 or the nursing training schools' individually agreed training budgets in accordance with section 31, the hospital representatives and the representative of the outpatient care providers and the representative of the inpatient care facilities are replaced by four persons representing the interests of the nursing training schools at *Land* level. They are appointed by the regional associations of the schools' interest groups. Seats are allocated at the same ratio as exists between the public and private training schools. Where both public and private training schools are active in delivering nursing training, it must be guaranteed that both are represented on the arbitration board.

(4) Members of the arbitration boards hold office in an honorary capacity. They are not bound by instructions in the exercise of their office. Each member has one vote. Decisions are taken by majority vote; if no majority can be achieved, the chairperson has the casting vote.

(5) The *Land* governments are authorised to regulate, by way of statutory instrument, further details concerning

1. the appointment, term of office and exercise of the office of the members of the arbitration board as well as the reimbursement of their cash expenses and compensation for their time,

2. the management of the arbitration board's business,

3. the procedure and the fees for the arbitration procedure;

they may delegate this authorisation, by way of statutory instrument, to the highest *Land* authorities. The costs incurred by the arbitration board are borne by the legal entities of the parties referred to in subsections (1) and (3) pro rata in accordance with the allocation of seats pursuant to subsections (2) and (3).

(6) There is recourse to the administrative courts against decisions given by the arbitration board. There are no preliminary proceedings; actions do not have suspensive effect.

Part 3

University nursing training

Section 37

Training objectives

(1) University nursing training as a primary qualification qualifies graduates to perform nursing care activities directly on persons of all ages needing nursing care and has a more extended training objective than vocational nursing training under Part 2.

(2) University nursing training teaches, on the basis of scientific principles and methodology, the professional and personnel skills required to provide independent, comprehensive and process-oriented nursing care as defined in section 5 (2) to persons of all ages in acute and long-term inpatient and outpatient care situations.

(3) University nursing training encompasses the skills acquired in the course of vocational nursing training as described in section 5 (3). In addition, it in particular qualifies trainees

1. to control and design highly complex nursing care processes on the basis of science-based or science-oriented decision-making,
2. to apply in-depth knowledge of the foundations of nursing science, of the socio-institutional nursing care framework, of the normative and institutional care system and, as a result, to play a key role in the ongoing development of health and nursing care,
3. to familiarise themselves with areas of professional nursing research based on the current state of verified research findings and research-based problem-solving, and to incorporate new technologies into their professional activities and identify professional training and further training needs,
4. to reflect critically and analytically on both theoretical and practical knowledge and to develop and implement innovative knowledge-based solutions to make improvements in their own professional area of activity and
5. to participate in developing quality management concepts, guidelines and expert standards.

(4) When designing their degree courses universities may make provision for the teaching of additional skills. Achievement of the training objectives may not be jeopardised thereby.

(5) Sections 5 (4) and 14 apply accordingly.

Section 38

Course of study

(1) A course of study lasts no less than three years. It encompasses theoretical and practical course units taught at state and state-recognised universities based on a modular curriculum as well as placements undertaken in the facilities referred to in section 7.

(2) Study course concepts are subject to review by the competent *Land* authority as part of an accreditation procedure. Key changes to study course concepts once the accreditation procedure has been completed are likewise subject to review by the competent *Land* authorities.

(3) Placements are divided into compulsory placements, a specialist placement and further placements. The guidance to be guaranteed by the facilities during placements forms a key component of the placements. Universities support the placements by guaranteeing that supervision is provided throughout. Based on authorisation granted under *Land* legislation a small proportion of placements undertaken in facilities may be substituted by practical sessions at university.

(4) Universities have overall responsibility for coordinating the theoretical and practical course units with the placements. They are also responsible for delivery of the placements, in regard to which they conclude cooperation agreements with the facilities in which the placements are undertaken.

(5) The competences and skills acquired in the course of successfully completing nursing training under Part 2, under the Act on Nursing Care in the version applicable until 31 December 2019 or under the Act on Geriatric Care (*Altenpflegegesetz*) as published on 25 August 2003 (Federal Law Gazette I, p. 1690) in the version applicable until 31 December 2019 are, as a general rule, to be credited towards the course of study as equivalent achievements.

(6) Responsibility for further aspects of study course design falls to the universities. Compliance with the requirements set out in Directive 2005/36/EC must be guaranteed.

Section 39

Completion of course of study, state examination to gain access to profession

- (1) The course of study concludes with the awarding of the academic degree by the university. The university conducts an examination to verify achievement of the learning objectives set out in section 37.
- (2) The examination referred to in subsection (1) sentence 2 relating to the skills referred to in section 5 and, where necessary, referred to in section 14 is, as a general rule, to be conducted at the end of the course of study. The training and examination regulations referred to in section 56 (1) set out the framework requirements applicable across the whole of Germany.
- (3) Universities, with the approval of their competent *Land* authority, determine the modules in accordance with subsection (2) sentence 1. The university examination referred to in subsection (1) sentence 2 also encompasses the state examination to gain access to the profession.
- (4) The module examinations pursuant to subsection (2) sentence 1 are co-chaired by the university and the *Land* authority. The competent *Land* authority may mandate the university with chairing the examinations on behalf of the competent *Land* authority, too.

Part 4

Recognition of foreign professional qualifications; responsibilities; Expert Commission; statistics and authorisation to issue statutory instruments; administrative fines provisions

Division 1

Professional qualifications acquired outside area of application of Act

Section 40

Equivalence and recognition of qualifications

- (1) A training course completed outside of the area of application of this Act and outside of the Member States of the European Union or another State Party to the Agreement on the European Economic Area or Switzerland meets the conditions of section 2 no. 1 if the level of training is equivalent.
- (2) The level of training is deemed to be equivalent if the training which the applicant underwent in the profession for which recognition is being applied for does not differ substantially from the training provided for that profession under this Act and under the training and examination regulations. 'Substantial differences' within the meaning of sentence 1 are deemed to exist where
1. the applicant's training encompasses subjects or areas of practical training relating to his or her professional activities which differ substantially from those prescribed in regard to the nursing professions under this Act or under the training and examination regulations or
 2. the profession of general nurse, healthcare and paediatric nurse or geriatric nurse encompasses one or more regulated activities which do not form part of the profession which corresponds to that of general nurse, healthcare and paediatric nurse or geriatric nurse in the applicant's country of origin and if the training for the relevant activities refers to subjects or areas of practical training under this Act or under the training and examination regulations which differ substantially from those which form part of the applicant's training, and

these differences cannot be compensated by knowledge and skills which the applicant has acquired in the actual and lawful, either full-time or part-time, pursuit of the profession of general nurse, healthcare and paediatric nurse or geriatric nurse or through lifelong learning, insofar as the skills and competences acquired through lifelong learning were formally validated by the competent agency in the state in question; it is irrelevant in which state those knowledge and skills were acquired. Subjects or areas of practical training differ

substantially if the applicant's documented training differs substantially in terms of the content of the knowledge and skills which are an essential requirement in the pursuit of the profession of general nurse, healthcare and paediatric nurse or geriatric nurse in Germany; sentence 2 last clause applies accordingly.

(3) If the level of training is not equivalent as defined in section (2) or its determination would involve disproportionate time and effort because the required documents and evidence cannot be submitted by the applicant for reasons which have nothing to do with the applicant's person, then evidence is to be provided of an equivalent level of knowledge. This evidence is provided by means of an assessment test which covers the content of the final state examination or by means of an adaptation course of no more than three years which concludes with an examination which covers the material dealt with in the adaptation course. Applicants have the right to choose between the assessment test and the adaptation course.

(4) The Professional Qualifications Assessment Act (*Berufsqualifikationsfeststellungsgesetz*) does not apply, with the exception of its section 17.

(5) The *Länder* may reach agreement to the effect that the tasks referred to in sections 40 and 41 are to be performed by another *Land* or by a joint facility.

Section 41

Equivalence of training courses; authorisation to issue statutory instruments

(1) The condition of section 2 no. 1 is regarded as having been met by persons applying for the granting of authorisation pursuant to section 1 (1) where a European Professional Card or evidence of formal qualifications acquired in a Member State of the European Union or another State Party to the Agreement on the European Economic Area indicates that the applicant has undertaken nursing training which corresponds to the minimum requirements laid down in Article 31 in conjunction with Annex V point 5.2.1 of Directive 2005/36/EC and furnishes proof thereof by submitting the evidence of formal qualifications as listed in the Annex which was issued by one of the other Member States of the European Union after the reference date specified therein. Sentence 1 applies accordingly to the evidence of formal qualifications as listed in the Annex which was issued after 31 December 1992 by another State Party to the Agreement on the European Economic Area. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are authorised to issue statutory instruments not requiring the approval of the Bundesrat to adapt the Annex to this Act in line with subsequent amendments made to Annex V point 5.2.1 of Directive 2005/36/EC. Evidence of formal qualifications as a general nurse issued by one of the other Member States of the European Union or other States Party to the Agreement on the European Economic Area after the reference date stipulated in the Annex which does not correspond to the designations listed in the Annex to sentence 1 for the state concerned but which is submitted together with a certificate issued by the competent authority or agency in that state attesting to the fact that the applicant is undertaking training which meets the minimum requirements laid down in Article 31 in conjunction with Annex V point 5.2.1 of Directive 2005/36/EC and which is equivalent to the evidence listed for that state in the Annex to sentence 1 is deemed to be equivalent within the meaning of sentence 1. Holders of the Bulgarian qualification of 'фелдшер' (feldsher) are not entitled to obtain professional recognition in other Members States under this subsection.

(2) The condition of section 58 (3) in conjunction with section 2 no. 1 is regarded as being met in regard to persons applying for authorisation pursuant to section 58 (1) or (2) where a European Professional Card or other evidence of formal qualifications acquired in another Member State of the European Union or another State Party to the Agreement on the European Economic Area indicates that they obtained the qualification required in that state to gain direct access to a profession which corresponds to that of healthcare and paediatric nurse or geriatric nurse. 'Evidence of formal qualifications' within the meaning of this Act means qualifications pursuant to Article 3 (1) (c) of Directive 2005/36/EC which at least correspond to the level of qualification defined in Article 11 (b) of Directive 2005/36/EC and which are submitted together with a certificate issued by the home Member State attesting to

the level of training. Sentence 2 also applies to any evidence of formal qualifications or a set of evidence of formal qualifications issued by a competent authority in a Member State which certifies the successful completion of training as part of a formal or non-formal training programme on a full-time or part-time basis in the European Union which was recognised as equivalent by that Member State and confers the same rights as regards gaining access to or pursuing the profession of healthcare and paediatric nurse or geriatric nurse or prepares a person to pursue the profession. Applicants in possession of evidence of formal qualifications issued by another Member State of the European Union or another State Party to the Agreement on the European Economic Area must complete an adaptation course of no more than three years or take an aptitude test if their training differs substantially from the training as healthcare and paediatric nurse or as geriatric nurse regulated under this Act and under the training and examination regulations for the health professions. Section 40 (2) sentences 2 and 3 applies accordingly. Applicants have the right to choose between the adaptation course and the aptitude test.

(3) Section 40 (2) and (3) applies accordingly to applicants who completed their training in another Member State of the European Union or in another State Party to the Agreement on the European Economic Area and to whom subsection (1) or section 42 does not apply, as well as to applicants who possess evidence of formal qualifications as a nurse issued by a state which is not a Member State of the European Union or a State Party to the Agreement on the European Economic Area (third country) which was recognised in another Member State of the European Union or another State Party to the Agreement on the European Economic Area. To compensate for the substantial differences identified, applicants must provide evidence, by completing an adaptation course of no more three years or by taking an aptitude test encompassing the substantial differences identified, that they have the knowledge and skills required to work as a general nurse in Germany. They have the right to choose between the adaptation course and the aptitude test.

(4) Subsection (3) applies accordingly to persons who

1. apply for authorisation pursuant to section 1 (1) and possess evidence of formal qualifications or a set of evidence of formal qualifications issued in another Member State of the European Union or in another State Party to the Agreement on the European Economic Area which certifies that they undertook specialist nursing training which does not cover general nursing care or

2. apply for authorisation pursuant to section 58 (1) or (2) and possess evidence of formal qualifications or a set of evidence of formal qualifications issued in another Member State of the European Union or in another State Party to the Agreement on the European Economic Area which corresponds to the minimum requirements laid down in Article 31 in conjunction with Annex V point 5.2.1 of Directive 2005/36/EC and possess additional evidence of specialisation as a healthcare and paediatric nurse or geriatric nurse.

(5) Subsections (1) to (4) and section 40 apply to applicants as referred to in subsection (4) who possess evidence of formal qualifications of the level defined in Article 11 (a) of Directive 2005/36/EC, with the proviso that they must take an aptitude test as a compensation measure.

(6) Subsections (1) to (5) apply accordingly to the European Professional Card for the profession of general nurse and in the event of the introduction of a European Professional Card for the profession of healthcare and paediatric nurse and of geriatric nurse.

(7) Subsections (1) to (6) apply accordingly to diplomas issued by third countries which are recognised as equivalent under the law of the European Union.

Section 42

Authorisation upon submission of evidence from other States Party to Agreement on European Economic Area

(1) Applicants who meet the conditions of section 2 nos. 2 to 4 and who apply for authorisation pursuant to section 1 (1) by submitting evidence of formal qualifications

1. issued by the former Czechoslovakia which grants them access to the profession of nurse responsible for general care or which indicates that the training as a nurse responsible for general care was commenced before 1 January 1993 in the case of the Czech Republic and Slovakia or
2. issued by the former Soviet Union which grants them access to the profession of nurse responsible for general care or which indicates that the training as a nurse responsible for general care was commenced before 20 August 1991 in the case of Estonia, before 21 August 1991 in the case of Latvia and before 11 March 1990 in the case of Lithuania or
3. issued by the former Yugoslavia which grants them access to the profession of nurse responsible for general care or which indicates that the training as a nurse responsible for general care was commenced before 25 June 1991 in the case of Slovenia

are to be granted authorisation if the competent authorities in the respective Member States certify that the evidence of formal qualifications in respect of access to and the pursuit of the profession of nurse responsible for general care is equivalent within their territory to evidence of formal qualifications issued by them and a certificate issued by the same authorities indicates that the person concerned has effectively and lawfully been engaged in the professional activities of a nurse responsible for general care for no less than three consecutive years within their territory. The activities must have included full responsibility for the planning, organisation and administration of nursing care delivered to the patient.

(2) Applicants who meet the conditions of section 2 nos. 2 to 4 and who apply for authorisation pursuant to section 1 (1) by submitting evidence of formal qualifications issued in Poland to nurses whose training was completed before 1 May 2004 and which does not satisfy the minimum vocational training requirements laid down in Article 31 of Directive 2005/36/EC are to be granted authorisation if it is accompanied by a 'bachelor' diploma which was obtained on the basis of an upgrading programme included in the legislation referred to in Article 33 (3) (b) (i) or (ii) of Directive 2005/36/EC.

(3) Applicants who apply for authorisation pursuant to section 1 (1) on the basis of training as a nurse responsible for general care which they undertook in Romania which does not comply with the minimum training requirements laid down in Article 31 of Directive 2005/36/EC are granted authorisation if they possess a

1. Certificat de competențe profesionale de asistent medical generalist with post-secondary education obtained at a școală postliceală attesting to the fact that training commenced before 1 January 2007,
2. Diplomă des absolvire de asistent medical generalist with short-term higher education studies attesting to the fact that training commenced before 1 October 2003 or
3. Diplomă de licență de asistent medical generalist with long-term higher education studies attesting to the fact that training commenced before 1 October 2003

accompanied by a certificate which indicates that applicants have effectively and lawfully been engaged in the professional activities of a nurse responsible for general care in Romania for a period of no less than three consecutive years during the five years prior to the date of issue of the certificate and that they meet the conditions of section 2 nos. 2 to 4. Subsection (1) sentence 2 applies accordingly.

(4) Applicants who do not fall under subsections (1) to (3) but who meet the conditions of section 2 nos. 2 to 4 and who apply for authorisation pursuant to section 1 (1) by submitting evidence of formal qualifications issued before the reference date cited in section 41 (1) in conjunction with the Annex to this Act by another Member State of the European Union are

to be granted authorisation even if that evidence of formal qualifications does not meet all the training requirements laid down in Article 31 of Directive 2005/36/EC if the application is accompanied by a certificate attesting to the fact that the holder of the qualifications has effectively and lawfully been engaged in the professional activities of general nurse for no less than three consecutive years during the five years prior to the date of issue of the certificate. Subsection (1) sentence 2 applies accordingly.

(5) In the case of applicants to whom one of the subsections (1) to (4) applies and who meet the conditions laid down therein, with the exception of the required extent of their professional experience, the procedure for the recognition of qualifications under section 41 (3) is carried out.

Section 43 Notice of equivalence

Where the condition of section 2 no. 1 rests upon training which was completed outside of the area of application of this Act, the equivalence of the professional qualifications under the provisions of this Division is to be examined before the conditions of section 2 nos. 2 to 4 are examined. Upon application, applicants are to be given separate notice confirming the equivalence of their professional qualifications.

Division 2 Provision of services

Section 44 Persons providing service

(1) Nationals of a Member State of the European Union or of a State Party to the Agreement on the European Economic Area who are authorised to pursue the profession of general nurse in another Member State of the European Union or in another State Party to the Agreement on the European Economic Area on the basis of training completed in accordance with German legislation or on the basis of evidence of formal qualifications which meets the requirements laid down in section 41 (1) and who are legally established in one of these Member States may, in the capacity as a person providing a service within the meaning of Article 57 of the Treaty on the Functioning of the European Union (OJ C 326, 26.10.2012, p. 47), pursue their profession within the area of application of this Act on a temporary and occasional basis. They use the professional title referred to in section 1 (1) without authorisation and may engage in their professional activities in accordance with section 4 (2).

(2) Nationals of a Member State of the European Union or of a State Party to the Agreement on the European Economic Area who are authorised to pursue the profession of healthcare and paediatric nurse or geriatric nurse in another Member State of the European Union or another State Party to the Agreement on the European Economic Area on the basis of training completed under German legislation or on the basis of evidence of formal qualifications which corresponds to the requirements laid down in section 41 (2) and

1. who are legally established in a Member State or,
2. if the profession of healthcare and paediatric nurse or geriatric nurse or the training for that profession is not regulated in the Member State of establishment, they have lawfully been engaged in that profession for no less than one year in the Member State of establishment during the previous 10 years,

may, in their capacity as a person providing a service within the meaning of Article 57 of the Treaty on the Functioning of the European Union, pursue their profession within the area of application of this Act on a temporary and occasional basis. They use the professional title referred to in section 58 (1) or (2) without authorisation and may engage in their professional activities in accordance with section 4 (2).

(3) The temporary and occasional nature of the provision of a service is assessed on a case-by-case basis. When making the assessment, account is to be taken of the duration, frequency, regularity and continuity of the service provided.

(4) No entitlement in accordance with subsection (1) or (2) exists where the conditions for withdrawal or revocation relating to the constituent elements under section 2 no. 2 or 3 are met but the withdrawal or revocation cannot be effected because the person concerned has not been granted access to the profession in Germany.

(5) Subsections (1) to (4) and sections 45 to 48 apply accordingly to third countries and third-country nationals insofar as their evidence of formal qualifications is recognised as equivalent under the law of the European Union.

Section 45 Rights and obligations

Persons providing a service have the same rights and obligations in regard to the provision of that service within the area of application of this Act as persons who have been granted authorisation pursuant to section 1 (1) or section 58 (1) or (2).

Section 46 Notification by person providing service to competent authority

(1) Anyone who intends to provide services within the meaning of section 44 (1) or (2) must first notify the competent authority thereof in writing. Such notification must be repeated each year if the person providing a service plans to provide services on a temporary and occasional basis within the area of application of this Act during the year in question. If the notification referred to in sentence 1 is made by means of a European Professional Card, then by way of derogation from sentence 2 notification must be repeated 18 months following issuance of the European Professional Card.

(2) When making the first notification or in the case of material changes, the person providing a service must submit the following documents:

1. proof of nationality,
2. evidence of professional qualifications,
3. in the case of their providing a service
 - a) in accordance with section 44 (1), a certificate of their lawful establishment to pursue the profession of general nurse in another Member State attesting to the fact that the person providing a service has not been banned, even temporarily, from pursuing that profession at the point at which the certificate is submitted, and that person has no criminal convictions or
 - b) in accordance with section 44 (2) sentence 1 no. 1, a certificate of their lawful establishment to pursue the profession of healthcare and paediatric nurse or geriatric nurse in another Member State or, in the case under section 44 (2) sentence 1 no. 2, evidence in whatever form of the fact that the person providing a service has lawfully pursued the profession of healthcare and paediatric nurse or geriatric nurse for no less than one year during the previous 10 years; the person providing a service may not have been banned, even temporarily, from pursuing the profession at the point at which the certificate is submitted, and that person must have no criminal convictions and
4. a statement by the person providing a service that he or she possesses the German language skills which are necessary in the provision of the service.

Persons providing a service must have the German language skills which are necessary in the provision of the service.

(3) Where the service is being provided for the first time in accordance with section 44 (2), the competent authority checks the evidence of professional qualifications submitted in

accordance with section 46 (2) sentence 1 no. 2. Section 41 (2) applies accordingly, with the proviso that, where there are substantial differences between the professional qualifications of the service provider and the training as a healthcare and paediatric nurse or a geriatric nurse required under this Act and under the training and examination regulations, compensation measures may only be required where those differences are so great as to jeopardise public health without evidence of the knowledge and skills which were lacking. Where necessary in order to assess whether substantial differences exist, the competent authority may request information from the competent authority in the Member State of establishment concerning the training courses which the service provider took. The knowledge and skills which were lacking are compensated by means of an aptitude test. (4) Where, on account of the need for urgency, it is not possible to give prior notification, such notification must be made promptly following provision of the service.

Section 47

Certificates issued by competent authority

Nationals of a Member State of the European Union or of a State Party to the Agreement on the European Economic Area who pursue the profession of general nurse, healthcare and paediatric nurse or geriatric nurse within the area of application of this Act on the basis of authorisation granted pursuant to section 1 (1) or section 58 (1) or (2) are to be issued, upon application and for the purposes of providing a service in another Member State of the European Union or another State Party to the Agreement on the European Economic Area, with a certificate attesting to the fact that they

1. are lawfully established as a general nurse, healthcare and paediatric nurse or geriatric nurse and have not been banned, even temporarily, from pursuing that profession and
2. have the professional qualification needed to engage in that activity.

The same applies to third countries and third-country nationals insofar as the evidence of formal qualifications is recognised as equivalent under the law of the European Union.

Section 48

Administrative cooperation in regard to provision of service

- (1) In the event of a breach of the duties under section 45, the competent authority is required promptly to report this fact to the competent authority in the service provider's Member State of establishment.
- (2) In case of justified doubts, the competent authorities are entitled to request from the competent authorities in the home Member State, in respect of each service provided, any information relevant to the legality of the service provider's establishment and whether any disciplinary or criminal sanctions of a professional nature have been imposed.
- (3) Upon request by the competent authorities in a Member State of the European Union or of a State Party to the Agreement on the European Economic Area, the competent authorities in Germany are required to transmit the following to the requesting authority in accordance with Article 56 of Directive 2005/36/EC:

1. all the information relating to the legality of the service provider's establishment and good conduct and
2. information relating to the absence of disciplinary or criminal sanctions of a professional nature.

Division 3

Tasks and responsibilities

Section 49

Competent authorities

The *Länder* designate the authorities competent to implement this Act.

Section 50

Notification requirement

(1) The competent authorities in that *Land* in which a person pursues or last pursued the profession of general nurse notify the competent authorities of the home Member State about any criminal-law sanctions, about the withdrawal, revocation or order of the suspension of authorisation, about a ban on pursuing the profession and about circumstances which would justify imposition of one of these sanctions or measures; in doing so, personal data protection rules must be complied with.

(2) Where the competent authorities of the *Länder* receive notification from the competent authorities of the host Member States which are likely to have consequences for the pursuit of the profession of general nurse, they examine the veracity of the circumstances, decide on the nature and scope of any investigations which need to be carried out and notify the host Member State about what conclusions are to be drawn from the information transmitted.

(3) Upon notification from the *Länder*, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health jointly designate the authorities and agencies responsible for issuing or taking receipt of the evidence of formal qualifications and other documents or information referred to in Directive 2005/36/EC as well as the authorities and agencies which may take receipt of and give decisions on applications which are referred to in that Directive. They promptly notify the other Member States and the European Commission about such designation.

(4) The authorities and agencies which are competent to give decisions under this Act transmit to the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and to the Federal Ministry of Health statistical summaries of decisions taken which the European Commission requires to draw up the report referred to in Article 60 (1) of Directive 2005/36/EC in order that these can be forwarded to the Commission.

Section 51

Alert mechanism

(1) The competent agency informs the competent authorities of the other Member States of the European Union, of the other States Party to the Agreement on the European Economic Area and of Switzerland about

1. any immediately enforceable or incontestable revocation or withdrawal of authorisation pursuant to section 1 (1) or section 58 (1) or (2),
2. any waiver of authorisation,
3. any ban, by incontestable court decision, on the pursuit of the profession of general nurse, healthcare and paediatric nurse or geriatric nurse or
4. any provisional ban on the pursuit of the profession by court order.

(2) The notification referred to in subsection (1) (alert) must contain the following information:

1. the particulars required to identify the person concerned, in particular family name, given name, date of birth and place of birth,
2. the person concerned's profession,
3. the name of the authority or the court which gave the decision,
4. the scope of the decision or waiver and
5. the period of validity of the decision or waiver.

The alert is issued promptly, but no later than three days after the date on which a decision pursuant to subsection (1) no. 1 or 3 becomes incontestable, after disclosure of a decision pursuant to subsection (1) no. 4 or after the declaration of waiver pursuant to subsection (1) no. 2. It is to be transmitted via the Internal Market Information System (IMI) established on

the basis of Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC (OJ L 316, 14.11.2012, p. 1). At the same time as issuing the alert, the agency issuing the alert informs the person concerned, in writing, about the alert and its content and includes information about legal remedies. Where a legal remedy is filed against the alert, the agency which issued the alert adds a note to that effect.

(3) In the case of cancellation of a decision as referred to in subsection (1) or of revocation of the waiver, the competent agency is required promptly to inform the competent authorities of the other Member States of the European Union, of the other States Party to the Agreement on the European Economic Area and of Switzerland, stating the date on which the decision was cancelled or the waiver was revoked. The competent agency also promptly informs the competent authorities of the other Member States of the European Union, of the other States Party to the Agreement on the European Economic Area and of Switzerland of any change to the period designated under subsection (2) sentence 1 no. 5. The competent agency promptly deletes alerts issued in accordance with subsection (1) in the Internal Market Information System, but no later than three days after the decision was cancelled or the waiver was revoked.

(4) Where a court finds that a person who has applied for authorisation or for recognition of the equivalence of his or her professional qualification under this Act has used falsified evidence of professional qualifications, the competent agency informs the competent authorities of the other Member States of the European Union, of the other States Party to the Agreement on the European Economic Area and of Switzerland about that person's identity, in particular his or her family name, given name, date of birth and place of birth, and about the fact that this person used falsified evidence of professional qualifications. Such notification is made promptly via the Internal Market Information System, but no later than three days after the finding becomes incontestable. Subsection (2) sentences 4 and 5 applies accordingly to notifications made in accordance with sentence 1.

(5) In addition to subsections (1) to (4), Commission Implementing Regulation (EU) 2015/983 of 24 June 2015 on the procedure for issuance of the European Professional Card and the application of the alert mechanism pursuant to Directive 2005/36/EC of the European Parliament and of the Council (OJ L 159, 25.6.2015, p. 27), as amended, must be complied with.

Section 52

Other tasks of competent authorities

(1) Decisions on whether authorisation to use a professional title pursuant to section 1 (1) or section 58 (1) or (2) is to be granted are given by the competent authority in that *Land* in which the applicant took the examination.

(2) Decisions concerning access to training as referred to in section 11, the crediting of equivalent training and the crediting of absences are given by the competent authority in that *Land* in which the training was undertaken or is to be undertaken according to the application.

(3) Notifications to be made by persons providing a service in accordance with section 46 are sent to the competent authority of that *Land* in which the service is to be or has been provided. It requests the information referred to in section 46 (2).

(4) The information referred to in section 48 (3) is transmitted by the competent authority in that *Land* in which a person is pursuing the profession of general nurse, healthcare and paediatric nurse or geriatric nurse or in which he or she last pursued that profession. Information provided to the home Member State pursuant to section 48 (1) is forwarded by the competent authority in that *Land* in which the service is being or was provided.

(5) The certificates referred to in section 46 (2) sentence 1 no. 3 are issued by the competent authority in that *Land* in which the applicant is pursuing the profession of general nurse, healthcare and paediatric nurse or geriatric nurse.

Division 4
Expert Commission, advisory services, establishment of support services and research

Section 53

Expert Commission; drawing up of framework plans

(1) An Expert Commission is to be installed and tasked with drawing up a framework plan and framework training plan for nursing training under Part 2 and with undertaking the other tasks assigned to it under this Act.

(2) The Expert Commission's framework plans are recommendatory in nature and are, as a general rule, to be reviewed on an ongoing basis, at least every five years, by the Expert Commission as regards their currency and, where necessary, adapted. They are to be submitted to the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and to the Federal Ministry of Health for a review of compatibility with this Act, the first time by 1 July 2019.

(3) The Expert Commission comprises recognised experts in the fields of nursing care, nursing education and nursing science who are qualified to perform the tasks referred to in subsection (1). It is installed by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and by the Federal Ministry of Health for a five-year period in each case. Its members are appointed by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and by the Federal Ministry of Health in consultation with the *Länder*.

(4) The Expert Commission adopts its own rules of procedure, which require the approval of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and of the Federal Ministry of Health. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health, the Federal Government Commissioner for Nursing and one representative each of the Conference of Ministers of Health of the *Länder*, of the Conference of Ministers of Labour and Social Affairs of the *Länder* and of the Conference of Ministers of Education and Culture of the *Länder* are entitled to participate in the Expert Commission's meetings.

(5) The Expert Commission is supported in the performance of its tasks by an administrative office located on the premises of the Federal Institute for Vocational Education and Training. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health exercise joint oversight over the administrative office.

Section 54

Advisory services; establishment of support services and research

The Federal Institute for Vocational Education and Training is responsible for providing advice and information about nursing training under this Act, for establishing support services and the structures for organising nursing training under Parts 2 and 3, as well as, in order to support the work of the Expert Commission, for conducting research into nursing training under this Act and into the nursing profession in accordance with instructions given by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health.

Division 5

Statistics and authorisation to issue statutory instruments

Section 55

Statistics; authorisation to issue statutory instruments

(1) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are authorised, for the purposes of this Act and by way of joint statutory instrument requiring the approval of the Bundesrat, to order the preparation of federal statistics on the basis of annual surveys of those data which are kept by the competent agency referred to in section 26 (4) in the fulfilment of its tasks under Part 2 Division 3, also in conjunction with section 59 (1). The statistics may relate to the following:

1. the practical training providers, the other facilities involved in nursing training and the nursing training schools,
2. the persons undertaking nursing training, according to gender, year of birth, commencement and completion of training, reason for ending the training, further training or retraining,
3. the training allowances paid.

The competent agencies are required to provide this information to the statistical offices of the *Länder*.

(2) The *Länder's* authority to order a survey of additional facts relating to the nursing and health sector in the form of statistics at *Land* level which are not covered by the survey referred to in subsection (1) remains unaffected.

Section 56

Training and examination regulations, financing; authorisation to issue statutory instruments

(1) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are authorised, by way of joint statutory instrument requiring the approval of the Bundesrat, to set out in training and examination regulations

1. the minimum requirements to be made of the nursing training under Parts 2, 3 and 5, including the interim examination referred to in section 6 (5),
2. further details concerning the state examination referred to in section 2 no. 1, also in conjunction with section 58 (3), or in accordance with section 14 (6) in conjunction with section 2 no. 1 or section 14 (7) in conjunction with section 2 no. 1, in each case also in conjunction with section 58 (3) and section 59 (1), including the examination referred to in section 39, also in conjunction with section 37 (5), the certificate granting authorisation pursuant to section 1 (1) or section 58 (1) or (2),
3. further details concerning the cooperation agreements referred to in section 6 (4), also in conjunction with section 59 (1),
4. further details concerning the establishment, composition and specific details regarding the tasks of the Expert Commission pursuant to section 53, also in conjunction with section 59 (1),
5. further details concerning the tasks of the administrative office referred to in section 53, also in conjunction with section 59 (1), and
6. further details concerning the tasks of the Federal Institute for Vocational Education and Training pursuant to section 54, also in conjunction with section 59 (1).

The statutory instrument must be forwarded to the Bundestag for a decision. This is done before the statutory instrument is forwarded to the Bundesrat. The statutory instrument may be amended or rejected by resolution of the Bundestag. The Bundestag's resolution is forwarded to the Federal Government. With regard to sentence 1 nos. 1 and 2, the statutory instrument is issued in consultation with, with regard to sentence 1 nos. 5 and 6 with the agreement of the Federal Ministry of Education and Research. With regard to sentence 1 no. 6, the statutory instrument is also issued in consultation with the Federal Ministry of Finance.

(2) The statutory instrument referred to in subsection (1) regulates the following in regard to the holders of evidence of formal qualifications who apply for authorisation pursuant to section 2 in conjunction with section 40 or section 41:

1. the procedure for checking the conditions of section 2 nos. 2 and 3, in particular submission of the necessary evidence by the applicant and ascertainties by the

competent authority in accordance with Article 50 (1) to (3) of, in conjunction with Annex VII to, Directive 2005/36/EC,

2. the obligation which the holders of evidence of formal qualifications are under to use the host Member State's professional title and any abbreviations in accordance with the provisions of Article 52 (1) of Directive 2005/36/EC,
3. the time limits for the granting of authorisation,
4. the procedure concerning conditions for the provision of a service in accordance with sections 44 to 48,
5. the rules on the delivery and content of adaption measures pursuant to section 40 (3) sentence 2 and section 41 (2) sentence 4 and (3) sentence 2,
6. the procedure concerning the issuance of a European Professional Card.

(3) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are authorised, by way of statutory instrument requiring the approval of the Bundesrat, jointly and in consultation with the Federal Ministry of Finance, to issue provisions on the financing of vocational nursing training under Part 2 Division 3 and Part 5; in particular, this concerns

1. further details relating to training costs in accordance with section 27,
2. the procedure concerning the training budget, including the agreement of lump sum and individually agreed budgets in accordance with sections 29 to 31,
3. the raising of funding requirements and payment procedures in accordance with section 33 (2) to (7),
4. the remittance and passing on of equalisation payments in accordance with section 34 (1) to (3), crediting in accordance with section 34 (4), accounts, repayment and subsequent consideration in accordance with section 34 (5) and (6),
5. the competent agency's accounting procedure in accordance with section 35, including the necessary rules concerning the collection, processing and use of personal data and concerning data protection, insofar as necessary in relation to the procedure for the financing of vocational nursing training.

(4) The Central Federal Association of Health and Nursing Care Insurers, the Association of Private Health Insurers, the associations of organisations or agencies responsible for care facilities at federal level and the German Hospital Federation are to agree recommendations concerning the content of the rules referred to in subsection (3) nos. 1 to 5 no later than three months after promulgation of this Act and in consultation with the *Länder*.

(5) Derogations under *Land* legislation from the rules applicable to the administrative procedure based on statutory instruments issued under subsections (1) to (3) are ruled out.

Division 6

Administrative fines provisions

Section 57

Administrative fines provisions

(1) Anyone who

1. uses one of the professional titles referred to in section 1 (1) or section 58 (1) or (2) without authorisation being granted under those provisions,
2. performs one of the nursing activities referred to in section 4 (1), also in conjunction with section 58 (3), in the capacity as a self-employed person, contrary to those provisions,

3. assigns a person as referred to in section 4 (3), also in conjunction with section 58 (3), to perform nursing activities as referred to therein on a third person or who allows that person to perform those nursing activities on a third person, contrary to those provisions,

commits a regulatory offence.

(2) In the cases under subsection (1) nos. 2 and 3, the regulatory offence may be punished with an administrative fine of no more than 10,000 euros, in all other cases with an administrative fine of no more than 3,000 euros.

Part 5

Special provisions on professional qualifications in healthcare and paediatric nursing and in geriatric nursing

Section 58

Use of professional title in healthcare and paediatric nursing and in geriatric nursing

(1) Anyone who wishes to use the professional title of 'Healthcare and Paediatric Nurse' (*Gesundheits- und Kinderkrankenpflegerin* or *Gesundheits- und Kinderkrankenpfleger*) requires authorisation to do so.

(2) Anyone who wishes to use the professional title of 'Geriatric Nurse' (*Altenpflegerin* or *Altenpfleger*) requires authorisation to do so.

(3) Sections 2 to 4 apply accordingly.

Section 59

Common provisions; trainees' right of choice

(1) The provisions of Part 2, section 52 (1) and (2), and Part 4 Division 4 apply accordingly, with the provisos set out in subsections (2) to (5) and sections 60 and 61.

(2) Where a specialist placement in the specialist field of paediatric care has been agreed in the training contract, the trainee may choose to undertake training as a healthcare and paediatric nurse in accordance with the provisions of section 60 during the last third of the training period instead of continuing with the previous training under Part 2, with the objective of being granted authorisation pursuant to section 58 (1).

(3) Where a specialist placement in the specialist field of general long-term nursing care in inpatient facilities or general acute and long-term nursing care in outpatient facilities has been agreed in the training contract, with a specialism in long-term outpatient care, the trainee may choose to undertake training as a geriatric nurse in accordance with the provisions of section 61 during the last third of the training period instead of continuing with the previous training under Part 2, with the objective of being granted authorisation pursuant to section 58 (2).

(4) Practical training providers ensure that trainees have already completed at least half of the placements referred to in section 7 (3) before exercising their right of choice. Furthermore, after the right of choice has been exercised, they ensure that the chosen nursing training is delivered pursuant to section 60 or section 61 either by the practical training provider itself or via cooperation agreements pursuant to section 6 (4) concluded with other facilities and nursing training schools.

(5) The right of choice referred to in subsection (2) or (3) is, as a general rule, to be exercised four months and may be exercised no earlier than six months before the start of the last third of the training period vis-à-vis the practical training provider. Where the right of choice exists, the training contract referred to in section 16 must contain a reference to that right of choice and the point in time when it must be exercised. If the right of choice is exercised, the training contract referred to in section 16 must be amended accordingly.

Section 60

Training as healthcare and paediatric nurse; objective and delivery of training

- (1) Where a trainee chooses, in accordance with section 59 (2), to undertake training as a healthcare and paediatric nurse, section 5 applies to the further training, with the proviso that the skills teaching focusses on the delivery of nursing care to children and adolescents.
- (2) Practical training during the last third of the training period is to be delivered in areas of nursing care provision to children and adolescents. The theoretical and practical instruction during the last third of the training period must be geared to achievement of the training objective as set out in subsection (1).

Section 61

Training as geriatric nurse; objective and delivery of training

- (1) Where a trainee chooses, in accordance with section 59 (3), to undertake training as a geriatric nurse, section 5 applies to the further training, with the proviso that the skills teaching focuses on the delivery of nursing care to older persons.
- (2) Practical training during the last third of the training period is to be delivered in areas of nursing care provision to older persons. The theoretical and practical instruction during the last third of the training period must be geared to achievement of the training objective as set out in subsection (1).

Section 62

Review of provisions on professional qualifications in healthcare and paediatric nursing and in geriatric nursing

- (1) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to ascertain, by 31 December 2025, which proportion of trainees exercised their right of choice in accordance with section 59 (2) and in accordance with section 59 (3). The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to submit a report to the Bundestag by 31 December 2025 detailing which proportion of trainees exercised their right of choice in accordance with section 59 (2) and in accordance with section 59 (3). If one of those shares is less than 50 per cent, the report is to make recommendations for adapting this Act.
- (2) The competent agencies referred to in section 26 (4) collect the following information in relation to each training year for the purpose of conducting the evaluation required under subsection (1) and transmit it to the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and to the Federal Ministry of Health:

1. the number of persons undertaking nursing training, broken down by choice of specialist placement,
2. the number of persons who have exercised their right of choice in accordance with section 59 (2),
3. the number of persons who have exercised their right of choice in accordance with section 59 (3).

Part 6

Rules on application and transitional provisions

Section 63

Non-application of Vocational Training Act

The Vocational Training Act (*Berufsbildungsgesetz*) does not apply to nursing training under this Act, unless the tasks of the Federal Institute for Vocational Education and Training pursuant to section 53 (5) sentence 1 and section 54 in conjunction with section 90 (3a) of the Vocational Training Act are affected.

Section 64

Continued validity of professional title

Authorisation to use a professional title granted under the Act on Nursing Care in the version applicable on 31 December 2019 or under the Act on Geriatric Care in the version applicable

on 31 December 2019 remains unaffected by this Act. It is also deemed to be authorisation pursuant to section 1 (1) sentence 1. The provisions concerning authorisation pursuant to section 1 (1) sentence 1 apply accordingly.

Section 65

Continued validity of state recognition of schools; acquired rights

(1) Schools which were recognised by the state on 31 December 2019 in accordance with the provisions of the Act on Nursing Care in the version applicable on 31 December 2019 are still recognised by the state pursuant to section 6 (2), unless such recognition is revoked under subsection (3).

(2) Geriatric nursing training schools which were recognised by the state on 31 December 2019 in accordance with the provisions of the Act on Geriatric Care in the version applicable on 31 December 2019 are still recognised by the state pursuant to section 6 (2), unless such recognition is revoked under subsection (3).

(3) State recognition of schools in accordance with subsection (1) or of geriatric nursing training schools in accordance with subsection (2) is to be revoked unless evidence is submitted by 31 December 2029 that the conditions of section 9 (1) and (2) are met. Schools which are state schools on 31 December 2019 in accordance with the provisions of the Act on Nursing Care in the version applicable on 31 December 2019 or in accordance with the provisions of the Act on Geriatric Care in the version applicable on 31 December 2019 are to implement the conditions of section 9 (1) and (2) by 31 December 2029. Section 9 (3) remains unaffected.

(4) The conditions of section 9 (1) nos. 1 and 2 are deemed to have been met where persons are being employed as head of school or as teaching staff on 31 December 2019 who

1. are lawfully managing a state or state-recognised (paediatric) nursing training school or a state or state-recognised geriatric nursing training school,
2. are lawfully teaching at a state or state-recognised (paediatric) nursing training school or at a state or state-recognised geriatric nursing training school,
3. hold a qualification to manage or teach at a state or state-recognised (paediatric) nursing training school or a state or state-recognised geriatric nursing training school or
4. are participating in further training as head of a state or state-recognised geriatric nursing training school or as teaching staff and successfully complete that training by 31 December 2020.

Section 66

Transitional provisions concerning training commenced under Act on Nursing Care or under Act on Geriatric Care

(1) Trainees who commenced their training as

1. healthcare worker and nurse or
2. healthcare and paediatric nurse

before the expiry of 31 December 2019 may complete their training up until 31 December 2024 on the basis of the provisions of the Act on Nursing Care in the version applicable on 31 December 2019. After completing their training, applicants who meet the conditions of section 2 nos. 2 to 4 are granted authorisation to use the professional title of 'Healthcare Worker and Nurse' (*Gesundheits- und Krankenpflegerin* or *Gesundheits- und Krankenpfleger*) or the professional title of 'Healthcare and Paediatric Nurse'. The possibility of moving from training which was commenced under the provisions of the Act on Nursing Care prior to the expiry of the Act on Nursing Care to the new nursing training under Part 2 remains unaffected thereby; the *Länder* regulate further details.

(2) Trainees who commenced their training as geriatric nurse before the expiry of 31 December 2019 may complete their training up until 31 December 2024 on the basis of the provisions of the Act on Geriatric Care, including its cost regimes, in the version applicable on 31 December 2019. After completing their training, applicants who meet the conditions of section 2 nos. 2 to 4 are granted authorisation to use the professional title of 'Geriatric Nurse'. The possibility of moving from training which was commenced under the provisions of the Act on Nursing Care prior to the expiry of the Act on Nursing Care to the new nursing training under Part 2 remains unaffected thereby; the *Länder* regulate further details.

(3) Section 17a of the Hospitals Financing Act in the version applicable on 31 December 2018 applies to the financing of nursing training in accordance with subsection (1) sentence 1.

Section 67

Cooperation between universities and nursing training schools

(1) Existing cooperations between universities and schools on the basis of section 4 (6) of the Act on Nursing Care or between universities and geriatric nursing training schools on the basis of section 4 (6) of the Act on Geriatric Care may, upon application, continue up until 31 December 2031 in respect of the delivery of university nursing training under Part 3. Where a university is cooperating, in respect of course units, with a school as referred to in sentence 1, it is responsible for ensuring achievement of the training objectives. A cooperation agreement may only be entered into where the share of course units undertaken at university substantially predominates. The schools referred to in sentence 1 may take on delivery of supervision during placements on a pro rata basis.

(2) New cooperations between universities and nursing training schools may be approved, upon application and taking account of the remaining provisions of subsection (1), insofar as this is necessary to promote university nursing training under Part 3.

Section 68

Evaluation

(1) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to conduct a science-based evaluation of the impact of section 11 (1) no. 3 by 31 December 2024.

(2) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to conduct a science-based evaluation of the impact of sections 53 and 54 by 31 December 2029.

(3) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to conduct a science-based review, as part of a comprehensive evaluation of university education, of the impact of section 67 by 31 December 2029.

(4) The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Health are to conduct a science-based evaluation of the impact of Part 2 Division 3 by 31 December 2025.

Annex (to section 41 (1) sentence 1)

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
België/Belgique/ Belgien	<ul style="list-style-type: none"> - Diploma gegradueerde verpleger/verpleegster/ Diplôme d'infirmier(ère) gradué(e)/Diplom eines (einer) graduierten Krankenpflegers (-pflegerin) - Diploma in de ziekenhuisverpleegkunde/Brevet d'infirmier(ère) hospitalier(ère)/Brevet eines (einer) Krankenpflegers (-pflegerin) - Brevet van verpleeg-assistent(e)/Brevet d'hospitalier(ère)/Brevet einer Pflegeassistentin 	<ul style="list-style-type: none"> - De erkende opleidingsinstituten/Les établissements d'enseignement reconnus/Die anerkannten Ausbildungsanstalten - De bevoegde Examencommissie van de Vlaamse Gemeenschap/Le Jury compétent d'enseignement de la Communauté française/Die zuständigen Prüfungsausschüsse der Deutschsprachigen Gemeinschaft 	<ul style="list-style-type: none"> - Hospitalier(ère)/ Verpleegas-sistent(e) - Infirmier(ère) hospitalier(ère)/ Ziekenhuisverpleger (-verpleegster) 	29 June 1979
България	Диплома за висше образование на образователно-квалификационна степен 'Бакалавър' с професионална квалификация 'Медицинска сестра'	Университет	Медицинска сестра	1 January 2007
Česká republika	<ol style="list-style-type: none"> 1. Diplom o ukončení studia ve studijním programu ošetrovatelství ve studijním oboru všeobecná sestra (bakalář, Bc.), accompanied by the following certificate: Vysv dčení o státní záv rečné zkoušce 2. Diplom o ukončení studia ve studijním oboru diplomovaná všeobecná sestra (diplomovaný specialista, DiS.), accompanied by the following certificate: Vysv dčení o absolutoriu 	<ol style="list-style-type: none"> 1. Vysoká škola zřízená nebo uznaná státem 2. Vyšší odborná škola zřízená nebo uznaná státem 	<ol style="list-style-type: none"> 1. Všeobecná sestra 2. Všeobecný ošetrovatel 	1 May 2004
Danmark	Eksamensbevis efter	Sygeplejeskole	Sygeplejerske	29 June 1979

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
	gennemført sygeplejerskeuddannelse	godkendt af Undervisningsministeriet		
Eesti	Diplom õe erialal	1. Tallinna Meditsiinikool 2. Tartu Meditsiinikool 3. Kohtla-Järve Meditsiinikool	õde	1 May 2004
Ελλάς	1. Πτυχίο Νοσηλευτικής Παν/μίου Αθηνών 2. Πτυχίο Νοσηλευτικής Τεχνολογικών Εκπαιδευτικών Ιδρυμάτων (Τ.Ε.Ι) 3. Πτυχίο Αξιωματικών Νοσηλευτικής 4. Πτυχίο Αδελφών Νοσοκόμων πρώην Ανωτέρων Σχολών Υπουργείου Υγείας και Πρόνοιας 5. Πτυχίο Αδελφών Νοσοκόμων και Επισκεπτριών πρώην Ανωτέρων Σχολών Υπουργείου Υγείας και Πρόνοιας 6. Πτυχίο Τμήματος Νοσηλευτικής	1. Πανεπιστήμιο Αθηνών 2. Τεχνολογικά Εκπαιδευτικά Ιδρύματα Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων 3. Υπουργείο Εθνικής Άμυνας 4. Υπουργείο Υγείας και Πρόνοιας 5. Υπουργείο Υγείας και Πρόνοιας 6. ΚΑΤΕΕ Υπουργείου Εθνικής Παιδείας και Θρησκευμάτων	Δίπλωματούχος ή πτυχιούχος νοσοκόμος, νοσηλεύτης ή νοσηλεύτρια	1 January 1981
España	Título de Diplomado universitario en Enfermería	– Ministerio de Educación y Cultura – El rector de una universidad	Enfermero/a diplomado/a	1 January 1986
France	– Diplôme d'Etat d'infirmier(ère) – Diplôme d'Etat d'infirmier(ère) délivré en vertu du décret no 99-1147 du 29 décembre 1999	Le ministère de la santé	Infirmier(ère)	29 June 1979
Hrvatska	1. Svjedodžba 'medicinska sestra opće njege/ medicinski tehničar opće	1. Srednje strukovne škole koje izvode program za	1. Medicinska sestra opće njege/ medicinski tehničar	1 July 2013

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
	njege' 2. Svjedodžba 'prvostupnik (baccalaureus) sestriinstva/prvostupnica (baccalaurea) sestriinstva'	stjecanje kvalifikacije 'medicinska sestra opće njege/ medicinski tehničar opće njege' 2. Medicinski fakulteti sveučilišta u Republici Hrvatskoj Sveučilišta u Republici Hrvatskoj Veleučilišta u Republici Hrvatskoj	opće njege 2. Prvostupnik (baccalaureus) sestriinstva/ prvostupnica (baccalaurea) sestriinstva	
Ireland	Certificate of Registered General Nurse	An Bord Altranais (The Nursing Board)	Registered General Nurse	29 June 1979
Italia	Diploma di infermiere professionale	Scuole riconosciute dallo Stato	Infermiere professionale	29 June 1979
Κύπρος	Δίπλωμα Γενικής Νοσηλευτικής	Νοσηλευτική Σχολή	Εγγεγραμμένος Νοσηλευτικής	1 May 2004
Latvija	1. Diploms par māšas kvalifikācijas iegūšanu 2. Māšas diploms	1. Māsu skolas 2. Universitātes tipa augstskola pamatojoties uz Valsts eksāmenu komisijas lēmumu	Māsa	1 May 2004
Lietuva	1. Aukštojo mokslo diplomas, nurodantis suteiktą bendrosios praktikos slaugytojo profesinę kvalifikaciją 2. Aukštojo mokslo diplomas (neuniversitetinės studijos), nurodantis suteiktą bendrosios praktikos slaugytojo profesinę kvalifikaciją	1. Universitetas 2. Kolegija	Bendrosios praktikos slaugytojas	1 May 2004
Luxembourg	– Diplôme d'Etat infirmier – Diplôme d'Etat infirmier hospitalier gradué	Ministère de l'éducation nationale, de la formation professionnelle et des sports	Infirmier	29 June 1979
Magyarország	1. Ápoló bizonyítvány 2. Diplomás ápoló oklevél	1. Iskola 2. Egyetem/ főiskola	Ápoló	1 May 2004

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
	3. Egyetemi okleveles ápoló oklevél	3. Egyetem		
Malta	Lawrja jew diploma fl-istudji tal-infermerija	Universita' ta' Malta	Infermier Registrat tal-Ewwel Livell	1 May 2004
Nederland	<ol style="list-style-type: none"> 1. Diploma's verpleger A, verpleegster A, verpleegkundige A 2. Diploma verpleegkundige MBOV (Middelbare Beroepsopleiding Verpleegkundige) 3. Diploma verpleegkundige HBOV (Hogere Beroepsopleiding Verpleegkundige) 4. Diploma beroepsonderwijs verpleegkundige – Kwalificatieniveau 4 5. Diploma hogere beroepsopleiding verpleegkundige – Kwalificatieniveau 5 	<ol style="list-style-type: none"> 1. Door een van overheidswege benoemde examencommissie 2. Door een van overheidswege benoemde examencommissie 3. Door een van overheidswege benoemde examencommissie 4. Door een van overheidswege aangewezen opleidingsinstelling 5. Door een van overheidswege aangewezen opleidingsinstelling 	Verpleegkundige	29 June 1979
Österreich	<ol style="list-style-type: none"> 1. Diplom als 'Diplomierte Gesundheits- und Krankenschwester, Diplomierter Gesundheits- und Krankenpfleger' 2. Diplom als 'Diplomierte Krankenschwester, Diplomierter Krankenpfleger' 	<ol style="list-style-type: none"> 1. Schule für allgemeine Gesundheits- und Krankenpflege 2. Allgemeine Krankenpflegeschule 	<ul style="list-style-type: none"> – Diplomierte Krankenschwester – Diplomierter Krankenpfleger 	1 January 1994
Polska	Dyplom ukończenia studiów wyższych na kierunku pielęgniarstwo z tytułem 'magister pielęgniarstwa'	Instytucja prowadząca kształcenie na poziomie wyższym uznana przez właściwe władze (Higher educational institution recognised by the competent authorities)	Pielegniarka	1 May 2004
Portugal	1. Diploma do curso do enfermagem geral	1. Escolas de Enfermagem	Enfermeiro	1 January 1986

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
	<ul style="list-style-type: none"> 2. Diploma/carta de curso de bacharelato em enfermagem 3. Carta de curso de licenciatura em enfermagem 	<ul style="list-style-type: none"> 2. Escolas Superiores de Enfermagem 3. Escolas Superiores de Enfermagem; Escolas Superiores de Saúde 		
România	<ul style="list-style-type: none"> 1. Diplomă de absolvire de asistent medical generalist cu studii superioare de scurtă durată 2. Diplomă de licență de asistent medical generalist cu studii superioare de lungă durată 	<ul style="list-style-type: none"> 1. Universități 2. Universități 	Asistent medical generalist	1 January 2007
Slovenija	Diploma, s katero se podeljuje strokovni naslov 'diplomirana medicinska sestra/diplomirani zdravstvenik'	<ul style="list-style-type: none"> 1. Univerza 2. Visoka strokovna šola 	Diplomirana medicinska sestra/ Diplomirani zdravstvenik	1 May 2004
Slovensko	<ul style="list-style-type: none"> 1. Vysokoškolský diplom o udelení akademického titulu 'magister z ošetrovatel'stva' ('Mgr.') 2. Vysokoškolský diplom o udelení akademického titulu 'bakalár z ošetrovatel'stva' ('Bc.') 3. Absolventský diplom v študijnom odbore diplomovaná všeobecná sestra 	<ul style="list-style-type: none"> 1. Vysoká škola 2. Vysoká škola 3. Stredná zdravotnícka škola 	Sestra	1 May 2004
Suomi/Finland	<ul style="list-style-type: none"> 1. Sairaanhoidajan tutkinto/ Sjukskötarexamen 2. Sosiaali- ja terveystieteiden ammattikorkeakoulututkinto, sairaanhoitaja (AMK)/Yrkeshögskoleexamen inom hälsovård och det sociala området, sjukskötare (YH) 	<ul style="list-style-type: none"> 1. Terveystieteidenoppilaitokset/Hälsö- vårdsläroanstalter 2. Ammattikorkeakoulut/Yrkeshögskolor 	Sairaanhoidaja/ Sjukskötare	1 January 1994
Sverige	Sjukskötarskeexamen	Universitet eller	Sjukskötarska	1 January 1994

Country	Evidence of formal qualifications	Body awarding evidence of qualifications	Professional title	Reference date
		högskola		
United Kingdom	Statement of Registration as a Registered General Nurse in part 1 or part 12 of the register kept by the United Kingdom Central Council for Nursing, Midwifery and Health Visiting	Various	<ul style="list-style-type: none"> – State Registered Nurse – Registered General Nurse 	29 June 1979