

TRANSLATION

CHARTER ON REGULATION OF THE EUROPEAN MEDICAL PROFESSION

A profession is regulated when, to access it, its members must hold a certain professional qualification approved by the State that delegates its regulation on the profession, making it a public law corporation, transferring the authority of the State to the professionals.

The medical profession needs to regulate itself, hence its social importance and the implications of its practice, that protects a fundamental social benefit: health. The regulation of the profession is a responsibility of the Orders, Councils and Medical Chambers that, when doing it, assume important responsibilities and commitments at the service of society.

The practice of the profession and the social responsibility of physicians are framed in a value system characteristic of this profession. The main purpose of medical regulation is to protect citizens, ensuring that the profession is practiced by qualified individuals, with credentials that certify their professional competence and its maintenance over time, generating social trust in medicine.

The social responsibility of the doctor and of the organizations representing him/her is dynamic and must be adapted to the social, health, political and economic circumstances of each moment and each country. The medical profession must take the initiative in its regulation and lead the necessary changes to achieve higher levels of ethical and professional demand. An effective, committed, independent and transparent self-regulation is a key element to continue deserving the social legitimacy supporting the medical profession.

The European Council of Medical Orders (CEOM), considering the importance and the need of regulating the medical professional, adopts the following principles:

1. The organizations responsible for the regulation of the medical profession must represent all doctors in their territory to ensure control of the regulatory mechanisms, without exclusions, as well as the compliance with certain norms, principles and values included in their Code of Ethics.
2. The medical profession, in order to have the required authority for regulating itself, must share the regulation with the constituted authority (the government) to assure the citizens the best medical care available. The regulatory instruments of the medical profession must settle the conditions required for the professional practice.
3. The professional activities and conduct of physicians should be subject to a code of professional ethics, in accordance with the general principles of medical ethics. The representative medical institutions of each country should encourage doctors to comply with the rules of medical ethics for the benefit of their patients. The breach of medical ethics must be corrected and sanctioned.
4. The systems of regulation of the medical profession must be adapted to the administrative structures of each country and their healthcare systems and the

medical professional organizations. Likewise, European orders must have common regulatory standards that can not be waived.

5. The medical profession has a permanent responsibility for self-regulation assuming the task of regulating the conduct and professional activities of physicians, and ensuring that their professional practice is suited to the interests of citizens.
6. Physicians' regulatory systems must pay attention to professional competence, safety and the continuous quality of the healthcare provided to patients, ensuring it through the necessary assessments.
7. Doctors have a strict and unavoidable commitment to confidentiality, essential to obtain patient confidence, and other fundamental commitments such as establishing an adequate relationship with the patient and not taking advantage of it, the commitment to high quality healthcare and active participation in improving access to health services, in the efficiency, the quality and the equity of the healthcare system.
8. The justification of the need for regulating the medical profession is based on three reasons: the asymmetry of medical knowledge (asymmetric information creates a moral risk in the citizen that makes him/her defenseless for choosing the best option); the public interest of health (although "health is priceless" , it must have a real value and weighted for the citizen); the private or corporate interest (the profession must prevent individuals or groups from benefiting from its influence to obtain advantages in the services they provide).
9. Physicians also have a commitment to the distribution of resources, based on a rational and efficient management. The regulation must guarantee that the doctor always considers the economic dimension of medical acts. The control of expenses should not be used as a pretext to deny patients the necessary medical services.
10. It is essential that society trust doctors and, for that trust to exist, each doctor in particular - and the profession in general - should demonstrate its integrity, based on their professional qualifications and a specific high level and complex knowledge, together with principles and values included in the Code of Medical Ethics.
11. Professional regulation must be socially acceptable and transparent, and must be based on training adapted to international standards that guarantee the maintenance and updating of knowledge, professional skills and competencies of the doctor, to ensure the quality of the healthcare.
12. There is a contract between the doctor and the society based on Medical Professionalism (set of values, behavior and relationships on which the confidence of society in the medical profession is based). The profession is the basis of the

contract of medicine with society, which requires placing the interests of patients above those of the doctor himself.

13. The doctor must respect the fundamental principles of the profession, such as the primacy of the patient's well-being, respect for his/her autonomy and the principle of social justice.
14. The medical profession must adapt to social changes, redefining the doctor-patient relationship, and between the citizens and the medical profession, updating their social contract.
15. The regulation of the medical profession regarding the professional practice (conduct and competence) can not be evaluated without the intervention of professionals, without whose intervention professional norms and standards can not be defined. The medical profession is the only actor that has the capacity and knowledge necessary to value the trustworthy goods of health (goods in which the patient places all his/her trust, in the acts of the doctor treating him/her).
16. The regulation of the profession must be applied at the beginning of the professional activity (regulation of entry) and throughout the professional activity (regular regulation) to ratify the preservation and updating of the competences for practicing medicine.
17. To guarantee the regulation of medicine, the medical profession must maximize its control mechanisms and work with maximum transparency, excluding any doubt about its acts, supporting the professional guarantees and the social confidence in medicine that endorse its actions.
18. National organizations representing the medical profession must establish, maintain and actively participate in a system of professional regulation that ensures the independence and professional autonomy of the doctor to be able to make decisions about the healthcare of his/her patients.
19. The medical profession, in order to have the mandatory authority for regulating itself, must share it with the constituted authority that gives it the regulatory capacity, guaranteeing the citizens the best control of the profession and the best medical care available in each place and at each moment.
20. National medical organizations representing the medical profession must inform the public about the existence of effective systems of regulation of the medical profession, including the Codes of Medical Ethics.