

# REGULATION

**on the processing of applications for professional licenses and specialist licenses according to the Healthcare Practitioners Act No. 34/2012, from applicants from countries with which the Icelandic state has not entered into an agreement on the recognition of professional qualifications, No. 483/2023.**

## SECTION I

### **General provisions.**

#### Article 1

##### *Scope.*

This regulation applies to applicants for professional licenses and specialist licenses from the Directorate of Health who come from countries with which the Icelandic state has not entered into an agreement on the recognition of professional education and qualifications according to Act No. 26/2010 on the recognition of professional education and qualifications for work in this country. The provisions of this regulation supersede provisions on the same subject matter in regulations on education, rights and obligations of authorized healthcare institutions, and conditions for professional licenses and specialist licenses, which are based on the Healthcare Practitioners Act No. 34/2012.

## SECTION II

### **Applications.**

#### Article 2

##### *Preliminary requirements.*

For an application to be considered for substantive processing, the applicant must have submitted a work and residence permit or signed employment contract. The employment contract must be with a healthcare institution or facility in this country where healthcare services are provided. The validity of the employment contract may be subject to the approval of the Directorate of Health.

#### Article 3

##### *Necessary documentation for evaluation of the application.*

With an application for a professional license and specialist license, the applicant must submit information regarding their address and proof of qualifications in accordance with regulations on education, rights and obligations of the relevant healthcare profession, and conditions for professional licenses and specialist licenses. Additionally, confirmation of the content and duration of the education and training must be provided. The applicant must also submit the professional license and specialist license they hold in another country. The Directorate of Health is authorized, in exceptional cases, to deviate from requirements for the submission of specific documents if there is no doubt that the applicant meets the conditions for granting a license in this country.

The applicant must submit a certificate from the country where they hold a professional license or specialist license, which states that there have been no restrictions, suspensions, revocations, or similar measures due to serious misconduct or mistakes in their practice (letter of good standing). Such certificate must not be older than three months.

Additionally, other documents and certificates that the Directorate of Health deems necessary for the issuance of a professional license or specialist license must be submitted.

#### Article 4

##### *Applicant holds a valid license within the EEA or Switzerland.*

If the applicant holds a valid and unrestricted license in the same profession as the application covers in another EEA country or Switzerland, it is not necessary to provide confirmation of the duration and content of the education or obtain references from referees regarding the training, as stated in Article 6, provided that the following conditions are met:

- a. The applicant holds a full and unrestricted license in the same profession, as referred to in the application, in another EEA country or Switzerland.
- b. The license has been valid for more than three consecutive years.
- c. The applicant has worked based on the license in the relevant EEA country or Switzerland for at least three years in full-time employment.

#### Article 5

##### *Applicants education from a country within EEA or Switzerland.*

If the application is based on education completed in an EEA country or Switzerland, no additional requirements regarding the submission of information about the education and subsequent practical training shall be imposed beyond those made for citizens of EEA countries or Switzerland, as stated in Articles 2 and 3. However, the same requirements as in Articles 2 and 3 regarding proof of nationality, employment contract, professional license, specialist license, and certificates regarding the licenses must be fulfilled.

Confirmation must be obtained from the country of education that the applicant's education meets the minimum requirements of Directive 2005/36/EC of the European Parliament and of the Council of September 7, 2005 on the recognition of professional qualifications.

#### Article 6

##### *Opinions.*

The Directorate of Health shall elicit a professional opinion regarding the applicant's education and subsequent practical training, where applicable, in order to assess whether the requirements for a license in the relevant healthcare profession in this country are met. Opinions shall be sought from the appropriate educational institution, specialty board in medicine, continuing education council for physicians, or professional association of the relevant profession.

#### Article 7

##### *Prioritization of applications.*

The Directorate of Health is authorized to prioritize applications from applicants who are already located in Iceland over those who have not yet arrived in the country. In such cases, the Directorate of Health is also authorized to prioritize applications for professional licenses in healthcare professions that face a significant shortage of personnel in the country. Consultation shall be conducted with the Ministry of Health regarding healthcare professions experiencing a shortage of personnel.

### SECTION III

#### **Conclusion of application.**

#### Article 8

##### *Conclusion of application.*

The Directorate of Health shall inform the applicant of the conclusion of the application as soon as possible and no later than three months after the completion of data processing.

#### Article 9

##### *Granting of a license.*

Before a professional license is granted, the applicant must have arrived in Iceland and obtained a work and residence permit in this country.

#### Article 10

##### *Refusal of application and right to appeal.*

If the applicant does not meet the requirements for a professional license or specialist license, the application shall be rejected. The rejection of a license issuance is subject to appeal to the Minister of Health, as specified in Article 12, paragraph 2 of the Healthcare Practitioners Act No. 34/2012.

#### Article 11

##### *Compensation measures.*

If it has not been demonstrated to the satisfaction of the Directorate of Health that the applicant's education, and where applicable, subsequent practical training meet the requirements for license issuance following the assessment, and if applicable, taking into account work experience, the Directorate of Health is authorized to require the applicant to work under the supervision of a specialist during an adaptation period, as specified in Article 13. If the applicant's education and work experience are significantly different from what is required in the country, the Directorate of Health is authorized to require the applicant to pass an aptitude test according to Article 12, which demonstrates whether the applicant possesses the professional knowledge and skills required for the professional or specialist license.

#### Article 12

##### *Aptitude test.*

An aptitude test shall assess the applicant's professional knowledge and skills, as well as clinical knowledge where applicable. The aptitude test is organized by the relevant educational institution in consultation with the Directorate of Health, which can offer the applicant to undergo an aptitude test at an educational institution in another country.

The applicant must pass the aptitude test within 13 months from the decision of the Directorate of Health regarding it.

#### Article 13

##### *Adaptation period.*

The adaptation period refers to working under the supervision of a specialist who oversees the applicant's work to assess whether the applicant meets the requirements of the respective healthcare profession. The adaptation period may also provide the applicant an opportunity to acquire the knowledge and skills that are lacking to fulfil the conditions for granting a professional license in this country.

At the end of the adaptation period, the Directorate of Health assesses whether the applicant possesses comparable professional knowledge and skills to healthcare professionals in the respective healthcare profession in this country. The adaptation period shall generally commence within 12 months from the decision of the Directorate of Health on this matter. The applicant is responsible for finding their own employment and supervisor.

Temporary professional licenses may be granted to the applicant to complete the adaptation period, as specified in Article 11 of the Healthcare Practitioners Act No. 34/2012. The Directorate of Health is authorized, based on circumstances, to extend the temporary professional license if it is evident that the objectives of the adaptation period have not been achieved by its completion. If it becomes clear, based on the supervisor's assessment, that the applicant will not meet the requirements set for the respective healthcare profession, such as professional competence,

communication skills, and other requirements, the Directorate of Health is authorized to revoke the temporary professional license and reject the application for a professional license.

The Directorate of Health shall establish more detailed rules regarding the adaptation period and the role of an applicant working under supervision.

#### SECTION IV

##### **Special processing of applications due to urgency.**

###### Article 14

###### *Temporary licenses due to urgent need for specialized expertise.*

A healthcare institution can apply for a temporary professional license, and based on that, a specialist license, on behalf of an individual who possesses specialized expertise that the institution has demonstrated to be urgently needed within its premises. It is required that the application pertains to the relevant specialized expertise and that it has not been possible to hire a specialist who already has a license in the country to provide the service.

Temporary licenses, according to paragraph 1, may be granted for a period of up to six months and must be tied to a specific position within the healthcare institution. The validity of the specialist license is dependent on the validity of the professional license. If there is a likelihood of a need for the specialist's service beyond the validity period of the temporary license, a regular application process, without delay, for a professional license and subsequent specialist license should also be initiated, to replace the temporary license before its expiration.

The same requirements for submission of information and documents as stipulated in Articles 2 and 3 apply, but an exemption may be granted from the requirement to submit a diploma along with information about the content and duration of education, as the healthcare institution applying for the license, according to paragraph 1, takes responsibility for ensuring that the respective specialist possesses the necessary specialized expertise and relevant language proficiency to practice the specialization in accordance with the objectives of the Healthcare Practitioners Act No. 34/2012.

An application for an exemption under this provision must be signed by the executive director of the department in which the specialist will work within the healthcare institution and the healthcare professional who will have professional responsibility for the specialist's work, as stipulated in Article 10 of the Health Service Act No. 40/2007. The application must be accompanied by a declaration from the applicant (healthcare institution) that the specialist subject to the application possesses the specialized expertise that is urgently needed, as stated in paragraph 1.

#### SECTION V

##### **Language requirements.**

###### Article 15

###### *Language proficiency.*

Proficiency in Icelandic is not a requirement for a professional license or specialist license as a healthcare professional in Iceland. However, the employer of a healthcare professional must ensure that the healthcare worker possesses the necessary language proficiency and knowledge of national laws and regulations that are considered essential for the job, especially for the safety of patients, communication with patients, and if necessary, for transferring medical records.

#### SECTION VI

##### **Fees and entry into force.**

###### Article 16

###### *Fees.*

Regarding the collection of fees for the issuance of licenses, the provisions of Article 10 of the Act on Additional State Revenues, No. 88/1991, shall apply.

The collection of fees shall be carried out in accordance with Article 31 of the Healthcare Practitioners Act No. 34/2012, and for examination fees, according to Paragraph 5 of Article 5 of the same Act, as stipulated in Regulation No. 951/2012 on fee collection for applications for professional licenses and specialist licenses of healthcare professionals, and Tariff No. 257/2014 for the evaluation of applications for authorization of healthcare professionals to practice in Iceland.

Article 17

*Entry into force.*

This regulation, which is based on Articles 5, 8, 30, and 31 of the Healthcare Practitioners Act No. 34/2012, takes effect immediately.

*Ministry of Health, May 15, 2023.*

**Willum Þór Þórsson.**

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*Ásta Valdimarsdóttir.*

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