



## VELFERÐARRÁÐUNEYTIÐ

*Ministry of Welfare*

### **REGULATION** **on the education, rights and obligations of licensed practical nurses** **and criteria for granting of licences,** **No. 511/2013.**

#### SECTION I

##### **General provisions.**

##### Article 1

##### *Scope.*

This Regulation applies to licensed practical nurses licensed by the Medical Director of Health under Article 2.

#### SECTION II

##### **Licences.**

##### Article 2

##### *Professional title.*

The right to use the professional title of licensed practical nurse and to practise as such in Iceland is confined to those who have been granted a licence by the Medical Director of Health.

A person other than a licensed practical nurse may not be appointed to specialised caring and nursing duties without previously advertising for licensed practical nurses. However, if licensed practical nurses have been advertised for in the previous six months a new position need not be advertised.

##### Article 3

##### *Criteria for granting of a licence.*

A licence under Article 2 may be granted to those who have completed licensed practical nursing education from a recognised educational body which operates on the basis of the national curriculum guide for upper secondary education.

A licence may also be granted on the basis of education from a state within the European Economic Area (EEA) and Switzerland. Recognition of professional qualifications and competence of a licensed practical nurse who meets the criteria of Directive 2005/36/EC, on the recognition of professional qualifications, with subsequent amendments, is subject to Regulation on recognition of professional qualifications and competence of healthcare practitioners from other EEA states, No. 461/2011, or to Nordic Convention on a common Nordic labour market for certain health professionals and veterinarians, No. 36/1993 (*cf.* Amendment No. 6/2001).

A licence may also be granted to those who have completed a comparable qualification from an educational institution in a country outside the EEA or Switzerland, which is recognised as such by Icelandic health authorities, and by health authorities in the country where the education took place.

An applicant for a licence as a licensed practical nurse under Article 2 who is from a country outside the EEA and Switzerland, with which Iceland has not made an agreement on recognition of professional qualifications and competence, shall submit *inter alia* documentary evidence of nationality, content and duration of education, in addition to an examination certificate, a licence if the profession is an authorised profession in the applicant's country of origin, intended employment in Iceland, and any other documents and certificates deemed by the Medical Director of Health to be necessary for the issue of a licence.

Before an application for a licence is evaluated, a certified copy must be submitted of an application for residence and work permits, together with a signed contract of employment.

A requirement may be made for knowledge of the Icelandic language and Icelandic healthcare legislation, as well as other legislation and government directives, as applicable, as deemed necessary to the work of a licensed practical nurse, especially with regard to patients' safety and communication with patients.

Should it not have been demonstrated, in the judgement of the Medical Director of Health, that the applicant's qualification fulfils the criteria under the first paragraph, an applicant may be required to submit to a test of competence to demonstrate that he/she possesses the professional knowledge and competence required in a licensed practical nurse.

The Medical Director of Health shall organise this test in consultation with a recognised educational body which operates on the basis of the national curriculum guide for upper secondary education.

A licence under the third paragraph is issued when the applicant commences work in Iceland.

#### Article 4

##### *Opinions.*

Before a licence is granted under Article 2 on the basis of education outside Iceland under the third paragraph of Article 3, the Medical Director of Health shall elicit the opinion of a recognised educational body which operates on the basis of the national curriculum guide for upper secondary education, with regard to whether the applicant fulfils the criteria for qualifications under the first paragraph of Article 3, for granting of a licence.

The Medical Director of Health may elicit opinions from other bodies, as deemed necessary.

### SECTION III

#### **Rights and obligations.**

#### Article 5

##### *Professional standards and responsibility.*

A licensed practical nurse shall show respect for the patient and perform his/her tasks vigilantly and conscientiously and in accordance with the professional standards required of the profession at any time.

A licensed practical nurse must be aware of his/her duties and respect ethical rules of the profession, maintain his/her knowledge and professional skill, and master innovations in his/her field of work.

A licensed practical nurse shall be familiar with legislation and regulations applying to healthcare practitioners and healthcare services, and other legislation and government directives, as applicable.

A licensed practical nurse is responsible for his/her work in nursing and care in accordance with the education, training and competence he/she has acquired. In evaluation of professional proficiency due consideration shall be given to further education the licensed practical nurse has acquired.

A licensed practical nurse shall recognise his/her professional limitations, and seek assistance or refer the patient to another healthcare practitioner as necessary or possible, for instance if he/she judges that he/she cannot provide the patient with appropriate healthcare service.

#### Article 6

##### *Duty to inform and keeping of medical records.*

The duty of a licensed practical nurse to provide information to a patient is subject to the provisions of the Patients' Rights Act, No. 74/1997.

The duty of a licensed practical nurse to provide information to the Medical Director of Health, *inter alia* with respect to monitoring and for the purpose of producing health reports, is subject to the provisions of the Medical Director of Health and Public Health Act, No. 41/2007.

A licensed practical nurse shall, as appropriate, enter medical records in accordance with the provisions of the Medical Records Act, No. 55/2009, and regulations issued on the basis of the Act.

#### Article 7

##### *Assistants and trainees.*

A licensed practical nurse is responsible for assistants and trainees working under his/her management having sufficient competence and knowledge, and receiving the necessary guidance and instructions, to carry out tasks which he/she allots to them.

#### Article 8

##### *Confidentiality.*

A licensed practical nurse shall maintain the utmost confidentiality regarding anything of which he/she becomes aware in his/her work about a patient's health, condition, diagnosis, prognosis and treatment, and other personal information. This does not apply where other provisions are made by law, or where reasonable cause exists to breach confidentiality for reasons of urgent necessity.

A licensed practical nurse can be released from the obligation of confidentiality by the consent of a patient, or guardian if applicable.

The duty of confidentiality under this Article does not apply to cases in which the licensed practical nurse has a duty to report under other legal provisions. In such cases, the duty of the licensed practical nurse is to notify the relevant authority.

A licensed practical nurse's duty of confidentiality is also subject to the provisions of the Patients' Rights Act, the Medical Records Act and other legislation as applicable.

### SECTION IV

#### **Various provisions.**

#### Article 9

##### *Fees.*

Fees for the issue of a licence are subject to Article 10 of the Treasury Supplementary Revenues Act, No. 88/1991.

Fees for all administration undertaken by the Medical Director of Health with regard to applications for licences, in addition to the fee under the first paragraph, and for tests of professional knowledge and competence, are subject to Regulation on fees for applications for healthcare practitioners' licences and specialist licences, No. 951/2012.

#### Article 10

##### *General provisions.*

The provisions of the Healthcare Practitioners Act, No. 34/2012, the Medical Director of Health and Public Health Act, No. 41/2007, the Medical Records Act, No. 55/2009, the Health Service Act, No. 40/2007, the Patients' Rights Act, No. 74/1997, and other legislation and government directives apply as applicable to licensed practical nurses.

#### Article 11

##### *Entry into force.*

This Regulation, issued on the basis of Articles 5, 30 and 31 of the Healthcare Practitioners Act, No. 34/2012, takes effect immediately. From that time Regulation on the Training, Rights and Obligations of Licensed Practical Nurses, No. 897/2001, with subsequent amendments, is abrogated.

*Ministry of Welfare, 22 May 2013.*

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*Margrét Björnsdóttir.*

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