

THE ORDER OF
THE MINISTER OF HEALTH OF THE REPUBLIC OF LITHUANIA
**ON THE APPROVAL OF THE RULES ON LICENSING OF MEDICAL
PRACTICE**

27 May 2004 No V-396
Vilnius

Pursuant to the Article 4 of the Law on Medical Practice of the Republic of Lithuania (Official Gazette, 1996, No 102-2313[↓], 2004, No 68-2365[↓]):

1. I approve the following attached:

- 1.1. The rules on licensing of medical practice;
- 1.2. The form of the medical practice licence;
- 1.3. Application form on issuance of medical practice licence;
- 1.4. Request form on issuance of duplicate medical practice licence;
- 1.5. Application form on revocation of medical practice licence validity suspension;
- 1.6. Notice form on the development of qualification and medical practice;
- 1.7. Description of requirements for development of doctors' professional qualification.

2. I hereby invalidate the Order No 67[↓] of the Minister of Health of the Republic of Lithuania of 1 February 2001 "On the licensing provisions of doctors' medical practice" (Official Gazette, 2001, No 13-407).

3. I intrust:

- 3.1. the licensing authority to provide the Ministry of Health with information about the licensing process of medical practice before the 10th day of the current month;
- 3.2. supervision of execution of this order to the Secretary of the Ministry in accordance with the field of administration.

MINISTER OF HEALTH

JUOZAS OLEKAS

APPROVED BY

The Order No V-396 of the Minister of Health
of the Republic of Lithuania of 27 May 2004

THE RULES ON LICENSING OF MEDICAL PRACTICE

I. GENERAL PROVISIONS

1. The Rules on licensing of medical practice (hereinafter - the Rules) define the procedure related to the issue of a medical practice licence (hereinafter - the licence) to a doctor, refusal to issue a licence, suspension of licence validity, cancellation of suspension of licence validity, revocation of the licence validity, issue a duplicate licence, procedure for revision of licence details, conditions of licence issuance and procedures for supervision of compliance with licence conditions, licensee rights and duties.

2. Definitions as used in these Rules:

2.1. **Register** means a part of licences of Health care and pharmacy specialists practice in the register database for registration of medical practice licences (hereinafter - the Register);

2.2. **Register management body** means the State Health Care Accreditation Agency under the Ministry of Health for supervision of activities;

2.3. **Applicant** means a doctor who intends to engage in medical practice and applies to a licensing authority with the application for a licence;

2.4. **Licensee** means a doctor who has a licence issued by the licensing authority justifying doctor's right to engage in medicine practice in accordance with the terms and conditions of the laws and other legal acts.

3. Other definitions used in these Rules conform to the definitions used in the Law on Medical Practice of the Republic of Lithuania (Official Gazette, 1996, No 102-2313[⚭], 2004, No 68-2365[⚭]).

3-1. For the issuance of a licence, the revision of details and issue of duplicate the state fee and charges in the amount provided for in the Law on Fees and Charges of Republic of Lithuania[⚭] (Official Gazette, 2000, No 52-1484) and in accordance with the procedures of the Resolution No 1458of the Government of the Republic of Lithuania of 15 December 2000 “On the approval of the rules on specific amounts of fees and charges and the payment and repayment of these fees and charges”(Official Gazette, 2000, No 108-3463, 2008, No 36-1285) shall be paid.

II. LICENSING AUTHORITY AND ITS POWERS

4. Licensing Authority is State Health Care Accreditation Agency under the Ministry of Health for supervision of activities (hereinafter - the Agency).

5. The Agency shall adopt and register applications and all supporting documents (hereinafter - the documents) relating to the issuance of the licence, suspension of licence validity, cancellation of suspension of licence validity, revocation of licence validity, issue of a duplicate licence, revision of licence details, reports and documents related to the approval of compliance with the conditions of licensed activities, form and store the files on licensing documents, manages data related to licensing.

6. For the examination and evaluation of received documents relating to the issuance of the license, suspension of licence validity, cancellation of the suspension of licence validity, revocation of licence validity, approval of compliance with the conditions of licensed activities, the Authority may invoke other institutions or experts.

7. The Agency, in accordance with the law on Medical Practice of the Republic of Lithuania and these Rules, shall decide to issue a licence, refuse to issue a licence, to suspend its validity, to cancel the suspension of its validity, to revoke licence validity, to approve compliance with the conditions of licensed activities, to revise details, issue a duplicate licence.

8. The Agency shall provide licences to be signed by the Minister of Health (hereinafter - the Minister) together with the decision.

9. Licences shall be signed by the head of the Agency and the Minister, signatures shall be confirmed by armorial seals of the Agency and the Ministry of Health (hereinafter - the Ministry).

10. The licences and decisions signed by the head of the Agency and the Minister shall be returned to the Agency.

11. The decision shall be entered in the Register in accordance with the provisions of the Register.

III. DOCUMENTS REQUIRED FOR LICENCE ACQUISITION

12. Documents required for acquisition of a licence:

12.1. an application of defined form;

12.2. a valid passport, identity card of a person or permit (s), giving the right to live and work in the Republic of Lithuania;

12.3. a document (s) confirming the completion of medical studies and acquisition of professional qualification and, where necessary, a document proving recognition of the following documents in the Republic of Lithuania;

12.4. if a licence to engage in family doctor, doctor specialist practice is required, a document proving acquired family doctor, doctor specialist qualification and, where necessary, a document proving recognition of the following documents in the Republic of Lithuania;

12.5. a health certificate of a person;

12.6. a document (s) confirming the change of name, surname if they do not match the ones specified in the documents;

12.7. if, after the acquisition of doctor's professional qualification under which a licence is required more than two years have passed, the documents supporting the legitimate medical practice (employer (head of legal entity) by issued certificate drawn on a special form of the company about the applicant's legal profession activity and its duration together with the documents proving labour relations: an employment contract, orders, decrees and other documents provided for by legal acts), and/or the documents supporting the improvement of doctor's professional qualification according to the legal acts;

12.8. if a licence to be issued after a previous revocation of the licence validity is required, the document (s) confirming that the doctor has complied with the requirements of paragraph 23.4 of these Rules;

12.9. Repealed by Order No V-259 of the Minister of Health of 8 April 2009.

13. The applicant, a citizen of the Republic of Lithuania, who finished non-Lithuanian school by 1991 and not a citizen of the Republic of Lithuania who finished a non-Lithuanian school must submit documents supporting his Lithuanian language proficiency according to the procedures provided for by the legal acts.

14. The document referred to in paragraph 12.5 of these Rules cannot be submitted more than three months after its issuance.

IV. PROCEDURE FOR EXAMINATION OF DOCUMENTS SUBMITTED AND TERMS

15. Documents for acquisition of a licence shall be submitted to the Agency and shall be registered on the day of their receipt, and the file of doctor's licensing documents shall be formed.

16. The applicant shall submit documents for acquisition of a licence directly or send them by mail or a courier. Documents of an applicant may be submitted and an application may be filled in by the applicant's representative who has a right to represent him according to the legal acts.

17. If the applicant or his representative apply directly, along with the documents listed in paragraphs 12.2-12.7 of these Rules, he shall also provide their copies and, if necessary, their authentic translations into the Lithuanian language, or only certified copies of the documents and, if necessary, their authentic translations into the Lithuanian language. If documents are sent by mail or a courier, certified copies of documents must be submitted and, if necessary, authentic translations into the Lithuanian language.

18. If the applicant's representative applies for the licence issue, he shall submit a power of attorney and personal identity document.

19. The Agency shall evaluate all documents submitted by the applicant.

20. A license shall be issued or a motivated refusal to issue the licence to the applicant shall be presented:

20.1. at least within three months if the recognition process of professional qualification acquired in another Member State is applied from the receipt of the documents necessary to obtain a licence;

20.2. at least within thirty days if recognition process of professional qualification is not applied from the receipt of the documents necessary to obtain a licence.

21. If incomplete documents or imperfect documents have been submitted, the time limit shall be calculated from the date of submission of documents (this term shall not include the period during which the applicant provides additional or revised documents). The applicant, upon request of the Agency to supplement the file of licensing documents with missing supporting documents shall do this at least within 90 days after the date of application registration.

22. The decisions made by the Agency must be motivated in writing.

V. LICENCE ISSUE CONDITIONS

23. Licence issue conditions:

23.1. Repealed by order No V-834↓ of the Minister of Health of the Republic of Lithuania of 29 August 2008.

23.2. Repealed by order No V-834↓ of the Minister of Health of the Republic of Lithuania of 29 August 2008.

23.3. the application submitted and all supporting documents meet the requirements and conditions of these Rules;

23.4. the applicant whose licence validity has previously been revoked:

23.4.1. complied with the requirements of the Agency if the licence validity was revoked due to the non-compliance of paragraph 2, Chapter 1 of Article 6 of the Law on Medical Practice of the Republic of Lithuania;

23.4.2. removed the basis for revocation of the licence validity and met the requirements of the Agency if the licence validity was revoked due to the non-compliance of paragraphs 5 or 6, Chapter 1 of Article 6 of the Law on Medical Practice of the Republic of Lithuania;

23.4.3. applies at least in one year after the licence (s) validity revocation and met the requirements of the Agency if the licence validity was revoked due to the non-compliance of paragraphs 1, 3, or 4, Chapter 1 of Article 6 of the Law on Medical Practice of the Republic of Lithuania;

23.5. the applicant who has been refused to be issued a licence on the grounds of paragraph 27.3-1 of these Rules may apply for re-issuance of the licence no earlier than one year after the decision to refuse to issue a licence.

24. The licence shall be issued for an indefinite period of time.

25. The licence shall be issued in accordance with the professional qualification. Each type of professional qualification of medical practice shall be subject to a separate licence.

26. The licence shall be given to the applicant in person on presentation of the document proving his identity, or his representative, on presentation of the document proving his identity and the document confirming his representation. The licence shall be given after having ascertained that the applicant has paid defined state fees and charges.

VI. REFUSAL TO ISSUE A LICENCE

27. The issue of a licence shall be refused if:

27.1. not all the supporting documents have been submitted and the applicant fails to comply with the Agency's request to submit the missing documents during the term referred to in paragraph 21 of these Rules;

27.2. the documents submitted have been drawn incorrectly and the applicant fails to comply with the Agency's request to correct these deficiencies during the term referred to in paragraph 21 of these Rules;

27.3. false data, incomplete and inaccurate information have been provided and the applicant fails to comply with the Agency's request to correct these deficiencies during the term referred to in paragraph 21 of these Rules;

27.3-1. the documents submitted to obtain a licence have been recognized as counterfeit by the decision of the court;

27.4. the applicant may not engage in medicine practice for health reasons;

27.5. the applicant has not developed his professional qualification according to the legal acts;

27.6. the applicant was banned from engaging in medicine practice by the decision of the court;

27.7. Repealed by Order No V-834↓ of the Minister of Health of the Republic of Lithuania of 29 August 2008

27.8. the requirements laid down in paragraph 23 of these Rules have not been fulfilled;

27.9. there is the official information available that the issue related to the liability of professional activity of the applicant is dealt with by judicial or other competent authorities and the decision made by these institutions may be grounds to suspend or revoke the licence validity.

28. Refusal to issue a licence shall be presented to the applicant in writing; it may not be based on inexpediency of the practice and must be motivated by indicating the paragraph of these Rules, which was appealed to.

29. After the elimination of the reasons caused the refusal of the licence issue, the applicant may re-apply for issuance of the licence. The application and the documents needed to obtain a licence shall be dealt with following general procedures.

VII. LICENCE FORM

30. The licence shall include:

30.1. the Ministry of Health of the Republic of Lithuania;

30.2. licence number, date and place of issue;

30.3. name, surname, country code and identification number of a doctor who has been issued a licence in that country;

30.4. professional qualification of a doctor;

30.5. licence form number;

30.6. names, surnames and signatures of the head of the Authority, Minister, armorial stamps of the Authority and the Ministry of Health.

VIII. ISSUE OF A DUPLICATE LICENCE, REVISION OF LICENCE DETAILS

31. In case of the loss of or damage to the original licence, a duplicate licence shall be issued.

32. Documents required for obtaining a duplicate licence:

- 32.1. the request of defined form and motivated explanation;
 - 32.2. a valid passport, identity card or authorization (s), giving the right to live and work in the Republic of Lithuania;
 - 32.3. damaged original licence (if it has been damaged, but not lost);
 - 32.4. a document confirming that the loss of the licence has been published in the press distributed throughout the country;
 - 32.5. Repealed by Order No V-259[↓] of the Minister of Health of the Republic of Lithuania of 8 April 2009
33. If the licensee has changed his name, surname, or due to inaccurate entries in the licence, the licence details may be revised.
34. The documents required for revision of licence details:
- 34.1. a request and reasonable explanation;
 - 34.2. the original of a licence, where details have to be revised;
 - 34.3. a valid passport, identity card or authorization (s), giving the right to live and work in the Republic of Lithuania;
 - 34.4. the document (s) confirming the change of name, surname if they do not match the ones specified in the documents;
 - 34.5. Repealed by Order No V-259[↓] of the Minister of Health of the Republic of Lithuania of 8 April 2009
35. The licence details shall also be revised if inaccurate entries occurred due to technical reasons. The Agency, having revised the details in a licence, shall inform the licensee, and shall look to it that licence of the licensee would be changed and the original of the licence revised would be returned to the Agency. In this case, the state fees and charges for the revision of licence details shall not be taken.
36. The documents to obtain a duplicate licence, to revise the licence details shall be submitted to the Agency and recorded on the date of their receipt, and the file of documents on doctor's licensing shall be supplemented.
37. The Agency may ask the licensee to provide the missing documents or to draw them properly, which are necessary for issue of a duplicate licence or revision of licence details.
38. At least within 15 days from the date of request registration:
- 38.1. if all the documents referred to in paragraphs 32 and 34 of these Rules have been submitted, a duplicate licence or a licence with revised details shall be issued. Duplicate licence or revised licence shall be given in accordance with the procedure provided for in paragraphs 26 of these Rules;
 - 38.2. if not all documents or improperly drawn documents have been submitted, a reasonable refusal in writing to issue a duplicate licence or to revise licence details shall be provided.
39. Duplicate licence or the licence with revised details, apart from the data referred to in paragraph 30 of these Rules, shall specify:
- 39.1. issue date of duplicate licence;
 - 39.2. date of revision of licence details;
 - 39.3. a special mark "Duplicate" in the upper right corner.

IX. COMPLIANCE WITH THE CONDITIONS OF LICENSED ACTIVITY; RIGHTS AND RESPONSIBILITIES OF LICENSEE

40. Medical Practice, i.e. licensed activity, shall be carried out following the Law on Medical Practice of the Republic of Lithuania, these Rules and other legal acts regulating medical practice.

41. The licensee may be engaged in medical practice under the professional qualification indicated in the licence only at the personal health care institution, which has a licence to provide personal health care services.

42. The licensee may apply medicinal products and medical devices in his medical practice granted for the use in the Republic of Lithuania only according to the procedures prescribed by legal acts.

43. The licensee shall allow the state supervisory authorities to check the ongoing medical practice activities, as well as to take copies of documents.

44. The licensee must train in accordance with the procedure prescribed by laws and other legal acts of the Republic of Lithuania.

45. The licensee (family doctor or doctor specialist) who has not been engaged in medical practice under the professional qualifications specified in the licence for more than two years during the last five years must additionally develop his professional qualification according to the laws and provide supporting documentation in accordance with paragraph 46.3 of these Rules.

The first paragraphs of this item shall not apply to the licensee (family doctor or doctor specialist), who was lawfully engaged in the medical practice under the professional qualification specified in the licence for at least the last two years.

46. The duties of licensee:

46.1. to keep the licence;

46.2. to comply with the conditions of the licensed activity;

46.3. every five years from the issue of a licence, at least within one month after the end of the five-year period, to give notice in writing to the Agency of development of qualification and medical practice over the last five years and to provide supporting documentation for the supplement of the file of licensing documents.

The document attesting the medical practice is considered to be a certificate issued by an employer (head of legal entity) drawn on a special form of the company on legal profession activity of the applicant and its duration, together with documents supporting the employment relationships: employment contract, orders, decrees and other documents provided for by the legal acts, attesting that the licensee was engaged in medical practice under the professional qualification specified in the licence. When the information about the medical practice equated to the work referred to in paragraph 48 of the Rules or the title of position does not contain professional qualification according to which the licence to engage in medical practice has been issued, the licensee must submit a copy of the a job description, which states that the completion of medical studies necessary for this position and the functions carried out comply with the medical practice according to the professional specified in the licence approved by the signature of company (institution) head.

46.4. to return the original licence (s) when it has been damaged, or the licence validity has been suspended or revoked;

46.5. to publish advertisement on the lost (missing) licence in the press distributed throughout the country within 10 days and to inform the Agency about that in writing;

46.6. to immediately notify the Agency:

46.6.1. of the reasons restricting his medical practice;

46.6.2. the loss of citizenship of the Republic of Lithuania or other Member State;

46.6.3. of the loss of permit to live and work in the Republic of Lithuania.

47. The licensee shall have the right:

47.1. to engage in medical practice under the professional qualification specified in the licence;

47.2. to know when the issue in relation to the suspension of the licence validity, cancellation of suspension of licence validity or revocation of licence validity will be discussed, and participate during its/their consideration;

47.3. to receive a reasoned explanation on the decision of the Agency to refuse to issue a licence, to suspend the licence validity, revoke the licence validity, not to issue a duplicate licence, not to revise the licence details;

47.4. in the case referred to in paragraph 46.5 of these Rules, to apply for issue of duplicate licence;

47.5. in case of change in the licence details, to apply for revision of licence details;

47.6. to apply for the cancellation of suspension of the licence validity if the licence validity has been suspended;

47.7. to apply for issue of a new license if the licence validity was revoked;

47.8. to appeal against the decision to refuse to issue a licence or a duplicate licence, to revise the licence details, to suspend the licence validity, to revoke the licence validity according to the procedure prescribed by legal acts.

48. Length of service of civil servants, state politicians, state officials and other employees holding office in representative, the Head of State, executive, judicial institutions, law enforcement institutions and bodies, institutions carrying out the audit and control (supervision) and bodies, other state and municipal institutions and offices that are funded by the state or local government budgets and state monetary fund as well as Lithuanian national health care system in the state and municipal personal health care budgetary and public institutions, regulated by the *Law on Health Care Institutions of the Republic of Lithuania* ↴ (Official Gazette, 1996, No 66-1572↴, 1998, No 109-2995↴), when the medical education is required for holding of office and health system management, regulation, supervision or control and analysis functions are carried out, is qualified as the medical practice and meets the requirements specified in paragraph 46.3 of these Rules.

49. The licensee may also have other rights and obligations defined by the laws of the Republic of Lithuania and other legal acts.

X. SUPERVISION OF COMPLIANCE WITH CONDITIONS OF LICENCED ACTIVITY

50. The Agency, following the Law on Medical Practice of the Republic of Lithuania and other legislation, shall execute the supervision of compliance with conditions of licensed activity.

50-1. It shall be inspected every five years whether the licensee complies with the conditions of licensed activity evaluating the report of defined form on development of professional qualification and medical practice represented by the licensee, the documents referred to in paragraphs 12.5 and 46.3 of these Rules (hereinafter – the documents supporting the compliance with the conditions of licensed activity).

50-2. The licensee shall submit the documents supporting the compliance with the conditions of licensed activity to the Agency every five years from the date of issue of the licence, no later than one month after a five-year period.

50-3. The licensee shall submit the documents supporting the compliance with the conditions of licensed activity to the Agency in accordance with procedures prescribed in paragraphs 15-18 of these Rules.

50-4. The Agency shall evaluate the documents and shall make a decision to confirm the compliance with the conditions of licensed activity at least within 30 days from receiving

all and properly filled documents supporting the compliance with licensed activity conditions.

50-5. If incomplete and (or) improperly drawn documents supporting the compliance with the conditions of licensed activity, they contain errors and (or) incorrect data, the Agency shall submit the licensee a written requirement to provide the missing, properly drawn and (or) revised documents at least within 30 days from receiving the report of defined form on the development of professional qualification and medical practice.

50-6. The licensee, upon request of the Agency to provide the missing, properly drawn and (or) revised documents supporting the compliance with licensing activities, shall do this at least within 90 days from the date of sending the requirement by the Agency.

50-7. If the licensee fails to fulfil the requirement of the Authority to provide the missing, properly drawn and (or) revised documents supporting the compliance with licensing activities within the terms set out in paragraph 50-6 of these Rules, the Agency shall take a decision to suspend the licence validity on the grounds specified in paragraph 55.3 of these Rules.

51. State supervisory and other authorized management and supervisory bodies supervising medical practice (hereinafter - state supervisory institutions) within their competence shall require the licensee to remove the deficiencies defined during the inspection of medical practice and its violations, as a licensed activity.

52. State supervisory institutions must immediately inform the Agency in writing on the deficiencies of medical practice defined during the inspection and not eliminated within the specified time period and its violations, as a licensed activity, committed by the licensee. The Agency shall organize the consideration of issue and take reasoned decisions.

53. The licence validity may be suspended or revoked for the failure to comply with the conditions of licensed activity or failure to comply with the duties by the licensee.

XI. SUSPENSION OF LICENCE VALIDITY, CANCELLATION OF SUSPENSION OF LICENCE VALIDITY AND REVOCATION OF LICENCE VALIDITY

54. The licence validity shall be suspended or cancelled by the Agency on its own initiative, or if the Ministry, Lithuanian Bioethics Committee, the State Patient Fund under the Ministry of Health, municipal doctor, founders of personal health care institutions or their authorized heads of institutions, the head of personal health care institution, respective professional organizations of doctors, patients' rights protecting organizations by providing reasoned appeal and investigative or other documents with a conclusion or conclusions confirming the reasons which may cause the suspension or cancellation of licence validity.

55. The licence validity shall be suspended if:

55.1. by the decision of the Commission on evaluation of doctor's professional competence has been determined that the licensee's professional qualification does not meet the requirements of professional qualification specified in the licence;

55.2. the licensee cannot perform his professional duties for health reasons;

55.3. the licensee fails to fulfil one of the doctor's professional duties specified in paragraphs 1 or 2 of Article 10 of the Law on Medical Practice of the Republic of Lithuania;

55.4. the Commission on evaluation of doctor's professional competence has determined that the licensee made two or more medical practice mistakes during the calendar year.

56. The licence validity may be suspended if:

56.1. the issue on licence validity revocation is dealt with;

56.2. the licensee has harshly one of the doctor's professional duties specified in paragraphs 3, 4, 5, 6, 7, 8, 9 or 10 of Article 10 of the Law on Medical Practice of the Republic of Lithuania.

57. The licence validity shall be revoked if:

57.1. the documents submitted to obtain a licence have been recognized as counterfeit by the court decision;

57.2. the licensee has not removed the reasons caused the suspension of licence validity within one year when licence validity has been suspended on the grounds of paragraphs 1, 3 or 4, Clause 1 of Article 8 of the Law on Medical Practice of the Republic of Lithuania;

57.3. the licensee has committed a crude medical practice mistake;

57.4. the licensee has harshly violated the patient's rights;

57.5. the licensee has been banned from being engaged in medical practice by the court decision;

57.6. the court recognized the licensee incapable or limited his capacity;

57.7. the licensee has died.

58. Repealed by Order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011

59. Repealed by Order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011

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61. Repealed by Order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011

62. Repealed by Order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011

63. Repealed by order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011

64. The licence validity has been revoked for a period of one year by the Order No V-1050↴ of the Minister of Health of the Republic of Lithuania of 9 December 2011.

65. The Agency shall notify the licensee, the institution where he worked, or his authorized representative in writing of the decision to suspend the licence validity or revoke the licence validity within 3 working days from the date of entry of the decision in the Register. If licence validity is suspended following the decision of the Agency, the licensee shall additionally be informed on the reasons for licence validity suspension and the requirements after fulfilment of which the licensee will be able to apply for the revocation of suspension of the licence validity.

66. The Agency shall notify the licensee and the applicant of the decision to refuse the appeal within 5 working days from the receipt of the decision, stating the reasoned causes.

67. The licensee must suspend the medical practice next day after receipt of notification on suspension of licence validity or cancellation of suspension of licence validity (delivery by mail marks).

68. The licensee, having removed the reasons indicated at least within one year, is required to inform the Agency. The licence validity suspension shall be cancelled following the decision of the Agency after receiving the documents, attesting that the ground (s) for suspension of licence validity has (have) been removed and/or the requirements of the Agency have been fulfilled.

69. The licensee, applying for cancellation of suspension of licence validity, shall submit the following:

69.1. request and reasonable explanation;

69.2. documents proving that the ground (s) for suspension of the licence validity has (have) been removed;

69.3. documents, showing that the doctor has fulfilled the requirements of the Agency.

70. If the licence validity has been suspended dealing with the issue on revocation of licence validity without determination of the reason to revoke the licence validity, the suspension of licence validity shall be revoked without the licensee's request.

71. After the revocation of the licence validity, the licensee shall return the original licence (s) to the Agency within 5 working days after receiving the notification.

XII. REGISTRATION OF LICENCES AND PROCLAMATION OF INFORMATION ON LICENCES

72. The licences to engage in medical practice are registered in the Register.

73. The Register management body shall keep a register of the database part related to the registration of licences on medical practice, storing the data of licensing documents in accordance with these Rules, provisions of Registry and Registry management rules.

74. The date of licence signed by the Minister registration in the Register shall be considered the date of issue of the licence.

75. The Agency shall publish its decisions to issue a licence, suspend the licence validity, cancel the suspension of licence validity, to revoke the licence validity on its website <http://www.vaspvt.gov.lt>.

76. The following licensee's data shall be made public on the website of the Register:

76.1. the licence number;

76.2. the licensee's name and surname;

76.3. type of professional qualification of licensee;

76.4. date of issue of the licence, date of issue of a duplicate licence or date of revision of licence details;

76.5. date of suspension of licence validity, date of cancellation of suspension of licence validity or revocation of licence validity.

XIII. FINAL PROVISIONS

77. Licensing documents shall be stored and managed by the Agency.

78. Decisions of the Agency may be appealed to the Minister of Health or in accordance with the procedures prescribed by the *Law on Administrative Proceedings* of the Republic of Lithuania within one month after receiving the notification of respective decision.

79. Disputes regarding the compliance with these Rules shall be dealt with in accordance with the procedure set forth in the *Law on Administrative Proceedings* of the Republic of Lithuania.

80. As long as the Register is established, the licences signed by the Minister shall be registered in the Register of the licences of medical practice of doctors.

APPROVED BY

The Order No V-396 of

the Minister of Health of the Republic of Lithuania

of 27 May 2004

DESCRIPTION OF REQUIREMENTS RELATED TO THE DEVELOPMENT OF DOCTORS' PROFESSIONAL QUALIFICATION

I. GENERAL PROVISIONS

1. The following Description on the improvement of doctors' professional qualification (hereinafter - the Description) provides the duration of compulsory and complementary development of doctor's professional qualification.

2. Definitions used in this Description:

Compulsory improvement of doctor's professional qualification means regular development of doctor's professional qualification in order to deepen or refresh knowledge, capacity and practical skills required for professional activity considering the scientific and technical progress, the new technologies.

Complementary development of doctor's professional qualification means binding complementary development of doctor's professional qualification as provided for in this description and calculated and executed complementary development of doctor's professional qualification in accordance with the requirements of this Description and other legal acts in order to further deepen skills and knowledge of the family doctor or doctor specialist.

Legitimate engagement in medical practice means personal health care services provided by a doctor in accordance with his acquired professional qualification and determined competence in the institution that possesses the licence on personal health care of institution, including examination of personal health condition, disease prevention, diagnostics and treatment of patients when such doctor providing personal health care services has issued and not revoked licence in accordance with the procedures prescribed by the Law on Medical Practice of the Republic of Lithuania (Official Gazette, 1996, No 102-2313[↓], 2004, No 68-2365) and other legal acts attesting the doctor's right to engage in respective medical practice.

Medical practice experience according to respective professional qualification means total duration of periods in months when the doctor was legally engaged in medical practice according to respective professional qualification, including the period covering the training of corresponding doctor specialist or family doctor.

Period of absence means the period in months from the last day of legitimate medical practice under the respective professional qualification or the last day of the traineeship during the fulfilment of complementary development of doctor's professional qualification according to the respective professional qualification.

Other definitions used in this description conform to the definitions used in the Law on Medical Practice the Republic of Lithuania, the Law on Health Care Institutions of the Republic of Lithuania [↓] (Official Gazette, 1996, No 66-1572[↓], 1998, No 109-2995), Resolution No 1359[↓] of the Government of the Republic of Lithuania of 31 October 2003 "On the training of doctors" (Official Gazette, 2003, No 104-4667), Order No 132[↓] of the Minister of Health of the Republic of Lithuania of 18 march 2002 "On the procedures related to the development of professional qualification of health care and pharmaceutical specialists and its financing" (Official Gazette, 2002, No 31-1180).

3. Complementary development of doctor's professional qualification is necessary for family doctors or doctors specialists, who have not been engaged in medical practice according to respective professional qualification for more than two years during the last five years.

The provisions of the first paragraph of this item shall not apply to family doctors or doctors specialists, who have been engaged in legitimate medical practice according to relevant professional qualification for at least the last two years.

II. DEVELOPMENT SCALE OF DOCTORS' PROFESSIONAL QUALIFICATION

4. Duration of compulsory professional qualification development for doctors is at least 120 hours every five years or development period should be proportional to the number of years, i.e. an average of 24 hours annually, calculating from the date of issue of the licence on medical practice (hereinafter - the licence), if the doctor has a licence or from the day of acquisition of professional qualification if the doctor does not have a licence, but applies for its issuance.

5. It shall be considered that a doctor, having completed complementary development of at least 144 hours, has also performed a compulsory development of professional qualification.

6. Duration of complementary development of doctor's professional qualification shall depend on the period in which the doctor is not legally practicing under the relevant professional qualification, on the medical practice according to the experience of relevant professional qualification, on the medical practice according to the duration of other professional qualification and on the professional qualification according to which a doctor seeks to start his medical practice.

7. The form of complementary development of doctor's professional qualification is traineeship that must be accomplished at Vilnius university clinic or respective clinic of Lithuanian University of Health Sciences, or the residency basis over the last two years from the date of registration of the application to issue a licence or notification on the development of professional qualification and the medical practice at the licensing authority.

8. The period (Ts) of compulsory traineeship for the doctor with experience of medical practice according to relevant professional qualification is equal to the product of the traineeship period (Ta) indicated in paragraphs 9-14 with the ratio between the period of absence (in months) (NDS) and the amount of the period consisting of medical practice experience under the relevant professional qualification (BMPs) (in months) and the period of absence (in months):

$$T_s = T_a * NDS / (BMP_s + NDS)$$

9. The doctor who applies for the issuance of a licence to engage in medical practice according to the professional qualification of a family doctor or a doctor specialist and who has not been engaged in any legitimate medical practice for more than two years within the last five years must have been accomplished the traineeship indicated in Table 1.

Table 1

| Item | Period during which the doctor was not engaged in any legitimate medical practice | Duration of traineeship when a doctor seeks to start engagement in medical practice according to the professional qualification of family doctor or doctor specialist |
|------|---|---|
| No | | |

| | | |
|----|--------------|-----------|
| 1. | 24-36 months | 36 hours |
| 2. | 37-48 months | 72 hours |
| 3. | 49-60 months | 144 hours |

10. The doctor who applies for the issuance of a license to engage in medical practice according to professional qualification of the family doctor or doctor specialist and who has not been engaged in any legitimate medical practice for more than five years must have been accomplished the traineeship indicated in Table 2.

Table 2

| Item | Period during which the doctor was not engaged in any legitimate medical practice | Duration of traineeship when a doctor seeks to start engagement in medical practice according to the professional qualification of family doctor or doctor specialist |
|------|---|---|
| 1. | 61-90 months | 288 hours (2 months) |
| 2. | 91-120 months | 576 hours (4 months) |
| 3. | 121-180 months | 864 hours (6 months) |
| 4. | More than 180 months | 1 728 hours (12 months) |

11. The doctor who applies for the issuance of a licence to engage in medical practice according to the professional qualification of a family doctor or a doctor specialist and who has not been engaged in any legitimate medical practice according to relevant professional qualification of a family doctor or doctor specialist for more than two years within the last five years, but who has been engaged in legitimate medical practice according to another professional qualification of a doctor for at least three years during the last five years must have been accomplished the traineeship indicated in Table 3.

Table 3

| Item | Period during which the doctor was not engaged in legitimate medical practice but seeks to start engagement in medical practice according to the professional qualification of family doctor or doctor specialist | Duration of traineeship when a doctor was engaged in medical practice according to another professional qualification of family doctor or doctor specialist |
|------|---|---|
| 1. | 61-90 months | 288 hours (2 months) |
| 2. | 91-120 months | 576 hours (4 months) |
| 3. | 121-180 months | 864 hours (6 months) |
| 4. | More than 180 months | 1 728 hours (12 months) |

| | | | |
|----|--------------|-----------|----------|
| 1. | 24-36 months | 36 hours | 18 hours |
| 2. | 37-48 months | 72 hours | 36 hours |
| 3. | 49-60 months | 144 hours | 72 hours |

12. The doctor who applies for the issuance of a licence to engage in medical practice according to the professional qualification of a family doctor or a doctor specialist and who has not been engaged in any legitimate medical practice according to relevant professional qualification of a family doctor or doctor specialist for more than five years, but who has been engaged in legitimate medical practice according to another professional qualification of a doctor for at least three years during the last five years must have been accomplished the traineeship indicated in Table 4.

Table 4

| Item | Period during which the doctor was not engaged in legitimate medical practice according to the professional qualification of family doctor or Doctor specialist | Duration of traineeship |
|------|---|-------------------------|
| 1. | 61-90 months | 144 hours (1 months) |
| 2. | 91-120 months | 288 hours (2 months) |
| 3. | 121-180 months | 432 hours (3 months) |
| 4. | More than 180 months | 576 hours (4 months) |

13. The doctor who, having a licence to engage in medical practice according to the professional qualification of a family doctor or a doctor specialist, was not engaged in any legitimate medical practice for more than two years during the last five years must have been accomplished the traineeship of 144 hours (1 month) in accordance with the conditions on licensed activities.

14. The doctor who, having a licence to engage in medical practice according to the professional qualification of a family doctor or a doctor specialist, was not engaged in any legitimate medical practice according to the professional qualification indicated in the licence for more than two years during the last five years, but was lawfully engaged in medical practice according to another professional qualification for at least three years within the last five years, must have been accomplished the traineeship of the duration indicated in Table 5 in accordance with the conditions on licensed activities.

Table 5

| Item | Period during which | Duration of traineeship when a doctor |
|------|---------------------|---------------------------------------|
|------|---------------------|---------------------------------------|

| | No | the doctor was not engaged in | was engaged in medical practice |
|----|--------------|--|-----------------------------------|
| | | legitimate medical practice according to | according to another professional |
| | | the professional qualification | qualification |
| | | of family doctor or | |
| | | doctor specialist | medical doctor |
| | | indicated in the licence | doctor specialist or |
| | | | family doctor |
| 1. | 24-36 months | 36 hours | 18 hours |
| 2. | 37-48 months | 72 hours | 36 hours |
| 3. | 49-60 months | 144 hours | 72 hours |

III. FINAL PROVISIONS

15. The doctor may be paid at least 90% of the amount for the traineeship indicated in this Description from the state budget of the Ministry of Health (hereinafter - the Ministry) intended for the allocations to the development of professional qualification of health care specialists once after obtaining a diploma of a doctor.

15.1. The doctor for the attainment of being paid by the Ministry for his traineeship must submit to the Ministry:

15.1.1. a request and a promise that, after his traineeship of 18 months, he will work in the health care institution for at least 12 months in the Republic of Lithuania that has signed a contract with the Territorial Patient Fund;

15.1.2. a letter of guarantee of a health care institution which has entered into the contract with Territorial Patient Fund for the payment of corresponding services according to the doctor's professional qualification that the doctor after having performed his traineeship and obtained a licence on medical practice will be employed in the institution, and the institution shall undertake to pay at least 10 % of traineeship price;

15.1.3. a certificate of the licensing authority on the required duration of traineeship issued at least 2 months before;

15.1.4. traineeship estimate prepared by the institution where the traineeship will take place.

15.2. The Ministry shall consider the request within 20 working days and shall inform the institution where the traineeship will take place and the applicant on its decision on payment. The Ministry shall offset the costs of traineeship of a doctor within the limits of a base recoverable duration of traineeship specified by the Minister of Health. In cases where the Ministry has guaranteed the pay for traineeship, the institution carrying out the traineeship shall submit an application with the documents supporting its costs after the doctor has completed his traineeship.

15.3. The doctor, after the accomplishment of traineeship, must submit the documents to the Ministry at least within 18 months, attesting the fulfilment of a promise indicated in paragraph 15.1.1 of this Description.

15.4. If the doctor, due to his own fault or without a valid reason, fails to fulfil his promise referred to in paragraph 15.1.1 of this description, he must cover the costs for the doctor's traineeship suffered by the Ministry.

16. If the doctor needs more traineeship during his professional practice activity period in the Republic of Lithuania, the costs of these traineeships shall be reimbursed by personal medical health care institution sending the doctor according to the rates approved by Vilnius University, or Lithuanian University of Health Sciences or residency base.

17. The items of this Description on complementary development shall not apply to doctors who:
- 17.1. worked as heads of Lithuanian University of Health Sciences and Vilnius University Hospital and heads of their centres or the heads of university hospitals or university hospital clinics or centres (and did not lose office because of their illegal actions) over the last five years from the date of registration of the application to issue a licence or notification on development of professional qualification and medical practice with the licensing authorities;
 - 17.2. work as heads of Lithuanian University of Health Sciences and Vilnius University Hospital and a head of their centre or the heads of university hospital and university hospital clinics or centres on the day of registration of the application to issue a licence or notification on development of professional qualification and medical practice with the licensing authorities.
18. The licensing authority shall monitor the compliance with the conditions set out in this Description.
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