



Feststellung der Gleichwertigkeit von Berufsabschlüssen aus Ländern außerhalb der EU/EWR/Schweiz

Recognition of the Equivalence of Professional Qualifications from Countries outside the EU/EEA/Switzerland

Michael Weiß-Gehring, M.A.
Diplom-Pflegewirt (FH)
Krankenpfleger

Regulated and non-regulated professions in Germany



"Regulated professions" are occupations for which specific qualifications, certifications, or licenses are **legally required** in order to practice them. These regulations are intended to protect public safety and welfare by ensuring that individuals working in such professions possess the necessary skills and qualifications.

In contrast, **„non-regulated professions"** are occupations for which there are **no specific legal requirements** regarding qualifications or licenses. In these professions, individuals can work based on their skills and experience without needing a special government authorization.

Professional Recognition Laws

Non-regulated Professions under

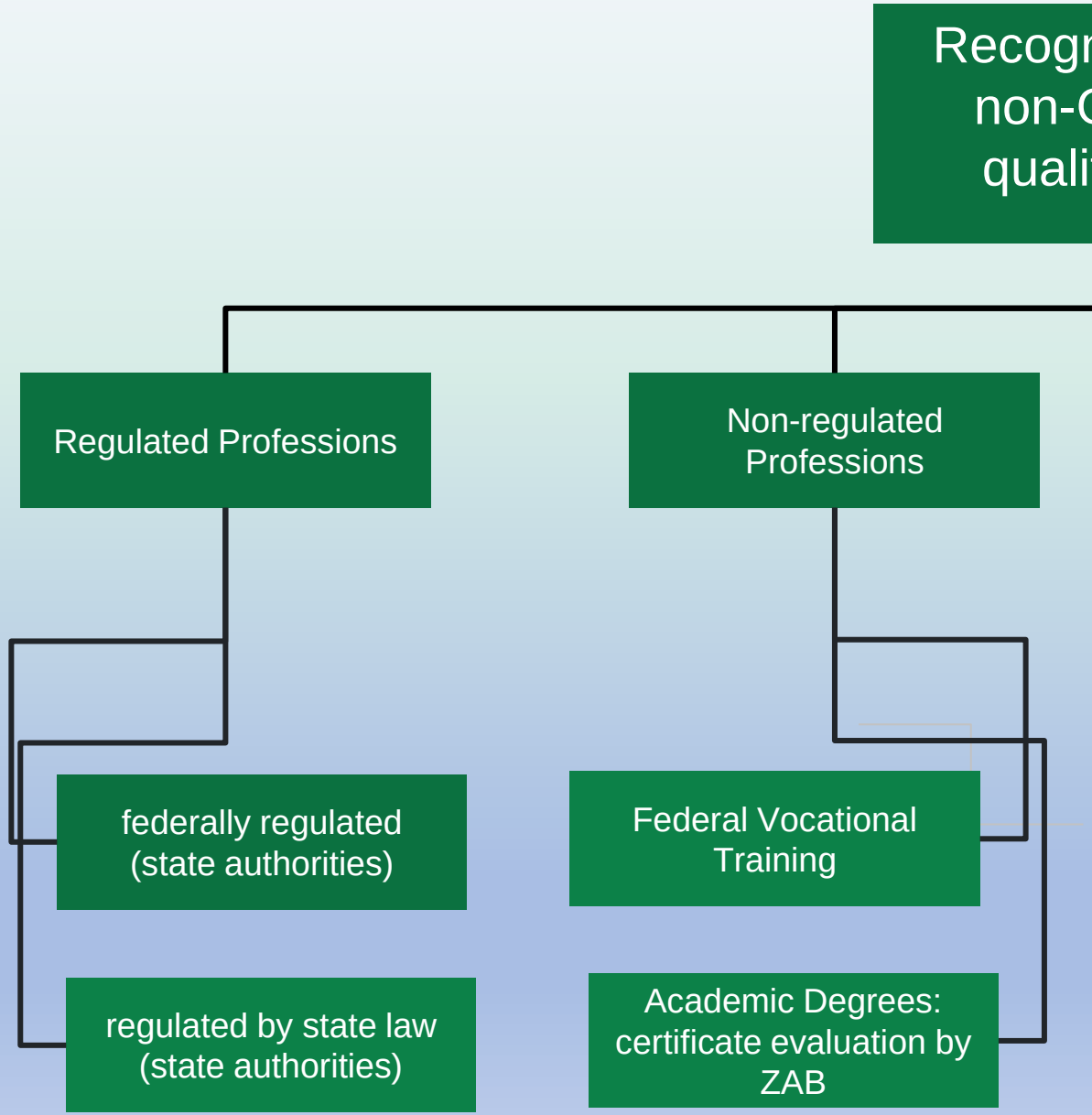
Berufsqualifikationsfeststellungsgesetz- BQFG **(Professional Qualifications Assessment Act)**

- e.g. Business Professions, IT-Specialists, Hospitality Professions, Electrical Installation Technician

Regulated Professions under

- specialized Federal Laws: e.g., Health Professions (Doctor, Pharmacist, Nurse, Midwife etc.)
- specialized State Laws: Teachers, Educators, Engineers

Certificate Evaluation not part of the professional recognition laws: University Degrees, School Diplomas



Important distinctions:

- vocational or academic
- regulated or non-regulated
- federal or state law

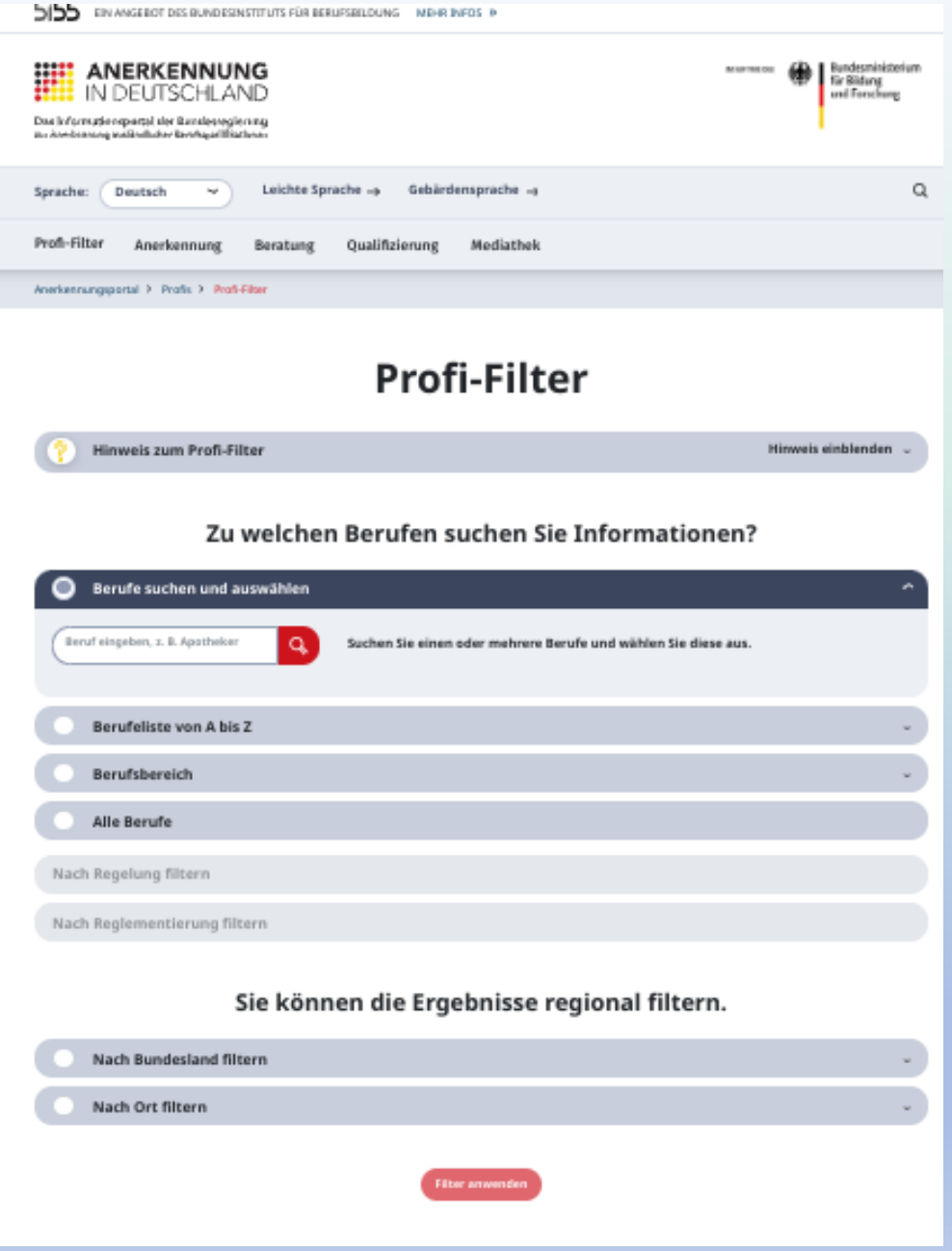
Professional Recognition Procedure

“16 Shades of Law”

Responsibilities:
Even federal laws are implemented by state authorities



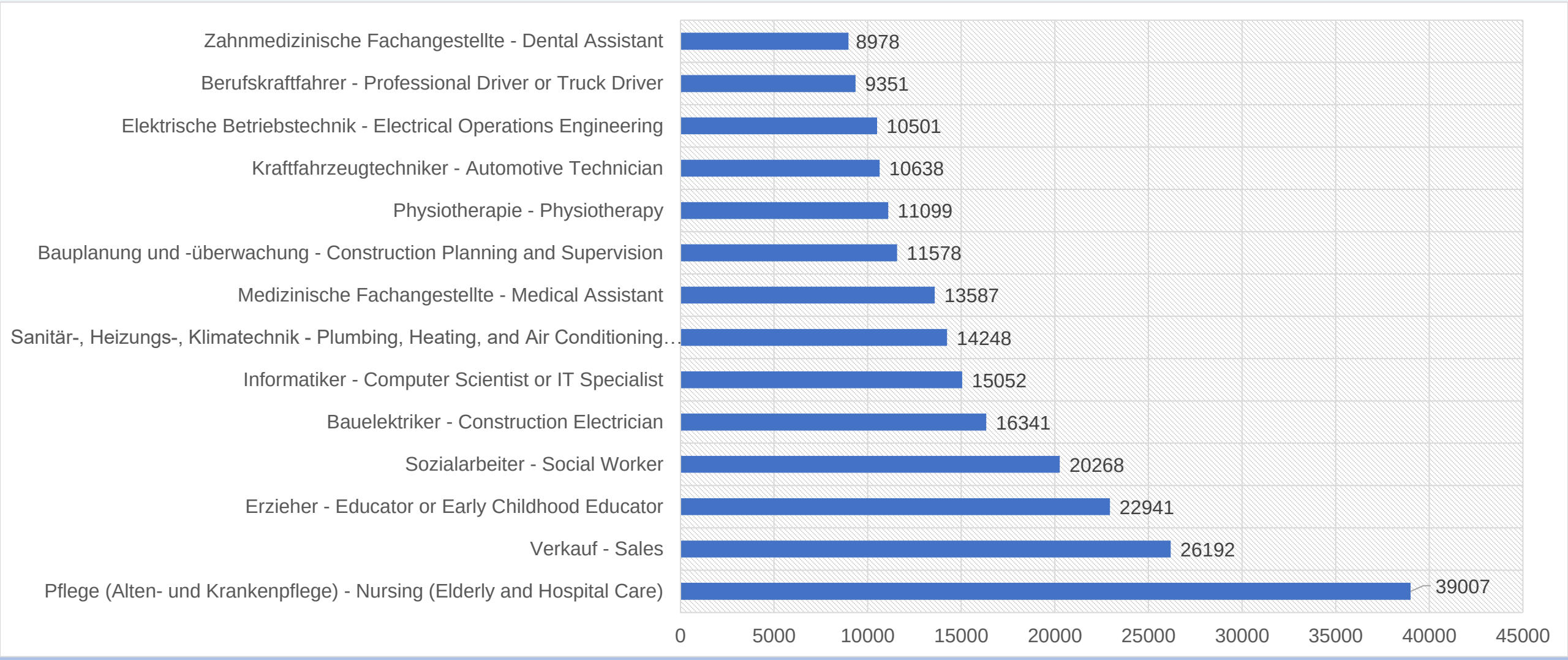
Responsibilities



The federal states are responsible for assigning a authority the task of examining and determining the equivalence of professional qualifications. The implementation of federal laws varies considerably in some cases.

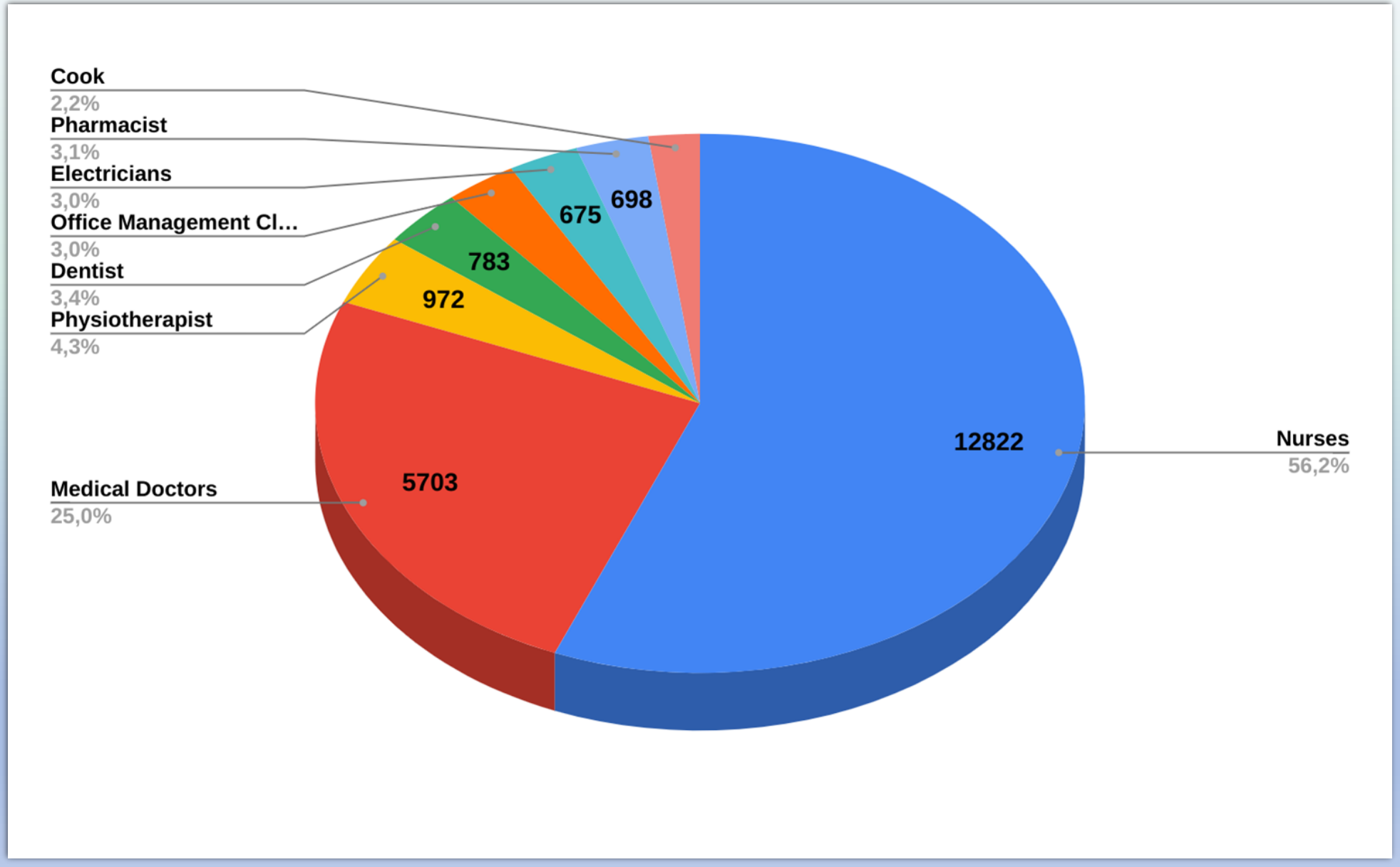
https://www.anerkennung-in-deutschland.de/de/pro/profi-filter

Prognosis of Shortage of skilled workers in the year 2026



https://de.statista.com/statistik/daten/studie/1362979/umfrage/prognose-zur-fachkraefteluecke-nach-beruf/

Most Common Completed Recognition Processes in 2020



Bundesinstitut für Bildung 2021, Anerkennung nach Bundesgesetzen; 2020

Most Common Nationalities for Completed Recognition Processes in 2020

BIH	2724
RS	2688
RO	1839
SYR	1752
PHL	1725
ALB	1242
TR	1059
TUN	1014
IND	996
POL	978



Basic Requirement for the Recognition of a Regulated Professional Qualification

1. **Completion** of vocational training/academic studies, possibly with registration in a professional association, state license, or licensing internship to the extent that it qualifies for entry into **the profession in this country.**

2. Presence of a **reference profession** -> Basis: DIRECTIVE 2005/36/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 7 September 2005

Recognized language certificates for the professional recognition process of regulated professions

- The Goethe Certificate
- The standardized "Test German as a Foreign Language" The "telc" Test
- The ÖSD Language Certificate
- The Language Certificate from AFU GmbH (ECL Consortium) with examination dates starting from December 2020

For non-regulated professions, there is NO requirement for proof of the German language for permission to practice the profession. However, for the visa application, German language proficiency at the level of A2 or B1 (depending on the profession) must generally be demonstrated.

Assessment Notice, “so called deficit-notice” (Defizitbescheid)

If the equivalence with the German professional qualification is not established, the competent authority issues a notice on whether and how equivalence can be achieved.
Professional experience can potentially compensate for deficits! (High requirements for the evidence.)

(Note: Equivalence ≠ Equality)

Professionals can establish equivalence through:

1. An adaptation course (Anpassungslehrgang)
2. A skills examination (Kenntnisprüfung)

"Excerpts from a curriculum of a laboratory assistant with a Bachelor's degree from Iran (Notice dated November 17, 2021)"

das vollzeitige integrierte Bachelorstudium (Karshenasi Peyvasteh) im Fach „**Laborwissenschaften**" abgeschlossen und den akademischen Grad „**Bachelor**" errungen hat.

Die genannte Person hat folgende Fächer differenziert nach Theorie- und Praxisstunden, Praktikum und Feldpraktikum absolviert.

Tabelle A: allgemeine Fächer, integriertes Bachelorstudium im Fach „Laborwissenschaften"

Nr.	Fach	Studien-Einheiten	Stunden			Voraussetzung
			Theorie	praktisch	Summe	
01	2 theoretische Fächer über Islam	4	68	-	68	-
02	1 Fach über islamische Moral	2	34	-	34	-
03	1 Fach über Islamische Revolution	2	34	-	34	-
04	1 Fach über islamische Geschichte und Zivilisation	2	34	-	34	-
05	1 Fach über Einführung in islamische Quellen	2	34	-	34	-
06	Persische Literatur	3	51	-	51	-
07	Allg. Englisch	3	51	-	51	-
08	Sport 1	1	-	34	34	-
09	Sport 2	1	-	34	34	8
10	Bevölkerung und Familienplanung	2	34	-	34	-
Summe		24	374	68	442	--

Hinweis: Diese Fächer werden gemäß folgender Liste für allg. Fächer islamischer Kenntnisse gemäß Beschluss Nr. 542 vom 13.07.2004 vom obersten Rat für Kulturrevolution absolviert.

"Excerpts from a deficite note for a laboratory assistant with a Bachelor's degree from Iran (Notice dated November 17, 2021)”

The adaptation course is designed to compensate for the identified substantial differences. It is conducted in accordance with the course objective in the form of theoretical and practical instruction, practical training with theoretical guidance, or both, and concludes with an examination on the content of the adaptation course, usually in the form of an oral examination.

Der Inhalt des Lehrganges orientiert sich an der Ausbildungs- und Prüfungsverordnung für technische Assistenten in der Medizin und sollte folgende Themenbereiche und Zeiträume umfassen:

Theoretischer Unterricht	Zu leistende Stunden
Histologie/ Zytologie (Gewebeuntersuchungen)	120
Klinische Chemie	80
Mikrobiologie	120
Hämatologie (Blutuntersuchungen)	120
Gerätekunde	40
Insgesamt	**480**
Praktischer Unterricht	**Zu leistende Stunden**
Histologie/ Zytologie (Gewebeuntersuchungen)	380
Klinische Chemie	420
Mikrobiologie	380
Hämatologie (Blutuntersuchungen)	180
Insgesamt	**1.360**
Praktische Ausbildung	**Zu leistende Stunden**
Histologie/ Zytologie	100
Klinische Chemie	200
Hämatologie	100
Mikrobiologie	100
Insgesamt	**500**

This means that despite having an Iranian university Bachelor's degree (Karshenasi Peyvasteh), this professional is required to complete an adaptation program in Germany, which takes approximately 14 months.

Compensatory measures through an adaptation course.



Key feature: The foreign education is quantitatively examined in detail.
All differing theoretical and practical contents must be covered in the adaptation course afterward.

The examination of hours is done on a case-by-case basis.

It is possible to waive this detailed examination. However, in doing so, the professional is automatically committed to taking a SKILLS EXAMINATION.

"Compensatory measures through a skills examination."



In the skills examination, the foreign professional is required to demonstrate that their level of knowledge is equivalent.

This is done through an oral and practical examination. The theoretical part of the examination is based on the respective examination regulations of the education/study program and covers defined subject areas.

Key feature: For the recognition process, only the result of the skills examination matters, regardless of any quantitative gaps in education content from abroad or adaptation courses in Germany.



"Responsibilities in professional recognition."

Even in the examinations: a patchwork quilt in Germany.

However, it is the responsibility of **the federal states** for implementation.

The federal states, in turn, decide which authority conducts the process. The authority determines how the examinations are structured.

In the healthcare sector, there are now many sample assessments for guidance.
But still, there are varying formal requirements in the process, as well as differently worded notices.



"Work permit for the recognition of a foreign professional qualification according to the German Residence Act (Aufenthaltsgesetz)."

Visa § 16d AufenthG **Visa for “Measures for the recognition of foreign professional qualifications."**
-> "Work permit only in connection with a qualification measure aimed at the recognition of the profession."
-> „Possession of a deficit notice“
-> "Work permit limited to the duration of the qualification measure."



Do|fi|zit|be|scheid,
der; m. Substantiv,









"Visa for language acquisition
§16f German Residence Act (AufenthG)"

"Visa requirements:
•Secured funding for your living expenses during the stay
•Participation in a language course for the purpose of general language acquisition
•Minimum of 18 weekly hours"



Herzlichen Dank und auf Wiedersehen!



Michael Weiß-Gehring, M.A.
Fachkraftschmiede
Bärenschanzstr. 4
90429 Nürnberg
+49 911 477 34 17-0
weiss-gehring@fachkraftschmiede.com