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I. GENERAL PROVISIONS

MINISTRY OF THE PRESIDENCY, RELACIONES CON LAS CORTES Y MEMORIA DEMOCRÁTICA

12015 Real/ Decree 589/2022, of July 19, regulating the transversal training of specialties in Health Sciences, the procedure and criteria for the proposal of a new title of specialist in Health Sciences or diploma of specific training area, and the review of the
The regulations applicable to the tests for access to training positions in specialties in the Health Sciences are also established.

The adequate training of specialists in Health Sciences is one of the fundamental principles on which the National Health System must be based in order to guarantee its quality and cohesion. This can be deduced, among others, from Law 16/2003, of 28 May, on the cohesion and quality of the National Health System which, in article 34, states that the training and development of the technical competence of professionals must be oriented towards improving the quality of the National Health System.

Among the guiding principles for the training of health professionals contemplated in Title II of Law 44/2003, of 21 November, on the organization of the health professions, is the permanent revision of teaching methodologies and teaching in the health field in order to better adapt professional knowledge to scientific and technical evolution and to the health needs of the population. Before considering an increase in the level of training, the levels of training contemplated in the aforementioned law, university training, specialized training in Health Sciences should be taken into account, assessing the adequacy of the contents of the degree and specialties to the health needs, and the maintenance of the competences of these professionals through continuous training.

With regard to the training of specialists in Health Sciences, accumulated experience has shown the importance of acquiring a series of competencies, mainly of an attitudinal nature, which are necessary for the professional practice of specialists. Competencies such as the principles and values of the National Health System, bioethics, the legal principles of the practice of specialties in Health Sciences, equity, evidence-based practice, patient and professional safety, clinical communication, teamwork, research methodology, rational use of diagnostic, therapeutic and care resources and the digital training of specialists, which will be globally referred to as transversal training, will undoubtedly contribute to improving the quality of health care.

In this sense, it is considered essential to ensure that Health Science specialists acquire and maintain these essential competencies throughout their professional practice in order to provide quality, efficient and safe health care to patients.

On the other hand, Article 16 of Law 44/2003, of 21 November, grants the Government the power to establish the titles of specialist in Health Sciences and the diplomas of specific training areas, as well as their suppression or change of name. In development and compliance with this legal provision, this royal decree regulates the procedure for the creation and revision, and if necessary, suppression, of specialist degrees in Health Sciences and specific training area diplomas. Likewise, Article 25 of Law 44/2003, of November 21, 2003, regulates the training in

specific training areas and in Article 29 the specific training area committees as advisory bodies to the Ministry of Health.

The proposal for a new degree or diploma in specialized training or the revision of those already regulated must respond to criteria such as the health needs of the population or the evolution of scientific and technological knowledge, avoiding the fragmentation of the training of professionals and health care.

Consequently, the creation of a specific procedure is intended to determine the criteria to be met by any area of knowledge in order for it to be recognized as a specialty in health sciences or as a specific training area diploma, guaranteeing, at all times, the participation of the bodies provided for in Article 16 of Law 44/2003, of November 21.

Likewise, when a certain area of knowledge or competencies does not meet the criteria regulated in this Royal Decree for specialties or areas of specific training, its training may be assessed through the review of the corresponding degree studies or through the continuing education of professionals and professionals and, if appropriate, be the subject of an accreditation diploma or advanced accreditation diploma, as provided in Royal Decree 639/2015, of July 10, which regulates the Accreditation Diplomas and Advanced Accreditation Diplomas.

Training in specific training areas, within one or more specialties in Health Sciences, aims to respond to advances in scientific and technological knowledge that require adequate training for the acquisition of highly specialized skills, all with the aim of improving the quality of care and the health of patients who require this highly specialized care due to the complexity of their health problems.

This regulation regulates access and adapts the residency training system for training in specific training areas, thus implementing the provisions of Article 25 of Law 44/2003, of November 21, 2003.

On the other hand, this Royal Decree develops Article 22 of the aforementioned Law, updating the regulations governing the entrance exams to specialized health training positions, maintaining the general characteristics of these tests, which have proven their effectiveness over more than forty years in the selection of future specialists, and have a high degree of recognition among professionals.

Finally, some precepts of the implementing regulations of Law 44/2003, of November 21, 2003, are amended, adapting them to the provisions of this Royal Decree.

The contribution of the content of this regulation to the reinforcement of professional capabilities in the National Health System has determined that the Recovery, Transformation and Resilience Plan (PRTR), favorably evaluated by the European Commission in the Proposal for a Council Implementing Decision of June 22, 2021, regarding the approval of the evaluation of the aforementioned Plan, includes, in Component 18, Renewal and expansion of the capabilities of the National Health System, project 2 of Reform 4 called "Royal Decree for improvements in specialized health training".

The standard complies with the principles of the Recovery and Resilience Mechanism Regulation (EU) 241/2021 of 12 February, with no or negligible foreseeable impact on the six environmental objectives, maintaining the principle of "no significant harm" (DNSH) inherent to PRTR measures.

Regarding the content and processing of this Royal Decree, the principles of good regulation provided for in Article 129 of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations have been taken into account.

Specifically, the regulation complies with the principle of necessity and effectiveness, since it is the ideal instrument and the only one possible to carry out the regulation it intends to introduce into the legal system. Likewise, it is in accordance with the principle of proportionality, since it contains the regulation that is indispensable for the fulfillment of the

The aforementioned objective, as well as that of legal certainty, since it is consistent with existing state regulations on this matter.

In compliance with the principle of transparency, the mandatory procedures of prior public consultation and public information have been carried out in the process of drafting this regulation. Likewise, the autonomous communities and the autonomous cities of Ceuta and Melilla have been consulted and it has been informed by the Human Resources Commission of the National Health System, by the Advisory Committee and by the Plenary of the Interterritorial Council of the National Health System, as well as by the National Council of Specialties in Health Sciences, the professional organizations of the different health professions, the Negotiation Sphere and the National Council on Disability. Finally, with regard to the principle of efficiency, this royal decree contributes to the rational management of existing public resources, on an equal footing with the other Health Science specialties.

This royal decree is issued under the powers that the Spanish Constitution attributes to the State in Article 149.1.30.^a , on the exclusive competence to regulate the conditions for obtaining, issuing and homologation of professional qualifications, in Article 149.1.7.^{aa} , relating to labor legislation, without prejudice to its execution by the bodies of the autonomous communities, in article 149.1.2. , relating to foreigners and, finally, in article 149.1.16.^a , on the exclusive competence of the State in matters of bases and general coordination of health.

By virtue thereof, at the proposal of the Minister of Health and the Minister of Universities, with the prior approval of the Minister of Finance and Public Function, in agreement with the Council of State, and after deliberation of the Council of Ministers at its meeting of July 19, 2022,

PROVIDED:

CHAPTER I

General Provision

Article 1. *Object.*

The purpose of this Royal Decree is:

1. To regulate the transversal training of specialties in Health Sciences.
2. Establish the procedure and criteria for the proposal of a new Health Sciences specialist degree or specific training area diploma and the revision of those established.
3. Regulate access to and training in specific training areas.
4. To establish the rules applicable to the annual tests for access to specialist positions in Health Sciences.

CHAPTER II

Transversal training in the specialties in Health Sciences

Article 2. *Purpose of the transversal training.*

1. The purpose of the transversal training of the specialties in Health Sciences is to establish the common competencies, mainly attitudinal, necessary for the professional practice of specialists in Health Sciences, which must be acquired during their period of specialized health training in accredited centers.
2. The transversal training will form part of the official training program of the specialties in Health Sciences and will include, at least, the following areas of

common competencies: commitment to the principles and values of the National Health System, bioethics, legal principles for the practice of specialties in Health Sciences, equity and social determinants, evidence-based practice, patient and professional safety, clinical communication, teamwork, research methodology, rational use of diagnostic, therapeutic and care resources, and digital training of specialists.

3. The transversal training may include specific adaptations in its content or training time, specific to the degrees leading to specialized health training positions or, exceptionally, specific to a specialty.

Article 3. *Elaboration and approval of the transversal training.*

1. The common competencies of the transversal training will be elaborated by the Permanent Commission of the National Council of Specialties in Health Sciences. The Permanent Commission may be assisted by experts in each of the areas it includes, subject to authorization by the General Directorate of Professional Organization of the Ministry of Health.

2. The transversal training was incorporated into the official training programs of the specialties in Health Sciences, forming part of the qualitative and quantitative objectives and the professional competencies that the applicant to the degree must fulfill during each of the annual courses into which the training program of a specialty in Health Sciences is divided, in accordance with the provisions of article 21.1 of Law 44/2003, of November 21, on the organization of the health professions.

3. The transversal training will be reviewed and updated periodically, and in any case, within a maximum period of ten years from the publication in the "Official State Gazette" of the official program of the corresponding specialty, in accordance with the provisions of Article 21.2 of Law 44/2003, of November 21.

CHAPTER III

The procedure and criteria for the application for new titles of specialist in Health Sciences and diplomas in specific training areas, and the revision **of those established.**

Article 4. *Initiation of the procedure.*

1. The procedure for the application for a new title of specialist in Health Sciences may be initiated by one or more scientific societies of national scope validly constituted in relation to the corresponding area of specialization in Health Sciences, which accredit the representation of at least seventy percent of the professionals in that area or by the Human Resources Commission of the National Health System.

2. The procedure for the application for a new specific training area diploma may be initiated by one or more national commissions of specialties in Health Sciences, in which the corresponding diploma is developed, or by the Human Resources Commission of the National Health System.

3. The application must justify compliance with the criteria defined in Annexes I or II, as appropriate. Said application shall be submitted electronically at the electronic Headquarters of the Ministry of Health, according to the model to be determined.

Article 5. *Processing and issuance of reports.*

1. Within a maximum period of three months from the presentation of the application or from the adoption of the initiation agreement, the person in charge of the General Directorate of Professional Organization of the Ministry of Health may require applicants to correct, within ten days, any defects in the presentation of the application or any deficiencies in the application.

in the observance of the criteria of Annexes I or II, in accordance with Article 68 of Law 39/2015, of October 1, of the Common Administrative Procedure of Public Administrations. If they are not remedied, their request shall be deemed to have been withdrawn.

2. The General Directorate of Professional Organization of the Ministry of Health will request reports on the application submitted by the corresponding professional associations, the National Council of Specialties in Health Sciences and the Human Resources Commission of the National Health System, unless the initiative for the creation of the specialty or specific training area has come from this consultative body.

It shall also request the report of the Ministry of Universities, which shall be of a binding.

3. The provisions of Royal Decree 472/2021 of June 29, which transposes into Spanish law Directive (EU) 2018/958 of the European Parliament and of the Council of June 28, 2018, on the proportionality test before adopting new regulations for professions and Directive 2005/36/EC of the European Parliament and of the Council of September 7, 2005, on the recognition of professional qualifications, will be applicable to the procedure.

Article 6. On the termination of the procedure.

1. Within a maximum period of six months from the submission of the application, the Directorate General of Professional Management of the Ministry of Health, in view of the reports collected, compliance with the criteria set out in Annexes I or II and the competing public interests, will resolve the procedure, after hearing the applicants, according to Article 82 of Law 39/2015, of October 1, estimating or rejecting the application in a reasoned manner, which will electronically notify the applicants and the applicants.

2. In the event that the request is granted, the drafting of the regulation for the creation of the specialty or specific training area will begin, as provided in Article 16 of Law 44/2003, of November 21, 2003, within a period of four months.

3. If the decision is unfavorable, a new application for the same specialty or specific training area may not be submitted until five years have elapsed from the date of the decision.

4. Once the maximum period of six months has elapsed from the filing of the application without an express resolution having been notified to the applicants and applicants, it will be understood to be dismissed by administrative silence, for reasons of general interest as provided in Article 24.1 of Law 39/2015, of October 1, since the creation of a specialist degree in Health Sciences or a specific training area diploma requires the processing and approval of a regulatory rule by the Government, in accordance with Articles 16 and 24 of Law 44/2003, of November 21.

5. Against the resolution of the procedure, which puts an end to administrative proceedings, the interested parties may file an appeal for reversal, in accordance with Title IV of Law 39/2015, of October 1, or be challenged directly before the contentious-administrative jurisdictional order, in accordance with Law 29/1998, of July 13, 1998, regulating the Contentious-Administrative Jurisdiction.

Article 7. Revision of specialist degrees and specific training area diplomas.

1. Specialist titles and specific training area diplomas shall be reviewed at least every ten years. For the purposes of this review, the national specialty commissions or specific training area committees, at their own initiative, or at the request of the Ministry of Health, shall draw up a feasibility report in which they justify in detail that the specialty or specific training area continues to meet the criteria defined in Annexes I and II, respectively.

2. If, in view of this report, compliance with these criteria is accredited, the corresponding training program will be updated, if necessary.

3. In the event that compliance with such criteria is not accredited, the specialist title or specific training area diploma will be removed or renamed, in accordance with the procedure established in article 16.1 of Law 44/2003, of November 21.

CHAPTER IV

The training system of the specific training areas

Article 8. *General requirements for obtaining and access to the diploma in the area of specific training.*

The following requirements must be met in order to obtain the specific training area diploma:

1. Hold a specialist degree in any of the specialties in Health Sciences in which the area of specific training is constituted and accredit a minimum of two years of effective professional practice in the specialty. The duration of this period of professional practice may be modified subject to the procedure determined in article 25.3 of Law 44/2003, of November 21.
2. Access to training in the areas of specific training through the calls regulated in article 12.
3. To have fulfilled the objectives and acquired the competencies foreseen in the training program of the specific training area, having been positively evaluated in the terms foreseen in article 13.

Article 9. *Specific training area committees.*

1. When a specific training area is created, an Area Committee shall be formed, within a maximum period of six months from its creation, composed of six members who must have the corresponding specific training area diploma and be active in that area.
2. The persons proposed as members, by the national commission or commissions of the specialty or related specialties, shall be appointed by the head of the General Directorate of Professional Organization of the Ministry of Health, for a period of four years, renewable for another four years, following a report by the Human Resources Commission of the National Health System, guaranteeing proportional representation of the proposing commissions, where appropriate.
3. The person in charge of the General Directorate of Professional Organization of the Ministry of Health, by means of a reasoned resolution, may remove the person or persons appointed as members of the committee when they do not duly fulfill the functions established in section 5, after prior consultation with the interested parties and the national commission that proposed them.
4. The specific training area committees will be integrated into the National Council of Specialties in Health Sciences and their operation will be in accordance with the provisions of its internal regulations, and with the provisions of section three of chapter Two of the preliminary title of Law 40/2015, of October 1, on the Legal Regime of the Public Sector.
5. The specific training area committee shall perform the following functions:
 - a) Propose the contents and duration of the training program, based on the analysis of the proposal that was part of the request for the creation of the corresponding area, as well as the criteria for accreditation of teaching units. Likewise, they must propose the evaluation instruments for the competencies defined in the program.

- b) To make any other reports requested by the Ministry of Health on the implementation, development and other issues related to the areas of specific training.
- c) To appoint a person from the Committee to participate in the evaluation committees of the training specialists in specific training areas of the different teaching units, in accordance with article 13.3.
- d) The other functions determined in the provisions regulating the specialized health training system and in the regulations governing the national specialty commissions.
- e) To prepare the feasibility report of the corresponding diploma established in article 7.1.

Article 10. *Specific training area training program.*

1. The official training program for each specific training area will be proposed by the corresponding area committee, within six months of its constitution, and approved by order of the head of the Ministry of Health, following reports from the National Council of Specialties in Health Sciences, the Human Resources Commission of the National Health System and the Ministry of Universities. Once approved, it will be published in the "Official State Gazette".

2. The program established the qualitative and quantitative training objectives and the competencies to be progressively achieved by the candidate to the diploma through a professional practice specifically oriented to the corresponding specific training area.

When the characteristics of the specific training area make it advisable, different training itineraries may be indicated according to the specialty or degree of origin, so that at the end of the training program all professionals will have acquired the same competencies, regardless of the specialist degree of origin.

Article 11. *Structure for teaching in the specific training area.*

1. Training in specific training areas will be carried out through the residency system, subject to the provisions of Law 44/2003, of November 21, 2003, and its implementing provisions.

2. The teaching units for training in specific training areas must meet the accreditation requirements of each area approved by order of the head of the Ministry of Health, at the proposal of the corresponding specific training area committee, following reports from the national commission or national commissions involved, from the National Council of Specialties in Health Sciences and from the Human Resources Commission of the National Health System.

3. The accreditation of the teaching units will require that the teaching committee to which they are assigned has accredited teaching units for training in the specialties from which the specific training area in question can be accessed.

4. Applications for accreditation of teaching units will be submitted by the entity that owns the center where they are located by electronic means on the accreditation platform of the Ministry of Health. In any case, it is the responsibility of the autonomous communities, whatever the ownership, public or private, of the center that has taken the aforementioned initiative, to inform and transfer the applications for accreditation to the Ministry of Health, in accordance with the provisions of article 6 of Royal Decree 183/2008, of February 8, which determines and classifies the specialties in Health Sciences and develops certain aspects of the specialized health training system. Applications will be resolved by the person in charge of the General Directorate of Professional Organization of the Ministry of Health.

Health once the compliance with the accreditation requirements has been analyzed, for which purpose a report may be requested from the corresponding specific training area committee.

Any modification to the teaching structure of an accredited unit will require the submission of a new application for accreditation.

Likewise, the total or partial revocation of the accreditation of a teaching unit or the adoption of provisional and precautionary measures, if rectifiable deficiencies are detected, shall be carried out through the procedure followed to grant accreditation, after hearing the affected center and its teaching committee.

The term to resolve the accreditation applications is six months. Once this period has elapsed without an express resolution having been issued and notified, the application may be deemed to have been accepted by administrative silence. Against the resolution, which does not put an end to administrative proceedings, an appeal may be lodged before the head of the Secretary of State for Health of the Ministry of Health, in accordance with the provisions of Articles 121 and 122 of Law 39/2015, of October 1.

5. The registry of accredited centers for the training of specialists, referred to in article 32.3 of Law 44/2003, of November 21, 2003, will include the accredited teaching units of specific training areas. This registry will contain the data relating to the teaching capacity of the unit, expressed in the number of specialists in training in the specific training area per year, the devices that comprise it, the teaching committee to which it is attached and the standard training itinerary proposed by the corresponding teaching committee for the accreditation of the unit.

6. The General Directorate of Public Health of the Ministry of Health, in collaboration with the competent bodies of the different autonomous communities, will coordinate the audits, reports and proposals to evaluate the operation and quality of the teaching units accredited for training in specific training areas.

7. These teaching units must have at least one accredited tutor for each specific training area specialist in training, who must be in possession of the corresponding specific training area diploma.

8. The ministry or department with competences in specialized health training of the autonomous community will establish the means and systems of access for the accreditation and periodic renewal of the accreditation of professionals who wish to carry out specialized training tutoring functions in areas of specific training in the terms established in article 12 of Royal Decree 183/2008, of February 8. The procedures for the accreditation of tutors will take into account the accredited professional experience, teaching experience, continuous training activities, research activity corresponding to the professional field of the specific training area in question. Likewise, experience and training in quality improvement and teaching methodologies, as well as the results of quality evaluations and satisfaction surveys, if any, will be taken into account.

9. The appointment of tutors shall be made by the governing body of the entity owning the teaching unit, at the proposal of the teaching committee, from among accredited professionals serving in the specific training area teaching unit. Each tutor may only supervise one training specialist in a specific training area.

10. In the teaching commission to which the training area teaching unit is attached, there will be a representation of the tutors and specialists in specific training area training, under the terms determined by each autonomous community, within the general criteria established by the Human Resources Commission of the National Health System.

Article 12. *Access and offer of training places in specific training areas.*

1. Specialists who comply with the provisions of article 8.a) may access training in a specific training area by applying for it in the calls that will be periodically approved by order of the head of the Ministry of Health.

2. The characteristics of the selection process for each specific training area, based on the professional, teaching and research curricula of the specialists, the requirements of the applicants, the system for admission to training, the selection committee and its functions, the awarding of positions and other aspects considered necessary for the resolution of the call for applications will be regulated by means of said order, which will be published in the "Official State Gazette".

3. The offer of training places, which in any case will refer to accredited and financed places, will be approved, through the call order, by the person in charge of the Ministry of Health, after a report from the National Council of Specialties in Health Sciences and taking into account the proposals made by the Autonomous Communities through the Human Resources Commission of the National Health System.

For the financing of the supply of vacancies in the areas of specific training, financing agreements may be established between autonomous communities so that a community that does not have teaching capacity or has insufficient teaching capacity may finance vacancies in another autonomous community with teaching capacity.

Article 13. *Evaluation of specialists in training in specific training areas.*

1. The tutor of the specialist in training in a specific training area will prepare a six-monthly report on the evolution of the acquisition of competencies and a final report on the acquisition of the competencies of the area, in accordance with the basic guidelines that the documents accrediting the evaluations determined by the Ministry of Health must contain, following a report by the Human Resources Commission of the National Health System and in accordance with the competency evaluation instruments determined by the corresponding Area Committee. The specialist in training in a specific training area will have access to the six-monthly and final report made by his/her tutor.

2. In the teaching commissions, an evaluation committee will be formed for each specific training area whose training program is developed in an accredited teaching unit, whose function will be to carry out the final evaluation of the training period of the area, based on the reports of the tutor.

3. The evaluation committee shall be made up of the person holding the Presidency of the teaching committee, the tutor of the specialist in training in the area and a person designated as a member of the Committee of the Area in question. The committee may meet telematically or in person.

4. The result of the evaluation will be positive, if the applicant has reached the competencies of the specific training area, or negative, otherwise. The negative evaluation may only be recoverable due to the impossibility of providing services for more than three months, due to the suspension of the contract or other legally established causes. The evaluation committee will determine the duration and content of the recovery period, which will entail the corresponding extension of the contract, after which a new evaluation will be carried out, the result of which will be positive or negative, without the possibility of a new recovery. The positive evaluation of the training or the non-recoverable negative evaluation will lead to the termination of the training contract of the training specialist in a specific training area.

5. The result of the evaluation will be recorded in the corresponding minutes of the evaluation committee and will be electronically transferred by the teaching committee to the National Registry of Specialists in Training within a maximum period of ten working days.

6. The electronic registration of the positive evaluation in the National Register of Specialists in Training will lead to the issuance of the Diploma of the specific training area, within a maximum period of three months.

7. Against the resolution of the procedure, which puts an end to administrative proceedings, the interested parties may file an appeal for reversal, in accordance with Title IV of Law 39/2015, of October 1, or directly challenge it before the contentious-administrative jurisdictional order, in accordance with Law 29/1998, of July 13.

Article 14. *Diploma of specific training area.*

1. The possession of a specific training area diploma will be a necessary requirement to expressly use the designation of specialist with specific training in the area.

2. The specific training area diploma is official and valid throughout the territory of the State, and will be issued, in electronic format, by the Ministry of Health once the corresponding teaching commission has notified, by electronic means to the National Register of Specialists in Training, the positive evaluation that entitles the holder to obtain the diploma, within a maximum period of three months.

3. The data to be entered in the National Register of Specialists with Specific Training Diploma, provided for in the second paragraph of Article 32.2 of Law 44/2003, of November 21, shall be recorded in the State Register of Healthcare Professionals regulated by Royal Decree 640/2014, of July 25, as provided for in Article 5.j), in relation to section j) of Annex I of said Royal Decree.

4. Specialists with a specific training area diploma to guarantee the maintenance of the professional competences of the area in question, in accordance with the provisions of article 4.6 of Law 44/2003, of November 21, 2003, must undergo continuous training and periodically accredit their professional competence.

5. Those who are providing services in centers belonging to the National Health System and obtain the diploma of specific training area by the procedure regulated in this chapter or by the transitory way of access to the same, will not have automatic recognition of the category or position of specialist with specific training area, nor the right to the acquisition of the status of permanent or temporary personnel in already existing or newly created categories in the health service in question. In any case, such access must take place through the systems of selection and provision of posts established in the applicable legislation.

CHAPTER V

Regarding the annual tests for access to specialized health training positions

Article 15.

1. The person in charge of the Ministry of Health, following a report from the Ministry of Health, shall The Ministry of Health, in collaboration with the University and the Human Resources Commission of the National Health System, will approve the annual call for selective examinations for access to specialized health training positions and the corresponding annual offer of these positions. The call order will be published in the "Official State Gazette".

2. The persons participating in the call for applications must relate with the Administration through electronic means, in accordance with article 22.1 of Law 44/2003, of November 21, 2003, without prejudice to the particularities that may be included in the call for applications order, in relation to all the procedures derived from the process, including the completion and presentation of applications, the submission of documentation and the payment of fees, as well as in the phase of awarding of vacancies.

Article 16. *Supply of vacancies.*

1. The preparation and approval of the offer of vacancies shall be carried out subject to the provisions of Article 22.3, 5 and 6 of Law 44/2003, of November 21.

The Human Resources Commission of the National Health System, taking into account the proposals made by the Autonomous Communities, the needs of specialists of the health system and the available budget, will establish, following reports from the National Council of Specialties in Health Sciences and the Ministry of Universities, the offer of accredited and financed positions that it proposes to include in each call for applications.

The offer of vacancies, which will incorporate, where appropriate, the corrective measures contained in a reasoned report issued by the Ministry of Health, which will be previously communicated to the Human Resources Commission of the National Health System, will be definitively approved by the head of the Ministry of Health through the order approving the corresponding annual call for selective examinations for access to specialized health training vacancies.

2. The ministerial order approving each annual call for applications will include, in any case, a summary table of the places offered, i.e. the accredited places that are financed for training in accordance with the duration of each specialty. The places included in said table shall constitute the maximum number of training places to be awarded in the call in question, distributed by specialties, autonomous communities and General State Administration, if applicable. Likewise, a summary table of the supply of places by multidisciplinary specialty and autonomous community shall be included, when there are different qualifications for access to the same.

In the annual call for applications, territorial quotas may be established at the proposal of the autonomous communities or of the General State Administration, with the purpose of extending the possibilities of election of the applicants to all the accredited vacancies that appear as eligible in the catalog mentioned in section 3, in the corresponding territorial area until completing the total number of the accredited and financed vacancies as indicated in the previous paragraph, without this number being exceeded during the awarding of the vacancy.

3. In order for applicants to have a detailed knowledge of the annual supply of vacancies, the catalog of accredited and eligible vacancies will be published in each call for applications, with information on the centers and teaching units in which they are located.

The information related to the specific teaching devices that make up the teaching units will be accessible through the registry of accredited centers for the training of specialists, regulated in article 32.3 of Law 44/2003, of November 21.

4. In the catalog mentioned in the previous section, two sectors will be identified: one, which will include the vacancies to be awarded in public schools and teaching units, and the other, which will include the vacancies to be awarded in private schools and teaching units.

5. The annual offer of training places shall indicate the quotas or maximum number of places that may be awarded to applicants who participate in the shift of persons with disabilities as provided for in Article 20 and to non-EU citizens in accordance with Article 17.

Article 17. *Nationality of the applicants.*

1. In addition to Spanish nationals, nationals of other European Union States may take the annual tests for access to specialized health training positions, in accordance with the provisions of Article 57 of Royal Legislative Decree 5/2015, of October 30, approving the revised text of the Law of the Basic Statute of the Public Employee.

2. Likewise, when so provided in the corresponding call, nationals of countries not included in the previous section may also participate in the selective examinations for the degrees of Medicine, Pharmacy and Nursing,

provided that they belong to countries that have signed and in force a cooperation agreement with Spain, and that they are in possession of the corresponding homologated or recognized degree. The maximum number of places that may be assigned to this group of applicants, provided that they have obtained a score that allows them to obtain a place, may not exceed ten percent of the total number of places offered for the degree in Medicine, three percent for Pharmacy and one percent for Nursing, under the terms established in each call for applications.

3. The allocation of a place to non-European Union nationals shall not, in itself, without the concurrence of other circumstances of an exceptional nature, constitute a reason of public interest for the purposes set forth in Article 127 of the Regulations of Organic Law 4/2000, on the rights and freedoms of foreigners in Spain and their social integration approved by Royal Decree 557/2011, of April 20, which approves the Regulations of Organic Law 4/2000, on the rights and freedoms of foreigners in Spain and their social integration.

Article 18. Qualifications of the applicants.

The qualification requirements of the applicants will be adapted to the requirements derived from Law 44/2003, of November 21, 2003, with respect to qualified and regulated health professions, as well as to the legal modifications derived from the adaptation of university studies to the European Higher Education Area.

The applicants also complied with the requirements set forth in Article 4.8 of Law 44/2003, of November 21.

Article 19. Knowledge of the language.

Applicants who are nationals of a State whose official language is not Spanish will only be admitted to the corresponding tests if they can prove that they have sufficient knowledge of that language by means of an official diploma certifying that the level acquired is at least C1, according to the classification derived from the Common European Framework of Reference for Languages.

Article 20. Persons with disabilities.

1. The affirmative action measures provided for in article 22.3 of Law 44/2003, of November 21, applicable in the annual calls for selective examinations for access to specialized health training positions, shall be effective under the terms provided for in this article.

2. In the annual offer of vacancies in specialized health training approved in accordance with the provisions of article 16, it will be determined that at least seven percent of the total number of vacancies offered may be covered by persons with a degree of disability equal to or greater than thirty-three percent in each of the degrees. Said vacancies shall be distributed, in each call for applications, among the different degrees or groups of these that may participate in the corresponding selective tests.

3. Applicants must state in their application that they are applying for the shift of people with disabilities and provide the certificate accrediting their situation issued by the Disability Assessment Centers. Applicants may not change shift throughout the selection process. This information shall be included in the provisional and definitive lists of those admitted, once the fulfillment of the requirements of section 2 of this article has been verified.

Persons with disabilities who have been awarded a position in Health Sciences by the residency system, having applied for the turn of persons with disabilities, and who participate in subsequent selective tests for access to another specialist title by said system, shall not be subject to the

percentage of seven percent of the positions offered that are assigned to persons with disabilities in such announcements.

4. The exercises to be carried out, the criteria for their qualification, the score required to pass them and the evaluation, if applicable, of academic and professional merits, will be the same for all applicants with the same degree, regardless of the shift, ordinary or for people with disabilities, by which they participate in the corresponding selective test.

The provisions of the preceding paragraph are without prejudice to the necessary measures so that, both in the entrance examinations and in the positions in which the persons with disabilities awarded training places are trained, the appropriate adaptations, reasonable adjustments or complementary support and extensions of time are carried out, according to the characteristics and degree of disability of the person concerned.

5. Once the awarding of vacancies for each call for applications has begun, persons with disabilities will begin the selection process together with the other applicants, in strict order of highest to lowest total individual score recognized in the definitive list of results.

However, the awarding acts will be suspended for the applicants who participate in the ordinary shift, when there are still people with disabilities without a vacancy and there is still a number of vacancies to be awarded that will allow to offer those corresponding to the shift of people with disabilities, in each qualification or group of these.

The vacancies not awarded after the aforementioned actions, will be accumulated to the ordinary shift of the same call, resuming the acts of awarding of vacancies once the aforementioned actions have been concluded.

6. The compatibility of the physical, psychic, sensorial and functional conditions of the person awarded the position for the disability shift, with the performance of the functions corresponding to the position in training of the specialty for which he/she has opted, shall be accredited by passing, in the occupational risk prevention service that in each case corresponds, of the medical examination included in article 24 that will take into account the report of aptitudes for employment issued by the Center for the Evaluation of Disability, based on the evaluation file of the interested party that the person awarded the position must provide.

7. When the incorporation of persons with disabilities to the position they have been awarded requires specific conditions of accessibility to the center or working conditions, including working hours, the provisions of the second additional provision of Royal Decree 1146/2006, of October 6, which regulates the special employment relationship of residence for the training of specialists in Health Sciences, shall apply.

8. The persons in charge of the head of studies of the different teaching units shall give preference in the process of assigning the training itineraries to the persons with disabilities who have been awarded a place in said turn, provided that the purpose of said preference is to facilitate that the itinerary and the rotation periods for the different devices that make up the teaching unit are adapted to the characteristics of each person with disabilities.

9. The legal regime applicable to persons with disabilities awarded a place in training shall be the same as that of persons participating in the ordinary shift, with the particularities provided for in this article and in the Royal Legislative Decree 1/2013, of November 29, approving the Consolidated Text of the General Law on the Rights of Persons with Disabilities and their Social Inclusion.

Article 21. *Selective test.*

1. The selection of the applicants will include, in any case, the performance of a different objective test for each degree or group of these. This test will evaluate theoretical and practical knowledge and, where appropriate, clinical and communication skills.

The specific weight of the objective test in the final score of the candidates may not be less than ninety percent.

The objective test, which will deal with the contents of the university degrees or group of these, required in each case, will consist of answering a questionnaire of questions that will be evaluated in the terms provided in the corresponding call.

2. It may be required, if so determined in the corresponding call, a minimum score to pass the objective test and correctly answer a minimum number of questions that assess nuclear aspects of the qualifications required to participate in the tests.

3. In the selective test, the academic and professional merits of the applicants may be evaluated, if applicable. The specific weight of these merits in the final score may not exceed ten percent.

In the event that academic merits are valued, the provisions of Royal Decree 1125/2003, of September 5, 2003, which establishes the European credit system and the grading system for official university degrees valid throughout the national territory, will be applicable, and only the undergraduate studies or equivalent studies that give access to the call will be valued, in accordance with the provisions of article 18.

For academic certifications of studies completed abroad, the statement of equivalence of the average grade of the university transcript must be submitted, in accordance with the guidelines of the Ministry of Universities, which will be determined in each annual call for applications.

4. The Ministry of Health may require the collaboration of experts for the drafting and validation of the questions necessary for the preparation of the questionnaire referred to in this article, taking the necessary measures to determine the amount to be received for such collaborations and the budgetary concept to which such expenses will be charged, as well as those derived from the management of the selective tests.

5. The allowances accrued by the members of the qualifying commissions, as well as those of the personnel appointed by the Ministry of Health for the development of the objective test and the awarding of vacancies, shall be those corresponding to the first category of those provided for in article 30 of Royal Decree 462/2002, of May 24, on compensation for reasons of service, with the limit of the maximum number authorized by the Ministry of Finance and Public Function.

Article 22. *Qualifying Commissions.*

1. In each annual call for applications, a Qualifying Committee will be appointed for each degree or group of degrees, composed of seven members.

The person chairing each committee will be appointed by the head of the General Directorate of Professional Organization of the Ministry of Health, the person holding the vice-chair will be appointed at the proposal of the head of the General Secretariat of Universities of the Ministry of Universities, and the person performing secretarial functions will be appointed by the head of the General Directorate of Professional Organization of the Ministry of Health, who may be supported by administrative support.

Three persons shall be appointed as members by the person in charge of the General Directorate of Professional Organization of the Ministry of Health, two of them from among specialists rendering services in a center or teaching unit accredited for the training of specialists in the degree in question, and the other from among residents in training in the corresponding degree.

One person shall be appointed as a member by the head of the General Secretariat of Universities of the Ministry of Universities, from among the deans or professors of the corresponding degree.

2. The qualifying commissions, meeting in permanent session on the day of the objective tests, will be responsible for approving the proposed questionnaire and invalidating the questions they deem inappropriate, approving the template.

provisional list of correct answers. Subsequently, they will resolve any claims against them and will approve the definitive list of correct answers. The aforementioned qualification commissions may require the advice of experts or duly qualified persons.

3. Likewise, it is the responsibility of the qualification commissions to advise the Ministry of Health in those cases in which the suspension or postponement of the exercise is necessary for justified reasons, proposing, if necessary, the measures they deem appropriate.

Article 23. Awarding of plazas.

1. Both the election and the awarding of seats were carried out electronically.

2. The selection of a vacancy shall be made according to the decreasing order of score obtained by each applicant in the definitive list of results of the corresponding call for applications, regardless of whether the center is public or private, with the exceptions provided for in Article 20.

3. Vacancies that become vacant after the awarding of the vacancies due to not being chosen by the applicants or due to the express or tacit resignation of those to whom the vacancies have been awarded may not be awarded in the same call for applications.

Likewise, the exchange of vacancies among applicants or the transfer of center or teaching unit will not be allowed, except in the case of discrediting of the teaching unit or other exceptional cases provided for by the applicable legislation.

Article 24. Previous medical examination of the awardees.

All persons awarded a place through the residency system shall undergo, prior to the formalization of the contract, a medical examination to verify that they do not suffer from any illness or are not affected by any physical, mental, sensory or functional limitation that is incompatible with the professional activities that the corresponding official training program requires of the resident.

When the medical examination is negative, it must be motivated and specify the objectives and professional competencies that, according to the corresponding official training program, cannot be acquired by the successful candidate for reasons attributable to physical, mental, sensory or functional limitations.

Said negative opinion shall be sent to the person in charge of the Directorate General of Professional Organization who, in view of the same and of the reports deemed necessary, shall issue the decision on the loss of rights derived from passing the selective test, after hearing the interested party.

The award shall be deemed without effect if, after the procedure described herein, the failure to pass the medical examination is resolved. However, the person who does not pass the initial medical examination may request an exceptional change of specialty, in accordance with the provisions of article 31 of Royal Decree 183/2008, of 8 February, which determines and classifies the specialties in Health Sciences and develops certain aspects of the specialized health training system, without the loss of rights to the award until the procedure for an exceptional change of specialty is resolved.

Against the resolution based on the medical examination, which puts an end to administrative proceedings, in accordance with the provisions of Article 114.2.b) of Law 39/2015, of October 1, an appeal for reconsideration may be filed in accordance with the provisions of Articles 112 and 123 of the aforementioned law, or a contentious-administrative appeal may be filed, as provided in Law 29/1998, of July 13.

Article 25. *Taking possession.*

1. The applicants who are awarded a position shall take possession of it once they have passed the prior medical examination provided for in Article 24, in the center or teaching unit in which it is located, within the term indicated in the corresponding call for applications. If they do not do so, or if they renounce the vacancy, they shall lose the rights derived from the passing of the corresponding selective test.

2. The persons awarded a place will start in the corresponding teaching unit according to the official training program, for which purpose the appropriate employment contract will be formalized in accordance with the provisions of Royal Decree 1146/2006, of October 6, 2006.

In general, the entire training program will be followed in the same accredited teaching unit in which the resident has obtained a place in training, without prejudice to the exceptional cases provided for in Royal Decree 183/2008, of February 8.

The effective starting date of the employment contract shall be the last day of the term for taking possession established in each annual call, so that, once the training period of the specialty in question has ended, the specialist title shall have the same date for the residents of the same promotion, except in those cases in which the contract has been legally suspended or extended.

3. Without prejudice to the provisions of article 20.8, during the period for taking possession, the head of studies shall offer the persons awarded a place the different training itineraries to be chosen in strict order, according to the final score obtained in the definitive lists of results of the corresponding call for applications.

The successful candidates who are affected by the general regime of incompatibilities foreseen in the legislation in force shall make a statement in this regard in the act of taking possession, formulating at the same time the option they are interested in, without the recognition of a reserve or leave of absence due to incompatibility in the awarded training position being possible for these purposes, except as provided in article 64 of Law 55/2003, of December 16, of the Framework Statute of the statutory personnel of the health services.

4. The persons awarded a place will follow their training periods according to the official program of the specialty. When in the course of the residency period the training program is modified, the provisions of the ministerial order approving and publishing each one of them will apply.

Article 26. *Recognition of previous training periods.*

1. The persons awarded a specialized health care training position may apply only once for the recognition of a period of specialized health care training previously carried out and positively evaluated by the corresponding evaluation committee in the last five years. If the training is prior to this period of time, it may only be recognized in the event that continuous professional practice is accredited in the five years prior to the application in the specialty in which the training was carried out. The period of training that may be recognized shall be a maximum of half the duration of the training in the specialty in which recognition is requested.

2. The applications shall be submitted to the teaching commission of the center awarded, which shall report them favorably and communicate them to the National Registry of Specialists in Training so that, after consulting the national commission of the specialty of the position awarded, the head of the General Directorate of Professional Organization of the Ministry of Health may issue the appropriate resolution, indicating the period of training that is recognized in accordance with the training program of the specialty awarded. The result of this resolution will be recorded in the National Register of Specialists in Training.

3. The resolution will be communicated to the interested party and to the teaching committee, which will have to adapt the resident's training itinerary if the resolution is favorable.

4. Training periods completed in other countries will not be recognized, unless it is proven that the training has been carried out in accordance with the provisions of the Royal Decree of the Republic of Spain.

Decree 581/2017, of June 9, which transposes into Spanish law Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No. 1024/2012 on administrative cooperation through the Internal Market Information System (IMI Regulation) and has been positively evaluated by the competent body of the relevant member state.

Article 27. *Corrective measures to guarantee equity.*

1. Those who have obtained a specialist degree, regardless of the procedure by which it was obtained, may not apply for a training position in the same specialty, even if the access to the specialty was through another degree in the case of the multidisciplinary specialties regulated in Annex I of Royal Decree 183/2008, of February 8, 2008.

2. The trainees must resign from the awarded position before the end of the application deadline in order to be able to participate in a new call for applications.

First additional provision: *Rules for the constitution of the first specific training area committees.*

The person in charge of the General Directorate of Professional Organization of the Ministry of Health, having consulted the national commissions of the specialties involved and the Human Resources Commission of the National Health System, will appoint the members of the first specific training area committees and will grant the corresponding area diploma to the members appointed for the first term of office of the corresponding committee. Said designation will fall on specialists with professional experience specifically developed in the field of the training area in question, of at least five years in the seven years prior to the entry into force of the royal decree creating the specific training area and who, likewise, accredit a professional, assistance, training and research curriculum from which a high qualification in the corresponding area is derived.

Second additional provision. *Specialties in student regime.*

1. The specialties of Medical Hydrology, Physical Education and Sports Medicine and Industrial and Galenic Pharmacy, whose training system is that of students, shall be subject to the procedure described in Chapter III of this Royal Decree.

2. Training places in the specialties indicated in the previous section may not be called by the student training system.

3. The foregoing is without prejudice to the professional rights and any other rights inherent to such specialist titles.

Third additional provision. *Military Health Network.*

This Royal Decree is applicable to specialized health training in Health Sciences of the Military Health Network of the Ministry of Defense, requiring any adaptation to the particularities of the Military Health Corps, in those aspects in which this Royal Decree allows it, the prior approval of the Ministries of Health and Universities.

Transitional provision only. *transitional day of access to the diplomas of specific training area.*

1. In order to access the specific training area diploma through this extraordinary route, the applicant, in addition to being in active service and holding the specialist degree that allows access to the same, must accredit a

professional experience exercising the functions regulated in the royal decree creating the corresponding area of five years in the seven years prior to the entry into force of the royal decree regulating it and accredited continuing education related to the content of the specific training area.

2. Applications shall be addressed to the person in charge of the General Directorate of Professional Organization of the Ministry of Health, within the term determined by the rule of creation of the corresponding specific training area.

In accordance with the provisions of the second paragraph of article 16.5 of Law 39/2015, of October 1, the actions related to the procedure regulated by this transitional provision shall be carried out, mandatorily, by electronic means. To this end, both the application and the certificates and documentation attached to it, must be signed by a valid electronic certificate and submitted through the electronic Headquarters of the Ministry of Health

3. A certificate will be provided accrediting the professional practice required in the first paragraph, issued by the unit determined by the person in charge of the department with competence in health matters of the corresponding autonomous community, or, if applicable, by the National Institute of Health Management, at the proposal of the person who holds the position of manager or legal representative of the health care unit in which the required services have been rendered. Said certificate shall state, at least:

a) The level of care of the center in which the care unit in which the services have been provided is located, authorized in accordance with the provisions of Royal Decree 1277/2003, of October 10, which establishes the general bases for the authorization of health centers, services and establishments and the regional development regulations.

b) The assistance unit and the position held, detailing the activities performed related to the specific training area in question.

c) The start and end dates of the services rendered, the time commitment and, if applicable, the on-call duty.

4. The applications will be evaluated by the corresponding specific training area committee, which will issue a report-proposal, positive or negative, for the awarding of the specific training area diploma.

5. The person in charge of the General Directorate of Professional Organization, taking into account the report-proposal of the specific training area committee, will resolve the request so that, if it is favorable, the specific training area diploma will be issued, stating that it has been obtained by this extraordinary means.

Against the resolution, which puts an end to administrative proceedings, in accordance with the provisions of Article 114.2.b) of Law 39/2015, of October 1, an appeal for reconsideration may be filed, before the head of the Ministry of Health, in accordance with the provisions of Articles 112 and 123 of the aforementioned ley, or a contentious-administrative appeal, provided for in Law 29/1998, of July 13, regulating the Contentious-Administrative Jurisdiction.

6. The term for issuing the resolution will be six months from the date of its electronic submission. Once the maximum term for resolution has elapsed without the corresponding resolution having been notified, it may be understood to have been rejected by administrative silence, in accordance with the provisions of Annex II of the twenty-ninth additional provision of Law 14/2000, of December 29, 2000, on fiscal, administrative and social order measures.

7. By the exceptional procedure regulated in this transitional provision, only a specific training area diploma may be awarded.

Sole derogatory provision. *Repeal of regulations.*

Any provisions of equal or lower rank that expressly oppose the provisions of this Royal Decree are hereby repealed:

a) Article 2.4 and the fifth additional provision of Royal Decree 1146/2006, of October 6, 2006, which regulates the special employment relationship of residency for the training of specialists in Health Sciences, are repealed.

b) Articles 26 and 27, the first transitory provision, the fourth transitory provision and the fifth transitory provision of Royal Decree 183/2008, of February 8, are repealed.

c) Royal Decree 578/2013, of July 26, establishing positive action measures applicable to persons with disabilities participating in the annual calls for selective tests for access to specialized health training positions, in development of Article 22.3 of Law 44/2003, of November 21.

d) The Order of June 27, 1989, which establishes the rules governing the selective tests for access to specialized health training positions.

e) The Order of June 18, 1993, on the recognition of previous training periods for resident physicians and pharmacists in training.

f) The Order of June 22, 1995, which regulates the Teaching Commissions and the evaluation systems for Doctors and Specialist Pharmacists.

First final provision. *Modification of Royal Decree 1146/2006, of October 6, which regulates the labor/special residency relationship for the training of specialists in Health Sciences.*

Royal Decree 1146/2006, of October 6, 2006, which regulates the special employment relationship of residency for the training of specialists in Health Sciences, is amended as follows:

The title of article 2 is amended, which shall read as follows:

"Article 2. *Form and content of the contract.*"

Two. Paragraphs 1 and 3 of article 3 are amended and shall read as follows:

"The duration of the contract shall be one year, renewable for equal periods for the duration of the training program, provided that, at the end of each year, the resident has been positively evaluated by the evaluation committee of the corresponding specialty.

In the case of persons specializing in training in a specific training area, the contract will have the duration of the training program of the corresponding area."

"3. When the resident obtains a negative annual evaluation for not achieving the training objectives set in any of the training years, but the evaluation committee considers that he/she can achieve them through a specific and programmed recovery plan, the contract shall be extended for a maximum period of three months, with the annual extension of the contract for the following training course being subject to the positive evaluation of the aforementioned recovery period."

Section 1.b) of Article 7 is amended as follows:

"b) Training grade allowance, which shall be paid as from the second training course.

It is intended to reward the level of knowledge, as well as the progressive acquisition of responsibilities in the exercise of assistance tasks.

Its amount shall be a percentage of salary. The percentages shall be as follows:

1. Second-year residents: eight percent.
2. Third-year residents: 18 percent.
3. Fourth-year residents: 28 percent.
4. Fifth-year residents: 38 percent.

In the case of personnel undergoing training in specific training areas, the percentages of the training and continuous care allowance shall be established, in the corresponding negotiating area in each case, taking into account the specialist degree and the professional experience required to access a specific training area".

Second final provision. *Modification of Royal Decree 183/2008, of February 8, 2008, which determines and classifies the specialties in Health Sciences and develops certain aspects of the specialized health training system.*

Royal Decree 183/2008, of February 8, 2008, is amended as follows: One.

Article 3 is amended and shall be worded as follows:

"The positive final evaluation of the residency period shall entitle the holder to obtain the title of specialist, and therefore, once the Registry of Specialists in Training referred to in Article 32.1 of Law 44/2003, of November 21, 2003, has been notified, the procedures for its issuance by the Ministry of Health shall be initiated.

The negative final evaluation of the residency period will be definitive, and therefore will prevent the obtaining of the title of specialist and will imply the loss of rights with respect to the selective test in which the corresponding training place was obtained.

2. The titles of specialist in Health Sciences in addition to the characteristics provided for them in Law 44/2003, of November 21 and those that correspond to such titles as a result of their official nature, will be issued in electronic format by the Ministry of Health, in which it will be stated:

- a) The qualification or field of the qualification that has given access to the specialist in training position.
- b) The unit and, if applicable, educational institution where the course was taken training.
- c) The date of awarding of the degree, which will be the same for all residents of the same promotion and specialty, except in cases of repetition of the course, review of evaluations, or other causes of extension or suspension of the training period provided for in this Royal Decree and in the legislation regulating the special employment relationship of residency.

3. In accordance with the provisions of the second additional provision of Law 44/2003, of November 21, and in the final paragraph of the sixteenth additional provision of Organic Law 6/2001, of December 21, of Universities, both the use of the title of specialist and its name, in the terms contained in Annex I of this Royal Decree, shall be used exclusively by the professionals who hold them.

4. Specialists in Health Sciences must undergo continuous training and periodically accredit their professional competence, in accordance with the provisions of Article 4.6 of Law 44/2003, of November 21."

Paragraph 1 of Article 5 is amended to read as follows:

"The teaching units shall be accredited by the Ministry of Health according to the procedure regulated in Article 26.3 of Law 44/2003, of November 21, subject to the basic accreditation requirements that, in general, the centers where accredited teaching units are located must meet, and to the specific accreditation requirements approved in general by the Ministries of Health and Universities for each of the specialty/s that are trained therein.

The total or partial revocation of the accreditation granted will be carried out, where appropriate, by the same procedure, in consultation with the center concerned and its teaching committee. In the event that no places have been offered in the teaching unit in the last three successive calls, the total revocation of the teaching unit shall be initiated ex officio according to the indicated procedure, taking effect when the training of the specialist trainees of the teaching unit is concluded."

Paragraph 1 of Article 22 is amended, which shall be worded as follows:

"1. Negative evaluation for not achieving the training objectives set, due to learning deficiencies susceptible to recovery.

In any of the training years, the evaluation committee will establish a specific and programmed recovery with a maximum duration of 3 months, the annual extension of the contract for the following training course being subject to the positive evaluation of the mentioned recovery period.

The negative evaluation of the recovery period shall not be recoverable and shall entail the termination of the contract unless the resident requests the review of the evaluation under the terms provided in Article 24 and its result is positive."

Paragraphs 2, 3 and 4 of Article 25 are amended and shall read as follows:

"The evaluation committee, in view of the complete dossier for the entire residency period, shall draw up a report giving each resident one of the following grades:

- a) Positive.
- b) Positive highlight.
- c) Negative.

Those trainees who have obtained a positive evaluation in all the years of the residency period may not be negatively evaluated.

3. The evaluation committees shall send the final evaluations to the teaching committee, which shall publish on its bulletin board a summary, signed by the chairperson, so that within eight working days the grades obtained in the final evaluations may be consulted at the secretary's office of the committee, during the hours indicated.

The publication of such notice on the bulletin board shall include the insertion therein of a specific note from the person presiding over the teaching committee to state the exact date of publication.

4. Once this period has elapsed, the chairman of the teaching committee shall forward the positive final evaluations to the National Register of Specialists in Training within a maximum period of ten working days, for the purpose of issuing the titles of specialists in Health Sciences by the Ministry of Health."

Section 4 of article 29 is amended, which shall be worded as follows:

"4. The unfavorable evaluation of the teaching activity of a center or unit shall imply the total or partial revocation of the accreditation granted subject to the provisions of Article 5 of this Royal Decree."

Six. Article 30 is amended, which shall be worded as follows:

"Article 30. *Training stays in centers and teaching units for health professionals practicing outside Spain.*

1. The Ministry of Health, without prejudice to the provisions of the current regulations on foreigners and immigration with respect to the legal situation of foreigners in Spain, shall authorize temporary training stays for graduates and active specialists in countries with which cultural collaboration agreements have been signed, subject to the following requirements:

a) authorization of these stays will not require the homologation or recognition of the official degree or equivalent and, where appropriate, that of specialist held by the applicant, without prejudice to its necessary validation by the Ministry of Health, in order to verify that the degree held corresponds to that which in the country of origin enables the exercise of the health profession or specialty in question and that the professional is qualified for professional practice in the country of origin and has no record for sexual offenses. This validation will only have scope and effects for the realization of the activities of the training stay.

b) Training stays, during which there will be no employment relationship with the center or teaching unit, will be carried out in centers or teaching units accredited for the training of specialists and may not be taken into consideration for obtaining the Spanish title of specialist or for the homologation of foreign degrees to the aforementioned Spanish title, as well as for obtaining a university degree.

c) The health activities in which they are involved will be, in any case, planned, directed, supervised and graded by the professionals who provide services in the health care unit in which the stay is carried out.

In accordance with Article 4.3 of Law 44/2003, of November 21, 2003, healthcare, research, teaching, clinical management, prevention and health information and education activities are considered healthcare activities.

d) The stays shall be authorized for a maximum period of one year. Once the stay has ended, a new stay may not be authorized for the same applicant until five years have elapsed since the end of the previous stay.

e) authorization for the stay will require the following reports:

1.º Report from the person in charge of the foreign center where the person concerned provides services, in which the specific objectives to be achieved are determined.

2.º Report from the teaching committee of the Spanish host center, stating the acceptance of the person concerned and that such acceptance does not prejudice the teaching capacity of the center.

3.º Favorable report from the competent body in matters of specialized training of the corresponding autonomous community.

f) the persons in charge of the management or direction of the health centers where the training courses are carried out, prior to the start of the same, will verify that:

1. the person concerned has not been suspended or disqualified from practicing his or her profession or specialty in the country of origin and the absence of a record of sexual offenses.

2. The company is insured, in Spain, for health care and the risks derived from civil liability that may be incurred as a consequence of the activities carried out during their training stay.

3. the professional shall undergo a medical examination in a Spanish health center in order to verify the professional's state of health, the absence of infectious-contagious diseases and the vaccinations considered pertinent. The person concerned will be responsible for the expenses arising from this examination.

2. The procedure set forth in the preceding paragraph shall also be applicable to the training stay of health professionals of Spanish nationality practicing outside Spain.

3. After the training stay, the teaching committee will issue a certificate stating the activities carried out and the evaluation of the training stay as "satisfactory" or "unsatisfactory" in view of the reports issued by the professionals who have supervised the training.

4. Ministry of Health, in view of the evaluation referred to in the preceding paragraph, shall issue a certificate attesting to the same."

Article 31 is amended to read as follows:

"1. The Ministry of Health, exceptionally, at the well-founded request of the person concerned and after a report from the corresponding autonomous community, may authorize, on a one-time basis, the change of specialty being studied in the same center or in another in the same autonomous community, provided that the following requirements are met:

- a) there is an accredited vacancy in the specialty applied for.
- b) the request is made during the first two years of training.
- c) the applicant has not been negatively evaluated for insufficient learning in the last training period completed.
- d) the order number in the annual call for selective examinations for access to specialized health training positions in which he/she was awarded the position would have allowed him/her to access, in said call, the specialty to which he/she intends to change.

2. In the event that the request for a change of specialty is due to a work incapacity that arises during the residency that prevents the continuation of the awarded specialty but allows the specialty to be changed, the request may be made in any year of training.

3. The change of specialty will require the reports of the teaching commission of the center or unit where the applicant is being trained and of the center or unit of destination, as well as of the national commissions of the two specialties involved.

The report of the teaching committee of origin will include the activities carried out by the resident in the center or unit, as foreseen in the corresponding training program.

4. It is up to the national commission of the specialty to which the change has been requested to determine, at the same time that the report mentioned in the previous section is issued, the year of training and the terms in which the change is to be made.

The incorporation of the resident will take place from the moment the requested change of specialty is authorized.

5. Changes of specialty shall be recorded in the National Registry of Specialists in Training."

Third final provision. *Modification of Royal Decree 459/2010, of April 16, 2010, which regulates the conditions for the recognition of the professional effects of foreign degrees of specialist in Health Sciences, obtained in non-European Union Member States.*

Royal Decree 459/2010, of April 16, 2010, which regulates the conditions for the recognition of the professional effects of foreign specialist degrees in Health Sciences, obtained in non-European Union Member States, is amended as follows:

Paragraph a) of article 2 shall be worded as follows:

"a) The recognition of those foreign specialist degrees that have already been recognized or homologated to a Spanish specialist degree."

Paragraph 4 of Article 5 shall be worded as follows:

"4. The evaluation committee shall meet upon convocation by the person holding the chairmanship, at least on a quarterly basis."

Three. Paragraph 1 of Article 12 shall read as follows:

"The theoretical-practical tests will be called for one or more specialties in Health Sciences, after a report from the evaluation committee, by the General Directorate of Professional Organization of the Ministry of Health when there are at least five applicants per specialty. In those specialties whose volume of applications for recognition does not make it possible to reach said number within two years from the last call, the number of applications may be less than five."

Four. The third subparagraph of paragraph 2 of article 13 shall be worded as follows:

"In the exceptional case that the actions mentioned in the previous paragraph result in the need for the interested party to carry out, prior to the proposed final verification report, some type of complementary activity, this shall not exceed one month and shall be evaluated by the supervisor."

Five. The current paragraph of the first additional provision becomes paragraph 1, incorporating a new paragraph 2, in the following terms:

"2. Foreign specialist titles may not be subject to recognition by the procedure provided for in this Royal Decree, in which training periods taken in a third country in which this training is not valid for obtaining the specialist title have been taken into account in order to obtain it.

Fourth final provision. *Modification of Real Decree 640/2014, of July 25, regulating the Registro Estatal de Profesionales Sanitarios.*

Royal Decree 640/2014, of 25 July, regulating the State Register of Healthcare Professionals is amended as follows:

A new item is added to section h) of Annex I, with the following wording:

"- Periodic accreditation of the qualification: the date of the accreditation of the professional competence of the qualification that enables the exercise of the health profession shall be indicated."

A new item is added to section i) of Annex I, with the following text editorial staff:

"- Periodic accreditation of the specialty: the date of the accreditation of the professional competence of the specialist title held by the professional shall be indicated."

Fifth final provision. *Modification of Royal Decree 704/2020, of July 28th, by which the access to the title of specialist doctor in Legal and Forensic Medicine by the residency system is established.*

Royal Decree 704/2020, of July 28, establishing the access to the title of specialist physician in Legal and Forensic Medicine by the residency system, is amended as follows:

Paragraph 3 of Article 3 is amended as follows:

"The training program will include the obligation for residents to carry out rotation periods in the teaching facilities with which there is a prior agreement or agreement with the National Health System, in the Health Science specialties that present a content whose knowledge is useful for a better and more complete training of those."

Sixth final provision. *Competent title.*

This royal decree is issued under the powers that the Spanish Constitution attributes to the State in Article 149.1.30.^a, on the exclusive competence to regulate the conditions for obtaining, issuing and homologation of professional qualifications, in Article 149.1.7.^{aa}, relating to labor legislation, without prejudice to its execution by the bodies of the autonomous communities, in article 149.1.2., relating to foreigners and, finally, in article 149.1.16.^a, on the exclusive competence of the State in matters of bases and general coordination of health.

The rules that are modified in this Royal Decree are covered by the competence title expressed in the rule that is the object of the modification.

Seventh final provision. *Powers of development and execution.*

The heads of the Ministries of Health and Universities are empowered, in accordance with their competencies, to issue the provisions necessary for the development and execution of the provisions of this Royal Decree.

Eighth final provision. *Entry into force.*

This Royal Decree shall enter into force on the day following its publication in the Official Gazette.
"Boletín Oficial del Estado".

Given in Madrid, on July 19, 2022.

FELIPE R.

The Minister of the Presidency, Relations with the Courts
and Democratic Memory,
FÉLIX BOLAÑOS GARCÍA

ANNEX I

Criteria for the proposal of a new specialist degree and the revision of established degrees.

Specialty

A specialty is characterized by all of the following criteria:

SPECIALIZED FIELD OF PRACTICE IN HEALTH SCIENCES.

- 1.1 It represents a large and differentiated field of practice in Health Sciences.
- 1.2 It is developed for the improvement of the quality and safety of health care, avoiding fragmentation of health care attention.
- 1.3 Based on the latest advances and knowledge in Health Sciences and justified by scientific and healthcare evidence.
- 1.4 Specialties should strengthen and expand the capacity to effectively care for the health of the population by facilitating continuity of care without fragmenting health care.

Criterion 1.
Descriptors.

IDENTIFICATION OF THE CONTENT/COMPETENCIES OF THE SPECIALTY.

- 2.1 It develops an extensive set of contents and competencies significantly different from those already incorporated in other specialties or degrees in Health Sciences.
- 2.2 It may have content and competencies in common with other specialties.
- 2.3 Its content and competencies are developed in the official training program of the specialty.
- 2.4 It should be ruled out that the competencies of a specialty can be acquired by adapting the official program of another specialty or by increasing its duration.

Criterion 2.
Descriptors.

JUSTIFICATION OF THE NEED FOR A SPECIALTY.

- 3.1 Accreditation of the need for this specialized practice by at least 7 Health Departments and acceptance by the majority of them.
- 3.2 To have its own field of action, which can be recognized and have a work profile.
- 3.3 Need for specialists dedicated to this specialized practice with a number and geographic distribution appropriate to the needs of the population.
- 3.4 Specialties must have long-term financial viability and guarantee the practice of specialists.
- 3.5 Aligned with European Union standards.

Criterion 3.
Descriptors.

IMPLICATIONS WITH OTHER SPECIALTY/S OR OTHER FIELDS OR DISCIPLINES IN HEALTH SCIENCES.

- 4.1 At least 50% of the competencies of the specialty must be exclusive to the specialty.
- 4.2 Specialty training should not reduce the quality of training of others in specialty health training and should provide dedicated and appropriate training.
- 4.3 Specialties will be the foundation for the development of new advanced fields and disciplines of practice and knowledge of specialized health training.

Criterion 4.
Descriptors.

AVAILABILITY OF ADEQUATE RESOURCES TO SUPPORT TRAINING.

- 5.1 Existence of a group of experts with the capacity to provide a program and structures that guarantee training in the specialty.
- 5.2 It generates sufficient demand, interest and resources to establish a critical mass of accredited teaching units and long-term training offerings.
- 5.3 The training time will be adequate for the acquisition of the competencies, being similar to that of the existing related specialties.
- 5.4 Training in a specialty cannot be based on rotation/training stays in other specialties. The period of rotations/training stays in other specialties must be less than 30% of the training period of the new specialty.

Criterion 5.
Descriptors.

ANNEX II

Criteria for the proposal of a new specific training area (ACE) diploma and the revision of established diplomas.

Specific training area

A specific area of training (ACE) is characterized by all of the following criteria: DEEPENING THE BODY OF

SKILLS OF ONE OR SEVERAL SPECIALTIES.

1.1 Development of an advanced level of professional competencies already included in one of the specialties of specialized health training to which it is linked.

1.2 It is developed to improve the quality and safety of health care, as long as this level of professional competencies is not obtained by other existing specialty/s or ACE, avoiding the fragmentation of health care.

1.3 Based on the latest advances and knowledge in Health Sciences and justified by scientific and healthcare evidence.

IDENTIFICATION OF ACE CONTENT/COMPETENCIES.

2.1 Body of advanced level competencies, with a higher level of specialization that adds depth and breadth to those required in the training program of the related specialty/s and justified by scientific and healthcare evidence.

2.2 Increased complexity and depth of competencies that cannot be fully satisfied by the specialty(ies) or other ACE(s).

2.3 ACE competencies cannot be based exclusively on one technique, diagnostic or therapeutic procedure, or on a single disease or health problem.

2.4 ACE competencies are not limited to a Functional Area, which can be the subject of an accreditation diploma/advanced accreditation diploma.

JUSTIFICATION OF THE NEED FOR AN ACE.

3.1 Accreditation of the need for this specialized practice by at least 7 Health Departments and acceptance by the majority of them.

3.2 Training of ACE specialists dedicated to the practice of these contents and competencies with a number and geographical distribution adequate to the needs of the population.

3.3 The ACE must be financially viable in the long term and guarantee the practice of professionals.

3.4 Aligned with European Union standards.

IMPLICATIONS WITH OTHER SPECIALTY/S, ACE OR OTHER FIELDS OR DISCIPLINES IN HEALTH SCIENCES.

4.1 The field of CEA must not reduce the quality of the training of specialists in training in the specialty/s to which it is linked, and must provide dedicated, appropriate and profiled training.

4.2 The official program of the specialty/s to which it will be linked must include a sufficient competency base for the ACE program to achieve the required advanced level of competencies.

AVAILABILITY OF ADEQUATE RESOURCES TO SUPPORT TRAINING.

5.1 Group of specialists in Health Sciences with the capacity to provide a program and structures that guarantee training in the Specific Training Area.

5.2 Generate sufficient demand, interest and resources to establish a critical mass of accredited teaching units and adequate training offerings.

5.3 Training time to obtain the high level of training will be between 20 and 40% of the duration of the specialty/s of origin.

Criterion 1.
Descriptors.

Criterion 2.
Descriptors.

Criterion 3.
Descriptors.

Criterion 4.
Descriptors.

Criterion 5.
Descriptors.