

## Medical activities for educational purposes undertaken by foreign doctors according to § 35 Austrian Medical Act 1998



### Legal prerequisites

Doctors who do not meet the general and specific requirements for medical practice (§ 4 Austrian Medical Act 1998), may be granted **an authorization for engaging in medical activities for educational purposes** (§ 35 Austrian Medical Act 1998).

Such doctors are allowed to engage in medical activities for educational purposes solely **under guidance and supervision** at:

- **university clinics or university institutes** on the grounds of an **authorization by the head of the clinic**, respectively the head of the institute, for a period of up to one year
- all other **hospitals or medical-scientific institutions** on the grounds of an **authorization by the Austrian Medical Chamber**, for a period of up to one year. These institutions must be recognized as teaching hospitals.

### Conditions for authorization

Medical activities for “**educational purposes**” refer to the acquisition of specific therapeutic skills and surgical techniques, the conduct of scientific studies and similar activities aimed at professional training and development. Detailed information on the planned activities and their educational goals must be provided with the application for authorization.

An authorization will only be granted if postgraduate training undertaken by Austrian or EU doctors is not impaired. Therefore, the scope of activities of doctors holding an authorization according to § 35 Austrian Medical Act has to be clearly delimited from the one of doctors in training.

The activities in question have to be substantiated and documented by an adequate description of research activities. In this context, a balanced ratio of specialists and doctors in training is also of importance.

Medical activities undertaken on the basis of an authorization according to § 35 Austrian Medical Act are **not equivalent** to postgraduate training in terms of the Austrian Medical Act and the Austrian Medical Training Regulations.

Therefore, medical activities for educational purposes **cannot be credited** towards training in general medical practice, in a specialty or in a sub-specialty.

### Authorization period

The authorization can be granted for a period of **maximum 1 year**.

It may be **extended** for another year, or until the finalisation of a research project. The maximum prolongation period is three years. A new authorization may be granted not earlier than five years after the date of expiration of the prior authorization.

### Application for authorization

The application has to be submitted to the Austrian Medical Chamber (under [ael-recht@aerztekammer.at](mailto:ael-recht@aerztekammer.at)) or Weihburggasse 10-12, 1010 Wien) or to the respective university clinic.

### Fees

According to the Regulation on administrative fees of the Austrian Medical Chamber, a fee of € 218,27 applies for the initial application with the Austrian Medical Chamber. A fee of € 76,84 applies in case the authorization is prolonged (Rates 2021). In addition, a fee according to the Austrian Fees Act is charged.

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### Registration with the Austrian Medical Chamber

Doctors who have been granted an authorization according to § 35 Austrian Medical Act by the Austrian Medical Chamber or by a university clinic need to register with the Austrian Medical Chamber.

Medical activities may only be taken up **after confirmation of registration** with the Austrian Medical Chamber. The following documents must be submitted as originals or as certified copies. The application for registration has to be submitted in German.

Foreign-language documents must also be presented as certified translations, if necessary.

### Necessary documents

1. **Criminal record certificate** from a competent authority from the home country or country of origin and those countries where the applicant has **resided for more than 6 months within the last 5 years**. At the moment of presentation for registration, the document must have been issued within the last three months
2. **Certificate of Good Standing** from countries, where the doctor has practiced medicine **for more than 6 months within the last 5 years**. As it is only valid for 3 months from the date of issue, it has to be presented for registration within this 3 month period
3. **Medical certificate confirming physical and mental fitness to practice the medical profession**. This certificate has to be made out by a physician who is legally entitled to exercise the medical profession as a general practitioner, or a specialist in internal medicine, or a specialist in occupational medicine, or an occupational health physician. If the certificate was not issued in Austria, it has to be accompanied by a certificate from the competent authority that the issuing physician is authorized to independent medical practice. At the moment of presentation for registration, the document must have been issued within the last three months
4. **Proof of nationality** (f.e. proof of citizenship, passport, identity card)
5. **Proof of lawful residence** on the entire federal territory
6. **Evidence of completion of medical studies**
7. **Grant of authorization** by the Austrian Medical Chamber or by the respective university clinic

### Contact

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under [ael-recht@aerztekammer.at](mailto:ael-recht@aerztekammer.at) or Weihburggasse 10-12, 1010 Wien