



January 2020

Regulation of professional activities

Alternative medicine or complementary therapy sector

A. Overview of key points

In the area of **natural, complementary or alternative therapies**, it is the cantons that decide what professional activities are regulated, what acts are covered by each professional activity, and what training, if any, is required. **The first step is therefore to contact the authority of the canton in which the activity is to be carried out.** Usually, this authority is the cantonal medical office.

This authority will tell you whether the professional activity to be carried out is regulated or not, and if so, what training is required:

1. If the canton **does not regulate the professional activity**, you do not need recognition and can work directly on the basis of your foreign qualification.
2. If the canton requires the Federal Diploma of Higher Education as a complementary therapist or art therapist, please contact SERI for recognition.
3. If the canton requires the Federal Diploma of Higher Education as a natural therapist, please contact the Swiss Red Cross for recognition.
4. If the canton requires another qualification, it is the canton that handles the recognition procedure.

B. More specific details

Cantonal authority can be expressed in different ways:

- Requirement of a qualification in order to perform a certain technique (regulated professional activity): cantonal legislation stipulates that only holders of a specific qualification may provide the complementary or alternative therapy in question. In such case, the regulated professional activity must be clearly described and must indicate which qualification is required (legal basis principle). The legal basis must clearly indicate what training is required in order to carry out the professional activity, e.g. a tertiary-level professional qualification recognised either by the Confederation or by the canton.
- Reserving the activity for a certain professional category (reservation of activity): in this case, cantonal legislation provides that only doctors, for example, can practice the given alternative or complementary therapy. If there is no legal basis regulating the activity, then it may be carried out freely, regardless of whether the person has received training or not¹.

¹ It should be mentioned that this document describes the requirements associated with carrying out the given professional activity and not the requirements for recognition of invoices by the social insurance system.

C. General comments

Under the Agreement on the Free Movement of Persons (AFMP²), professionals from the EU can have their qualifications recognised if the professional activity for which they are qualified in their country of origin is regulated in Switzerland.

This document aims to describe the Swiss regulations in the sector concerned. Regulated professional activities are those that are subject to specific training requirements and where access to the professional activity in question is only possible for professionals holding a specific qualification that is defined in relation to the Swiss education system. Foreign professionals can only access a regulated professional activity once their qualifications have been recognised.

If holders of foreign professional qualifications wish to pursue a professional activity other than the ones described in this document, they are free to do so without obtaining recognition of their qualifications (non-regulated professional activity). In this case, it is the labour market that will dictate their chances of finding employment or securing contracts in the case of self-employed persons..

D. Specific details for EU/EFTA citizens who wish to provide services in Switzerland

Basic principle

In accordance with the Agreement on the Free Movement of Persons (AFMP), professionals who are legally established in the EU/EFTA may provide services in Switzerland without permanently establishing themselves in the country. In such cases, the duration of service provision is limited to 90 days per calendar year.

If the profession they wish to pursue is regulated, they can take advantage of a fast-track verification procedure for their professional qualifications, as set out in EU Directive 2005/36/EC³ and the DRPA⁴. **The service provision must be declared in advance to SERI⁵.** This applies to all professional activities that are regulated at either cantonal or federal level.

Who is a service provider?

Service provision is an economic activity that is practised on a self-employed basis or without conclusion of an employment contract with a Swiss employer. It is remunerated work of a temporary or occasional nature (limited to 90 working days per calendar year) carried out in Switzerland by an individual who is established in a member state of the EU or EFTA. If you require further information, SERI provides a more detailed note on the service provider concept on its website.

Persons who are not service providers within the meaning of the AFMP will not be able to take advantage of the fast-track procedure for the verification of qualifications. They should instead contact the competent authority to seek recognition of their qualifications under Title III of directive 2005/36/EC.

Other obligations

In all cases, persons intending to provide services must also register with the State Secretariat for Migration (www.sem.admin.ch > Entry & Residence > Notification procedure for short-term work in Switzerland). This obligation also applies to non-regulated professional activities.

² Agreement of 21 June 1999 between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, SR 0.142.112.681.

³ Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, OJ L 255 of 30.9.2005, p. 22, in the current version in accordance with the agreement on the free movement of persons and the revised EFTA Convention.

⁴ Federal Act of 14 December 2012 on the Declaration Requirement and the Verification of Service Provider Qualifications in Regulated Professions, SR 935.01.

⁵ www.sbf.admin.ch/declaration