



## Appendix 5

### MINISTRY OF HEALTH

#### Decree-Law No. 480/88

23rd December

The development of the nursing teaching among us, adjusted to international standards, namely European ones, and guided by the permanent seeking of the improvement of health care, has determined the requirement of a parallel level to that necessary for higher education in terms of the minimum admission qualifications.

However, opposite to what is advocated by the World Health Organisation and by the Council of Europe and contradicting the evolution registered in the European Communities, the nursing teaching has remained apart from the national education system, which resulted in clear damages.

Therefore, it is urgent to proceed to the integration of nursing teaching into the national education system, guaranteeing the academic recognition of the several training levels.

Thus:

In accordance with article 201(1) (a) of the Constitution, the Government decrees the following:

#### Article 1 Nursing Teaching

1 – The nursing teaching is integrated into the national education system, at the polytechnic higher education level, and shall be offered in higher education nursing schools.

2 – The network of higher education nursing schools shall be established by joint order of the Ministers of Finance, Education and Health, without prejudice to the conversion of the present schools, by means of a joint order of the Ministers of Education and Health.

3 – The nursing teaching shall be under the responsibility of the Ministries of Education and Health.

4 – The responsibility foreseen in the previous paragraph shall take place under conditions to be defined in accordance with paragraph 2.

#### Article 2

##### Higher education nursing schools

1 - The higher education nursing schools shall be endowed with legal identity, enjoy administrative, technical, scientific and pedagogical autonomy and guided by regulations to be approved by regulating decree.

2 – The higher education nursing schools shall organise and lecture:

a) The higher degree course in Nursing;

b) Specialised higher degree courses in nursing.

3 - The study plans of the courses mentioned in the previous paragraph shall be approved by joint order of the Ministers of Education and Health, on proposal of the scientific boards of the schools.

4 – The higher education nursing schools shall also:

a) Develop the scientific and technical research, within their scope of activity;

b) Organise improvement and updating courses aiming at the valorisation of the nursing professionals, the qualitative development of nursing care and the optimisation of the operational costs of health care services;

c) Pedagogically support the bodies of permanent education in the nursing field;

d) Collaborate in the sanitary development of the regions in which they are included;

e) Cooperate with public and private entities, national or foreign, with a view to the improvement of the scientific level of nursing.

### Article 3

#### **The Higher Degree Course in Nursing**

1 – The higher degree course in nursing shall have the duration of three years.

2 – The approval in the course mentioned in the previous paragraph confirms the adequate scientific and technical qualification for the provision of general nursing care at the three prevention levels, directed at the individual, the family and the community, as well as the ability to participate in:

a) The management of nursing services;

b) The teaching related to the respective work area;

c) Research studies in the nursing field.

3 – The academic degree of bachelor, as well as the professional title of nurse, shall be awarded on successful completion of the higher degree course in Nursing.

### Article 4

#### **Specialised higher degree courses in Nursing**

1 – The specialised higher degree courses in nursing may be established at the higher education nursing schools.

2 – The specialised higher degree courses in Nursing shall be established by joint order of the Ministers of Education and Health.

### Article 5

#### **Approval in the specialised higher degree courses**

1 – The approval in the specialised higher degree courses in Nursing confirms the scientific and technical competence in a specific area of expertise of the profession at the level of more complex nursing care.

2 – The approval in the specialised higher degree courses in Nursing provides the capacity for:

a) The management of nursing services;

b) The nursing teaching;

c) The practice of research within the scope of nursing.

3- The diploma in specialised higher degree courses in Nursing is equivalent to the licentiate degree for professional and academic purposes.

4 – The specialised higher degree courses in Nursing, which create a coherent set together with the bachelor degree course, may lead to the awarding of the licentiate degree.

### Article 6

#### **Admission to the higher degree course in Nursing**

1 – The application, matriculation and enrolment in the higher degree course in Nursing are regulated by the provisions of Decree-Law No. 354/88, 12<sup>th</sup> October.

2 – The competences assigned to the Minister of Education by the diploma mentioned in the previous paragraph shall be carried out jointly by the Ministers of Education and Health, as well as those referring to the Directorate-General of Higher Education and the Coordination Office of Admission to Higher Education, with the Nursing Teaching Department.

### Article 7

#### **Admission to the specialised higher degree courses**

The conditions of admission to the specialised higher degree courses in nursing are:

a) The approval in the higher degree course in Nursing, or the equivalence to the bachelor degree in accordance with the present diploma;

b) Two years of professional experience confirmed by a competent entity and obtained after the completion of the higher degree course in Nursing and obtained after the completion of the higher degree course in Nursing;

#### Article 8

##### Opening of vacancies

The vacancies for matriculation and enrolment in the 1<sup>st</sup> year of each course of the higher education nursing schools, as well as in the specialised higher degree courses shall be established by joint order of the Ministers of Education and Health.

#### Article 9

##### Equivalence of qualifications

Nurses qualified with foreign courses legally recognised in the respective countries for the exercise of the nursing profession may be granted equivalence to the corresponding Portuguese qualifications, in accordance with Decree-Law No. 283/83, 21<sup>st</sup> July, without prejudice to what is established for citizens of member states of the European Communities.

#### Article 10

##### Conditions of equivalence

1 – The present nurses with a qualification which, at the time it was obtained, was considered adequate for the access to higher education shall be granted equivalence to the bachelor degree, or to the diploma of specialised higher degree courses in Nursing, according to whether they have, respectively, obtained approval in the

General Nursing course or legal equivalent, or have obtained approval in the specialisation courses in Nursing which the Decree-Law No. 265/83, 16<sup>th</sup> June refers to, or in the Pedagogy and Administration Course for specialist nurses, which the Ministerial Order No. 681/82, 8<sup>th</sup> July, refers to.

2 – Independently of the provisions of the previous paragraph, and during a one year period from the date of entry into force of the present diploma, the equivalence to the bachelor degree may also be granted by means of curricular evaluation carried out by a jury, appointed by joint order of the Ministers of Education and Health, in which the following shall be taken into account:

a) The qualifications of the claimant;

b) The training in nursing;

c) The exercise of the profession;

d) The teaching in nursing;

e) The contribution to the development of nursing;

f) The academic training and qualification in other knowledge areas.

3 – The jury mentioned in the previous paragraph may condition the granting of the equivalence to a specific complementary training.

4 – The equivalences mentioned in the previous paragraphs shall be granted by order of the Minister of Education on request of the claimants, once the necessary requirements are verified.

#### Article 11

##### Teaching career

1 – The teaching career in the higher education nursing schools shall be established by a special diploma, in accordance with the Statutes of the Career of the Teaching Staff of Polytechnic Higher Education.

2 – The present teachers of the nursing schools and the present nursing technicians of the teaching field may be integrated into the career mentioned in

the previous paragraph, in accordance with conditions which shall be defined by that diploma.

#### Article 12 Regime of transition

1- For a maximum period of five years, from the implementation of the higher course in Nursing, the following courses may continue to be lectured:

a) The General Nursing course, mentioned in article 7 (b)) of Decree-Law No. 38 884, 28<sup>th</sup> August 1952, and the course of the Technical Nursing School, mentioned in Decree No. 30 447, 17<sup>th</sup> May 1940, with the amendments introduced by Decree-Law No. 445/85, 24<sup>th</sup> October, for the students enrolled on the date of publication of the present diploma;

b) The specialisation courses in nursing mentioned in article 4 (1) (a)) of Decree-Law No. 265/83, 16<sup>th</sup> June;

c) The Pedagogy and Administration course for specialist nurses, mentioned in the Ministerial order No. 681/82, 8<sup>th</sup> July;

d) The course of applied pedagogy to the nursing teaching and the course of administration of nursing services mentioned in Article 14 (2) of Decree-Law No.178/85, 23<sup>rd</sup> May.

2 – During the transitory period, the holders of nursing courses legally established at the date of entry into force of the present diploma may be granted equivalences, in accordance with the legislation in force at that date.

#### Article 13 Integration of the staff of the schools

1 – The staff of the converted nursing schools shall be integrated in the permanent staff lists of the higher education nursing schools.

2 – The integration of the current in-service staff at the converted schools into permanent posts mentioned in the previous paragraph shall be carried out

without prejudice to the general law, in accordance to the following rules:

a) Into a category equivalent to the one already achieved by the staff member;

b) Into a category corresponding to the functions currently performed by the official or agent, rewarded by the same payment bill or by the payment bill immediately superior in the structure of the career in which the integration takes place, when there is no coincidence of remuneration, since the staff member holds the legally required qualifications.

#### Article 14 Revocatory norm

1 – The following are hereby revoked:

a) Decree No. 30 447, 17<sup>th</sup> May 1940;

b) Article 7 of the Decree-Law No. 38 884, 28<sup>th</sup> August 1952;

c) Decree-Law No. 49 173, 5<sup>th</sup> August 1969;

d) Ministerial Order No. 681/82, 8<sup>th</sup> July;

e) Article 14 (1) (2) and article 19 (4) of Decree-Law No. 178/85, 23<sup>rd</sup> May;

f) Article 25 of the Decree-law No. 445/85, 24<sup>th</sup> October;

g) Ministerial order No. 34/88, 15<sup>th</sup> January;

h) Decree-Law No. 261/88, 23<sup>rd</sup> of July.

2 – The revocation of the norms mentioned in the previous paragraph shall not interfere with the provisions of article 13 of the present diploma.

Seen and approved in Council of Ministers of 3<sup>rd</sup> November 1988 – *Aníbal António Cavaco Silva – Miguel José Ribeiro Cadilhe – Roberto Artur da Luz Carneiro – Maria Leonor Couceiro Pizarro Beleza de Mendonça Tavares.*

Promulgated on 10th December 1988.  
Let it be published.

The President of the Republic, MÁRIO  
SOARES.

Countersigned on 13<sup>th</sup> December 1988.

The Prime Minister, *Aníbal António  
Cavaco Silva*