



**Framework for Developing Consistent Descriptions of Regulatory Models:
Mexico**

This document provides a broad overview of the model(s) of regulation for professions and occupations. It is brief by design and aims to introduce the reader to the model(s) in place. The author is involved in professional and occupational regulation in the country discussed and their contribution is gratefully acknowledged. This project was initiated by the International Relations Committee of the Council on Licensure, Enforcement and Regulation (CLEAR), from where additional resources can be located at <http://www.clearhq.org/links.htm>

General Question:

1. Is the regulatory model consistent for each profession and occupation, or are there substantial differences?

- In general the regulatory model is consistent; however, there are some profession-specific requirements for suppliers of certain professional services. These are the actuarial profession, medicine, engineering and accountancy. Legally, these professions must be certified.

Philosophy/Purpose:

2. Describe the primary purpose of the model (e.g., public protection).

- The primary purpose of the model is to monitor professional practice with the collaboration of the Boards, in order to guarantee to the society that practitioners have both completed the necessary academic education, and met the legal requirements required to practice a profession.

Government Structure

3. Describe how regulatory entities are organized (e.g. nationally, by state, province, municipality etc).

- The regulatory entities are organized by Federal and State order. The license to practice a profession is issued by the government (Public Education Secretariat), and the professional certification is given by the Boards or by some specific government entities.

4. Explain how regulatory entities interact and share power with other branches of government.

- Each State has its own regulations, however to create the National Register of Professions, several Agreements for the “Coordination and Unification of the Professional Record”, were signed by the Federal Executive, the conduit of the Public Education Secretariat and the Governments of the States.

Authority Basis:

5. On what legal basis is the authority of regulatory entities derived?

- By the Political Constitution of the Mexican United States, as well as for its regulation laws.

Regulation Creation Framework:

6. Describe how the legislative process works when creating the authority for regulatory entities.

- The initiative of Law is sent to the two chambers of the Congress, for its review and approval, and later the law is promulgated.

7. Explain how public involvement and comment is incorporated into the process.

- The users of the service of the regulatory entities (public involvement) are allowed to make considerations about the service.

8. Describe how professionals and consumers influence regulations.

- They influence regulations because they express their opinion. Generally those opinions are given by the professional Boards.

9. Explain how political involvement influences regulations.

- When a draft law is presented, members of the Congress of the Union, express their ideology as well as their political direction.

Regulatory Entities

10. Illustrate how regulatory entities (e.g., board, agency, college) are typically constituted and the degree to which they include practitioners, the public, and other stakeholders.

- Each piece of legislation (Federal, and at State Level) indicates the number of members that are needed in order to constitute a Board, as well as the number of Boards that are allowed by each professional branch. All the Boards must be registered with the Public Education Secretariat.

11. Detail how participants in the regulatory process are typically appointed to regulatory entities.

- Vacancies are published on a government Internet site and interested persons must register their Curriculum Vitae on the site. Candidates meeting a regulatory body's background requirements are selected for examination. Candidates passing all examination sections are interviewed by staff of the regulatory entity prior to appointments being made.

12. Give examples of administrative and disciplinary functions typically undertaken by regulatory entities.

- Record of professional Degrees and expedition of professional license.
- Authorization and record of professional Boards.
- Expedition of professional precedents.
- Cancellation of professional license.

13. Describe the typical funding structure of regulatory entities.

- The regulatory entities are part of the government, for that reason they are funded by the public budget.

14. Indicate how much autonomy regulatory entities enjoy.

- The regulatory entities are 100% regulated by the Regulations issued at Federal and at state level.

15. Describe the relationship between regulatory entities and the professional membership organization, where different.

- The professional membership organizations are regulated by the regulatory entities. The professional membership organizations collaborate with the regulatory entities in the monitoring of professional practice.

Practice Requirements:

Broadly speaking, prior to beginning practice in a regulated profession or occupation, do requirements exist that must be met in the following areas:

16. education and training;

- Before obtaining a professional degree the student must fulfill a social service.

17. background checks;

- Not applicable

18. experience;

- Not applicable

19. examination(s) a candidate must pass;

- The candidate must undertake research work in order to produce a thesis, and also needs to take a professional exam. This exam is carried out at the university where the candidate is studying.

20. continuing competence requirements for renewing practitioners;

- In order to preserve the professional certification (i.e. license) the practitioners are obligated to take a program of professional continuing education.

21. fees practitioners must pay for entry to the profession;

- The fees vary widely

22. fees practitioners pay as part of continuing practice requirements;

- The fees vary widely

23. language(s) in which practitioners are expected to be proficient;

- Spanish

24. conduct that could cause withdrawal of a practitioner's right to practice?

- Medical negligence.

Inter-Jurisdictional Recognition of Regulation:

25. Describe the reciprocity/endorsement/mutual recognition that exists with other government entities.

- As described in the answer to question four, several collaboration agreements were signed between all the regulatory entities (all of them are part of the government) in order to built Professional Records at a national level.

26. Identify international recognition and trade agreements that are affected.

- The previously mentioned disposition does not affect international recognition or the trade agreements. In fact, the creation of the “National Record of Professionals” facilitates cross-border trade of services.

27. Are regulatory entities typically ISO 17024 accredited?

- Currently the majority of regulatory entities are only certified by ISO 9000. However, there is a program that is similar to ISO 17024, (Professional Service of Career) which applies to any discipline, with the objective of demonstrating the competence of certified individuals.

Commonly Used Terms:

28. List definitions of technical terms someone outside the regulatory agency may require to better understand the program.

- Not applicable