

	<b>Graduate Medical Education</b>	
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Policy Title: <b>Visa Policy</b>		
ACGME Institutional Requirement: <b>NST I.A.</b>		Page 1 of 2

**I. Purpose**

The purpose of this policy is to ensure that all non-citizens applying to residency and fellowship programs at LECOM, in addition to meeting residency and fellowship eligibility requirements, must either have Permanent Resident Status, an Employment Authorization Card or be eligible to obtain one of the following employment visas: J-1, F-1OPT, or H-1B Transfer.

**II. Definitions**

Resident: Any physician in an accredited graduate medical education program, including interns, residents, and fellows.

**III. Policy**

Residency and Fellowship Programs at LECOM will ensure that all non-citizens applying to residency and fellowship programs must either have Permanent Resident Status, an Employment Authorization Card or be eligible to obtain one of the following employment visas

Sponsored Visa Categories:

**A. J-1 Visa**

1. The J-1 visa is a temporary nonimmigrant visa reserved for participants in the Exchange Visitor Program. As a public diplomacy initiative of the U.S. Department of State, the Exchange Visitor Program was established to enhance international exchange and mutual understanding between the people of the United States and other nations. In keeping with the Program's goals for international education, J-1 exchange visitor physicians are required to return home for at least two years following their training before being eligible for certain U.S. visas.
2. The Educational Commission for Foreign Medical Graduates (ECFMG) is authorized by the U.S. Department of State (DOS) to sponsor foreign national physicians as Exchange Visitors in accredited programs of graduate medical education or training or advanced research programs (involving primarily observation, consultation, teaching or research). Exchange Visitors sponsored by ECFMG receive a Certificate of Eligibility for Exchange Visitor (J-1 Visa) Status (Form DS-2019). This document is used to apply for the J-1 visa.
3. Foreign national physicians seeking J-1 sponsorship to enroll in programs of graduate medical education (GME) or training in the United States must fulfill a number of general requirements, which are detailed in the application materials. At a minimum, applicants must:
4. Have passed Step 1 and Step 2 Clinical Knowledge (CK) of the United States Medical Licensing Examination™ (USMLE™) or COMLEX Step 1 and Step 2 and COMLEX PE [and/or an acceptable combination of components of the former \*Foreign Medical Graduate Examination in the Medical Sciences (FMGEMS), the National Board of Medical Examiners® (NBME®) Part sequence, or the Visa Qualifying Examination (VQE)]; Hold a valid Standard ECFMG Certificate at commencement of training;
5. Hold a contract or an official letter of offer for a position in a program of graduate medical education or training that is affiliated with a medical school;
6. Provide a Statement of Need from the Ministry of Health of the country of most recent legal permanent residence, regardless of country of citizenship. This statement provides written assurance that the country needs physicians trained in the proposed

specialty and/or subspecialty. It also serves to confirm the applicant physician's commitment to return to that country upon completion of training in the United States, as required by Section 212(e) of the Immigration and Nationality Act, as amended.

**B. F-1 OPT Visa**

1. An F-1 student is a nonimmigrant who is pursuing a full course of study towards a specific educational or professional objective, at an academic institution in the United States that has been designated by the Immigration and Naturalization Service (INS) to offer courses of study to such students.
2. The "Citizenship and Immigration Services" (CIS) may authorize students in F-1 status to engage in "optional practical training" (OPT) for up to 12 months after completion of studies, provided the appointment can be completed in 12 months. This OPT authorization is appropriate for the first or matched year, which is a 1-year contract. International Medical Graduates who receive US medical degrees while in F-1 status may apply to the CIS for OPT work authorization.
3. If the CIS grants employment authorization, the individual may use that authorization for residency education for a period of 12 months. The F-1 "designated school official" (DSO) at the US medical school can usually provide information necessary to make employment eligibility determinations for these graduates. Pending meeting program requirements, students engaged in OPT for 12 months could be sponsored for further training under the H-1B visa status.

**C. H-1B Transfer**

1. The H visa category is for the temporary employment or training of foreign nationals by a specific employer. The H-1B visa allows professional foreign physicians to work in the US in specialty occupations for up to six years.
2. Programs may consider candidates who are presently holding H-1B visas from other training programs. Each training program will apply certain program specific criteria for screening of H-1B applicants. The program then will present these candidates to the GMC for final approval.
3. There are several basic requirements physicians must meet to enter into an H-1B status to perform clinical medicine, including the following:
  - Have a license or other authorization required by the state where they will practice.
  - Have an unrestricted license to practice medicine in a foreign country or have graduated from a foreign or U.S. medical school; and
  - Have passed the appropriate licensing examinations. The USMLE has become the exclusive examination for over 12 years. Passage of some earlier examinations is still recognized, but "mixing and matching" parts of different examinations is not permitted for H-1B purposes. Please refer to the Graduate Medical Education Accredited Residency and Fellowship Program Eligibility Requirements for a listing of acceptable licensing examinations.