

**LEHIGH VALLEY HOSPITAL
Graduate Medical Education**

GME Policy - Resident Visas

Immigration Visas for Graduate Trainees – Protocol and Options

It is the policy of the Lehigh Valley Health Network to comply with the immigration laws of the United States, requiring all residents who are non-US citizen foreign national physicians to obtain and maintain an immigration status that permits employment by the Institution for the purpose of graduate medical training.

Careful examination of visa status should be conducted early in the recruiting process as programs consider applications for rank listing in the Match. All non-US applications should be referred to the Immigration Liaison for preliminary screening. This process is especially important for fellowship programs or transfer residents, where existing visa status could potentially limit the time for applicants to complete required years of training without potential disruption to the training program. The liaison will also review eligibility criteria for first time visa applications, to ensure the required exams are met, national advisories are considered, and general themes of particular visa pathways are followed.

Although several types of visas may qualify a resident who is a non-US worker to practice clinically, it is the preference of the Graduate Medical Education Committee to participate in the J-1 visa sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG), specifically the Exchange Visitor Sponsorship Program (EVSP). The objectives of EVSP are to enhance international exchange in the field of medicine and to promote mutual understanding between the people of the United States and other countries through the interchange of persons, knowledge and skills. ECFMG is responsible to ensure that all Exchange Visitors and host institutions meet the federal requirements for participation.

The immigration liaison is the acting Training Program Liaison (TPL) who serves as the official representative to communicate with ECFMG. This communication ensures regulatory compliance and provides the required administrative oversight for J-1 physicians. Communication regarding all aspects of J-1 sponsorship must be conducted through the TPL. Immediately after obtaining a training contract, the foreign national physician and the onboarding program coordinator should initiate the sponsorship process by contacting the immigration liaison to begin the process.

Key Points of the J-1 Visa

- Endorsed by American Medical Association
- Requires Step 1 and 2 USMLE examination

- No cost to institution
- Two year return home requirement, with visa
- No moonlighting permitted
- No prevailing wage requirement
- Overall time limit for J-1 physician is seven years, limited to the length of a normal training program in the specialty for which the physician is being trained, as recognized by the Accreditation Commission for Graduate Medical Education (ACGME).

Consideration may be given to additional visa options when a program is interested in pursuing a resident applicant in lieu of J-1 sponsorship. These options include H1b, FI-OPT/CPT or TN.

Programs assume financial responsibility, including but not limited to return travel expenses, as well as other monetary obligations that may be incurred as a result of the H1 B visa process. The Legal Services Department of LVHN receives all invoices for legal fees associated with H1b visa process.

Programs interested in ranking applicants seeking initial H1b sponsored visas require approval by the Designated Institutional Official (DIO). DIO approval is not required for graduate trainees currently in H1b status, as the visa is considered portable and the candidate is considered work eligible once a new petition is filed. Candidates approved for H1b visa (new or portable) are required to work with Network-appointed immigration counsel, communication of which is facilitated by the immigration liaison. Upon matching or otherwise offering a graduate training position to a candidate in need of immigration visa, programs will inform the DIO, OGME and immigration liaison, providing application and match information to initiate the appropriate visa process.

Key Points of the H I -B Visa

- Work permit
- Must meet prevailing wage amount -required for all like PGY positions
- Sponsored by Institution
- Legal fees/cost to program - \$2,000 (\$1,500 for extensions)
- 6 year time limit on H status, inclusive
- USMLE Steps 1, 2 & 3 and ECFMG Required

- Institution must bear expense of return home travel if terminated by program and the physician elects to return to the home country
- Moonlighting is not permitted without the express approval of the program director. If approved, residents in H1b status who wish to engage in moonlighting activities must pursue separate part-time H1b work authorization with the prospective employer from USCIS. A Resident is not permitted to work for any employer other than LVHN unless authorized to do so under the US Immigration Laws. LVHN is not responsible for any expenses associated with obtaining H1b work authorization for moonlighting. Refer to the LVHN Moonlighting Policy for additional information.

Key Points of the F I-CPT (Curricular Practical Training) or F1-OPT (Optional Practical Training) Visas

- Recommended for one year programs or for those eligible for H1b visa sponsorship for programs with longer training years.
- Sponsored by Medical School (extension of student visa)
- No cost to institution
- No prevailing wage requirement
- Good for one year period and is non-renewable (Dates must coincide with training cycle.)

Key Points of the TN Visa

- For Applicants from Canada and Mexico
No cost to institution
- For Dental Residents Only
- No prevailing wage requirement
- Good for one year period and is renewable

Approved by the Graduate Medical Education Committee

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