

**LEHIGH VALLEY HEALTH NETWORK**  
**Graduate Medical Education**

**GME Policy - Graduate Trainees Visas**

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**I. SCOPE:**

Lehigh Valley Health Network (LVHN) adopts this policy for the following selected licensed entities:

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| <input checked="" type="checkbox"/> Lehigh Valley Hospital                           | <input type="checkbox"/> Lehigh Valley Hospice                |
| <input type="checkbox"/> Lehigh Valley Hospital – Hazleton                           | <input type="checkbox"/> Pocono VNA / Hospice                 |
| <input type="checkbox"/> Lehigh Valley Hospital – Pocono                             | <input type="checkbox"/> Lehigh Valley Home Care – Schuylkill |
| <input type="checkbox"/> Lehigh Valley Hospital – Schuylkill                         | <input type="checkbox"/> Lehigh Valley Home Care – Hazleton   |
| <input type="checkbox"/> Transitional Skilled Unit                                   | <input type="checkbox"/> LVHN Children’s Surgery Center       |
| <input type="checkbox"/> Lehigh Valley Home Care                                     | <input type="checkbox"/> LVHN Surgery Center – Tilghman       |
| <input type="checkbox"/> Lehigh Valley Hospital – Coordinated Health Allentown       |   |
| <input type="checkbox"/> Lehigh Valley Hospital – Coordinated Health Bethlehem       |   |
| <input type="checkbox"/> LVHN East Stroudsburg Ambulatory Surgery Center             |   |
| <input type="checkbox"/> LVHN Ambulatory Surgery Center of Lopatcong (in New Jersey) |   |

**Medical and Dental Resident and Fellow Physicians**

**II. POLICY:**

**Non-Immigrant 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 graduate trainees 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 restrictions on their 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 (such as the ECFGME Bulletins) are considered, and general themes of particular visa pathways are followed.

The objective of the Exchange Visitor Sponsorship Program (EVSP) is 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.

LVHN's Training Program Liaison (TPL) 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 home residency requirement upon completion of the J-1 visa program.
- 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 H-1B, FI-OPT or TN.

For more information on how to apply for or maintain a J-1 Visa please visit:

<https://travel.state.gov/content/travel/en/us-visas/study/exchange.html>



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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 H-1B visa process. The Legal Services Department of LVHN receives all invoices for legal fees associated with H-1B visa process.

Programs interested in ranking applicants seeking initial H-1B sponsored visas require approval by the Designated Institutional Official (DIO). DIO approval is not required for graduate trainees currently in H-1B status, as the visa is considered portable and the candidate is considered work eligible once a new petition is filed. Candidates approved for H-1B 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 non-immigrant 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-1 B Visa

- 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, graduate trainees in H-1B status who wish to engage in moonlighting activities must pursue separate part-time H1b work authorization with the prospective employer from USCIS. A graduate trainee 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 H-1B work authorization for moonlighting. Refer to the LVHN Moonlighting Policy for additional information.

#### Key Points of the F1-OPT (Optional Practical Training) Visas:

- Recommended for one-year programs or for those eligible for H-1B 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

For more information on how to register for or maintain an H-1B Visa please visit:

<https://www.uscis.gov/working-in-the-united-states/temporary-workers/h-1b-specialty-occupations-and-fashion-models/h-1b-electronic-registration-process>



**III. DEFINITIONS: N/A**

**IV. PROCEDURE: N/A**

**V. REFERENCES: N/A**

**VI. ATTACHMENTS / FORMS: N/A**

**VII. DISCLAIMER:**

This policy and the implementing procedures are intended to provide a description of recommended courses of action to comply with statutory or regulatory requirements and/or operational standards. It is recognized that there may be specific circumstances, not contemplated by laws or regulatory requirements that make compliance inappropriate. For advice in these circumstances, consult with the Departments of Risk Management and/or Legal Services, as appropriate.

**VIII. REVIEW:**

Origination: mm / yyyy

Review / Revision: mm / yyyy, mm / yyyy

**Approved by the Graduate Medical Education Committee**

<b>Approved by:</b> Margaret Hadinger (Dir Grad Med Educ / Dio)	<b>Approval Date:</b> 09/15/2021
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