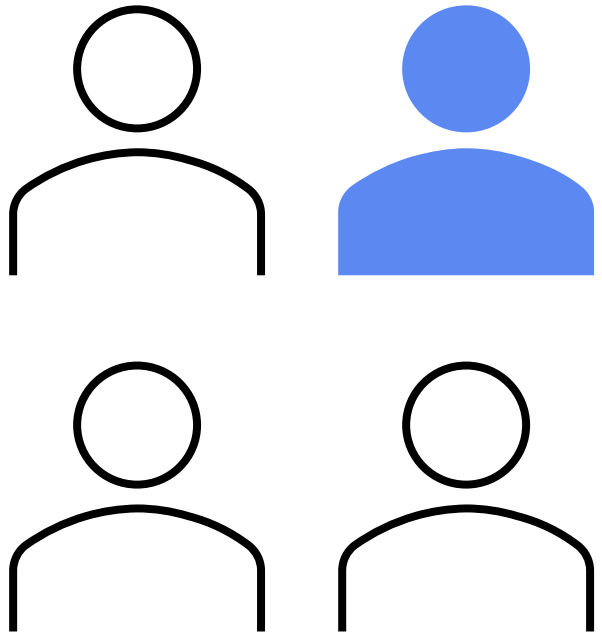
How IMGs Can Successfully Navigate the Visa and Job Search Process

Physician Immigration & Job Placement



STJOHNJOBS.COM

Approximately one quarter of the of the US physician workforce is comprised of international medical graduates



These physicians are vital, especially in rural and underserved communities

Source: American Medical Association, https://www.ama-assn.org/education/international-medical-education/advocacy-action-clearing-imgs-route-practice

About St. John Associates

Alex St. John, President and CEO

- *National leader in physician recruiting for over 33 years*
- *Searches always free for job seeking physicians*
- *Serves physicians in all states, specialties, career stages*
- *Make your search easier and efficient*
- *Recruiters with long term expertise, market knowledge, direct employer connections*
- *Browse jobs for free at StJohnJobs.com, sign up for job alerts*

Topics in This Session

- Navigating the Job Search Process
- Types of Visas
- Application Path and Timeline
- Alternative Pathways
- Working with an Immigration Attorney

How Can SJA Help Visa Candidates?

Licensing requirements

Identifying eligible job opportunities

Connecting you directly to employers

Attorney referrals

Keeping the process on track

Application Path and Timeline to Residency

Joseph R. Fuschetto, Immigration Attorney

Application Path	***Timeline***
J-1	**J-1**
Find a program, match into a program, obtain ECFMG Certification, attend visa interview	*2-4 months after you receive for DS-2019 form, not including job search and completing ECFMG certification*
H-1B	**H-1B**
Find a Program, match into a program, obtain ECFMG Certification, program files H-1B Petition, attend visa interview abroad	*3-6 months but delays are common*

Immigration Overview

Types of Visas

J-1

Most popular option for IMG residents

Must pass USMLE Step 1 and Step 2 or equivalent

Conrad 30 and other waiver programs to obtain 2-year foreign residence waiver

Most popular option for residency/fellowship, about 65% of IMGs do their training in J-1

Requires a waiver after training is complete

H-1B

Sponsored by medical employer

Must pass USMLE step 3

No foreign residence requirement, pathway to permanent residency

65,000 cap, exception for 20,000 more

If residency is done in H-1B, you do not need to obtain a waiver

O-1

Reserved for those who are of the absolute top of their field

Requires significant amount of documentation

J-1 Waivers

Conrad 30

Most popular option for IMGs

Each state is allowed 30 waivers each year

Each state has different regulations that can vary significantly

Allows for flex waivers in most states

HHS/Regional Centers

HHS is most popular, but only open to primary care and hospitalists in certain areas of high needs

There are a number of regional centers with J-1 waiver programs such as the Delta Regional Authority, VA, Appalachian Regional Commission, and Southeastern Cresent Regional Commission

Each program has their own rules

Common Attributes

After waiver is approved, you are eligible to change status into H-1B to complete your waiver service

Must complete 3 years of full-time direct patient care to complete waiver

Cannot file for permanent residency (except PNIW) until waiver service is complete

Moving employers during waiver service can be difficult

H-1B Visa

- A visa for noncitizen professionals initially granted for up to 3 years with a total length of 6 years, and even longer if a Green Card petition is approved
- Can be used to complete residency and fellowship but be careful not to exceed the 6-year time limit
- Normally subject to a congressionally mandated cap of 85,000 but all approved J-1 waivers provide cap-exemption for subsequently filed H-1Bs and most teaching hospitals are also cap-exempt
- Material changes to employment require filing of amended petition
- Dependents can obtain H-4 visa status, spouse can work if an I-140 is approved

O-1 Visa

- Normally a visa of last resort
- Requires proving the alien has an extraordinary ability by meeting 3 of 8 categories or having an award in the field such as a Nobel Prize
- Very discretionary but approval rates are relatively high for physicians
- Time spent in O-1 does not count toward J-1 Waiver Service Requirements
- Quick approval time and right to work, but if coming from J-1 you must leave the country and visa stamp

Permanent Residency

- These other types of visas are not permanent
- They do not allow an unrestricted path to work or citizenship
- To obtain Permanent Residency, an immigrant petition must be filed and upon receipt an applicant is issued a “priority date”
- A Green Card applicant must then wait until their priority date is current to finish the process
- Priority date waits are determined by country and category and updated monthly (e.g. currently most Indian physicians 12 to 40 years, Brazilian physicians about 3 years)

Physician National Interest Waiver ("PNIW")

- It is most often a self-petition by a physician who intends to work in a medically underserved area for 5 years
- Must have approval of state department of health
- In many states, time spent in Conrad service counts towards 5 years of PNIW
- PNIW-based I-485s can be filed during Conrad 30 service
- Particularly useful for physicians with a current priority date because it allows them and spouse to take on employment without new H-1B filing and for areas where the employer is likely to receive applicants
- Fees can be paid by physician

Labor Certification aka PERM

- Traditional path to employment-based Green Card for most professions
- PERM requires recruiting be conducted through a Department of Labor-authorized method
- A prevailing wage is also determined by the DoL
- PERM recruiting is highly technical, typos and missed deadlines can result in denial or audit
- PERM can also fail if you find a US Citizen physician willing to take the job
- All PERM and PERM-based Green Card fees must be paid by employer
- Process takes approximately 2 to 3 years, parts can be completed during waiver service
- PERM and PNIW are not mutually exclusive and in most cases, the safest course is to file both

Documentation Needed

Valid USMLE Scores

> *Specific requirements vary by visa type*

Medical School Transcripts, Diploma Verification

Current CV

> *Highlighting clinical experience and research*

Valid Passport and Any Other Current Visa Documentation

ECFMG Certification

Statement of Need from Your Home Country

> *For certain visa types, not all*

Letters of Recommendation

> *Should come from supervisors and colleagues*

Potential Complications

Conrad 30 Falls Through

If not selected by one state, the application cycle can still be open in other states so continue looking

Look to VA, HHS, and other regional commissions which are not capped and can accept applications at any time

An O-1 visa may be available

Application Denied

PERM failure is not uncommon and, in many cases, proof the system works

221g and other visa stamping/travel issues are frequent even with H-1B connected waivers

The new administration has consistently been changing enforcement policies

Bad Employment Situations

The J-1 Waiver and PERM processes make unhappy employment situations protracted

It is possible to leave employment in either situation, but it may delay Green Card issuance or waiver completion

Look to self-petitioned cases in these instances such as PNIW, NIW or EB-1A

Why Work with an Immigration Attorney

- *Guidance through immigration and naturalization laws*
- *Employment Contract negotiation*
- *Each immigration case is specialized and what worked for a friend or associate may not work for you- a variety of factors can impact the work*
- *Obtaining visas for your family, in addition to you*
- *Healthcare immigration is a relatively small and complex field- make sure your attorney is experienced and ideally associated with the IMGT taskforce, the attorney association that specializes in this work*
- *Not all practice groups are experienced with the requirements of physician immigration*

Q&A Session

Please submit any questions into the chat



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