

Looking for  
the perfect  
candidate  
to fill your  
healthcare  
position?



## HIRE A J-1 VISA WAIVER PHYSICIAN

International Medical Graduates (IMGs) are a large percentage of the pool of physicians available. Colorado has a program called the J-1 Visa Waiver program that allows up to 30 IMGs to practice in rural or urban underserved communities across our state. Let the Colorado Primary Care Office walk you through the process!

### Benefits of hiring an IMG

- **FILL** your vacant position(s)
- **SAVE** money by not paying for locums any longer
- **EXPAND** your services with an additional provider
- **INCREASE** physician retention by easing call schedules with the help of Hospitalist-trained IMGs

### Reasons IMGs are great hires

- **FLEXIBILITY**—Some IMGs will take primary care positions even if they have additional fellowship training
- **TRAINING**—Some IMGs have work experience from their home countries and many are trained as Hospitalists
- **COMMITMENT**—IMGs have a required three-year service commitment and want to find permanent work in the U.S.
- **PREPAREDNESS**—Many IMGs come from rural backgrounds and are a good fit for a rural lifestyle; they have lived in the U.S. for 3-5 years and are proficient in English
- **DIVERSITY**—IMGs are from a wide variety of countries and are often multilingual

### By the Numbers

(Source: AAFP 2010)

Percentage of first year medical residents nationwide that are IMGs:

- **26%** across all fields
- **39%** of Primary Care Internal Medicine residents
- **55%** of Family Medicine residents

### Did You Know?

- At this moment Colorado has over 60 vacant underserved or rural Family Medicine and Internal Medicine positions
- It takes an average of one year to fill a position; some positions are not filled for two or three years
- Colorado allows up to 30 IMGs to practice in the state every year, but only uses an average of eight openings per year

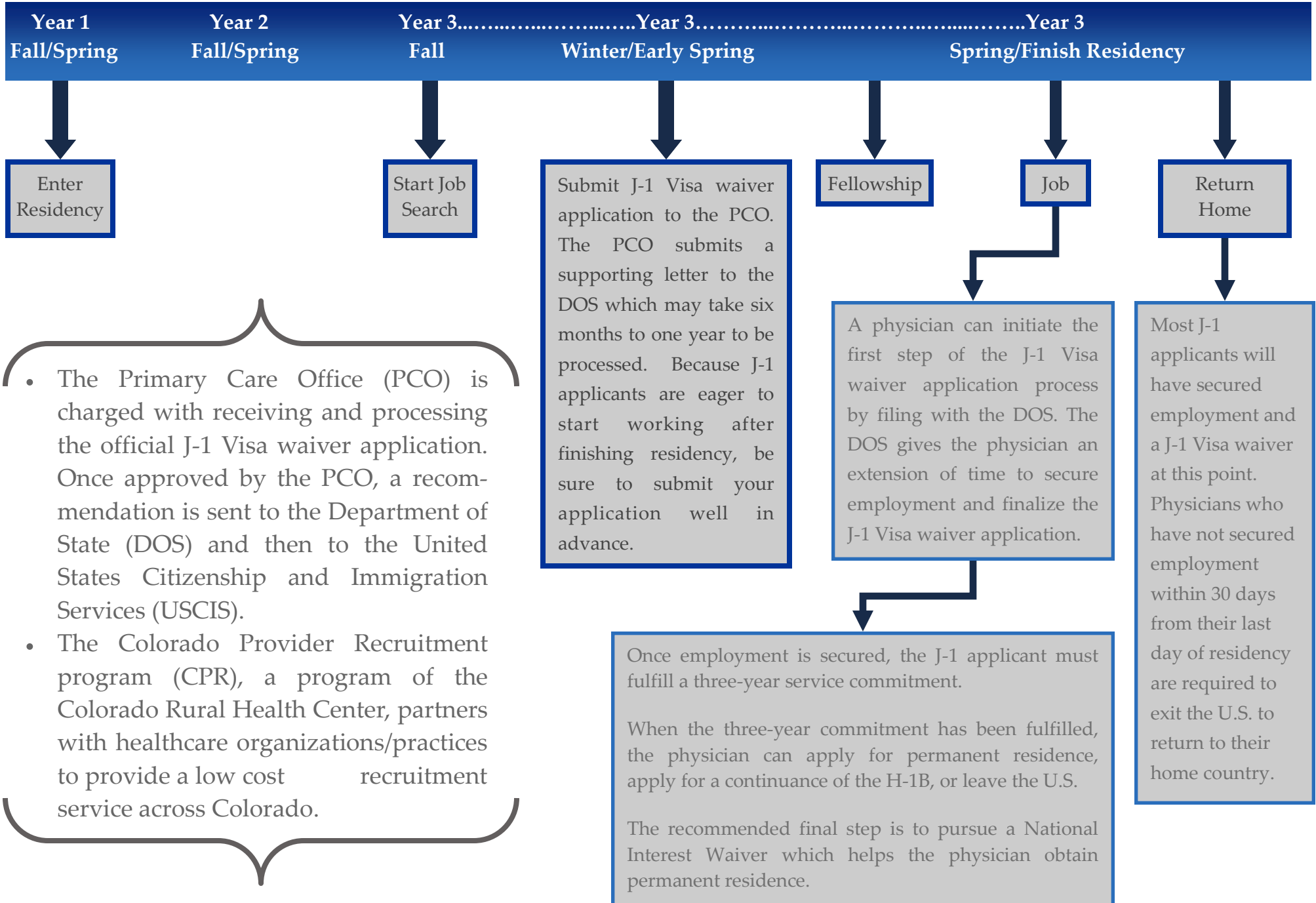
**To recruit an IMG physician:** contact the Colorado Provider Recruitment Program (CPR):

- [cpr@coruralhealth.org](mailto:cpr@coruralhealth.org)
- 303.832.7493
- [www.coruralhealth.org/programs/cpr](http://www.coruralhealth.org/programs/cpr)

**To begin the application process:** contact Amber Galloway Stephens at the Primary Care Office:

- [amber.galloway@state.co.us](mailto:amber.galloway@state.co.us)
- 303.692.2406
- <http://www.cdphs.state.co.us/pp/primarycare/index.html>

# J-1 Visa Waiver Job Search Timeline



- The Primary Care Office (PCO) is charged with receiving and processing the official J-1 Visa waiver application. Once approved by the PCO, a recommendation is sent to the Department of State (DOS) and then to the United States Citizenship and Immigration Services (USCIS).
- The Colorado Provider Recruitment program (CPR), a program of the Colorado Rural Health Center, partners with healthcare organizations/practices to provide a low cost recruitment service across Colorado.

Submit J-1 Visa waiver application to the PCO. The PCO submits a supporting letter to the DOS which may take six months to one year to be processed. Because J-1 applicants are eager to start working after finishing residency, be sure to submit your application well in advance.

A physician can initiate the first step of the J-1 Visa waiver application process by filing with the DOS. The DOS gives the physician an extension of time to secure employment and finalize the J-1 Visa waiver application.

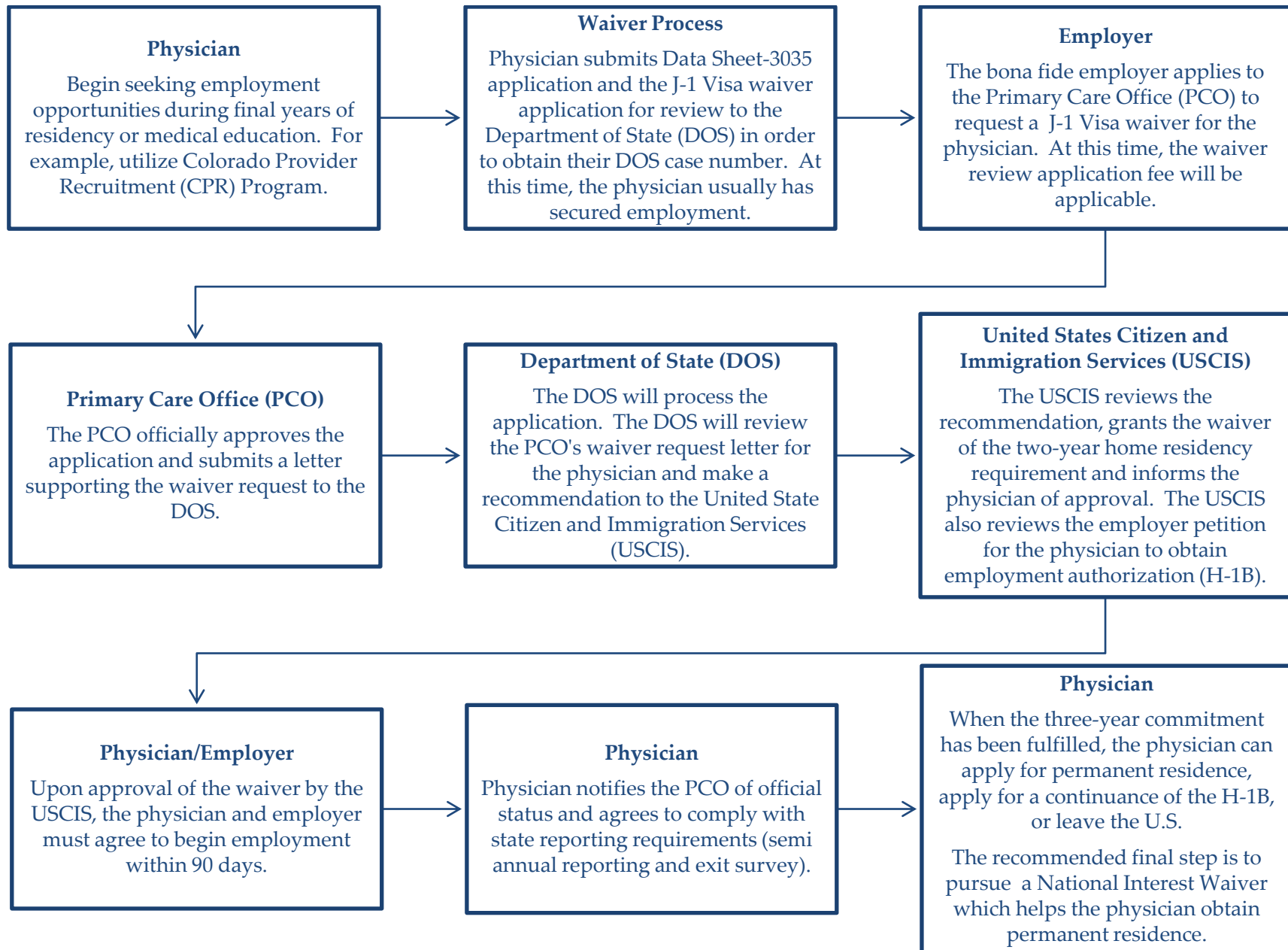
Once employment is secured, the J-1 applicant must fulfill a three-year service commitment.

When the three-year commitment has been fulfilled, the physician can apply for permanent residence, apply for a continuance of the H-1B, or leave the U.S.

The recommended final step is to pursue a National Interest Waiver which helps the physician obtain permanent residence.

Most J-1 applicants will have secured employment and a J-1 Visa waiver at this point. Physicians who have not secured employment within 30 days from their last day of residency are required to exit the U.S. to return to their home country.

# J-1 Visa Waiver Application Process for Physician to Work in an Underserved Area



# Overview of the Federal J-1 Visa Waiver Requirements

Federal law requires international physicians seeking graduate medical education in the United States (U.S.) to obtain a J-1 Exchange Visitor Visa. The J-1 Visa allows physicians to remain in the U.S. until their medical studies are completed. Upon completion, physicians must return to their home country for a minimum of two years before they can return to the U.S. on a different Visa. Physicians who are subject to home return may apply for a waiver of that requirement under any of the following grounds, as provided by U.S. immigration law:

- 1) Exceptional hardship to spouse or child who is a U.S. citizen or permanent resident
- 2) Persecution if forced to return to his/her home country
- 3) A statement in support of a waiver from an interested U.S. government agency
- 4) A statement in support of a waiver from the Colorado Primary Care Office (PCO)

Each state is allotted 30 J-1 waiver recommendations to the U.S. Department of State (DOS) under provision 4 each federal fiscal year (October 1 – September 30). The DOS reviews the application and makes a recommendation to the U.S. Citizenship and Immigration Services (USCIS) as to whether the residency waiver should be granted.

The USCIS makes the final determination and will inform the applicant and the PCO of their decision. From the time of application receipt, the approval process typically takes 3-4 months in its entirety.

Step 1: J-1 applicants must complete and send a Data Sheet-3035 application to the DOS. Forms can be downloaded at:  
[http://travel.state.gov/visa/temp/info/info\\_1296.html](http://travel.state.gov/visa/temp/info/info_1296.html)

Step 3: Application to the PCO at the Colorado Department of Public Health and Environment (CDPHE) must be made requesting that the state act as an interested governmental agency in support of the waiver request.

Step 2: Once the Waiver Review Division has received the Data Sheet-3035 application, the physician will be sent a case number and instructions on how to proceed with the application.

Step 4: Approved applications are submitted by the PCO at CDPHE to the DOS for final review.

Final Step: The DOS makes a recommendation and forwards the application to the USCIS for final approval.

## FAQs for Employers Interested in International Medical Graduates (IMGs)

### 1. What is a J-1 Visa?

A J-1 Visa allows an International Medical Graduate to come to the United States under an educational exchange program for up to seven years. When the visa expires, the physician must return to his/her home country for a minimum of two years before applying for a permanent visa in the United States. J-1 Visa categories include Physicians, Professor and Research Scholar, Trainee, International Visitor, Government Visitor, College & University Student, and Short-Term Scholar.

The basic requirements to apply for a J-1 Visa are:

- Participants must have sufficient funds to cover all expenses or must have a sponsoring organization that will provide full support.
- Participants must have the required education for the particular program they are entering.
- Participants must have a good understanding of the English language or must be entering a program for non-English speakers.
- Participants must be willing to serve medically underserved populations in exchange for a waiver.

### 2. How much does the J-1 Visa Waiver application review cost?

Effective April 14, 2010, an application fee was assessed in exchange for a complete application review and waiver determination by the Colorado Primary Care Office. Fees are non-refundable in the event that the Governor's Designee declines to support a waiver petition, the United States Department of State or the United States Citizenship and Immigration Services declines to grant a waiver, the physician fails to begin a service commitment, or the physician or employer terminates a service commitment prior to the end of a service obligation. The cost for the J-1 Visa waiver application review by the Colorado Primary Care Office is \$1,000. In addition to state waiver review fees, attorney fees range anywhere from \$2,000 to \$20,000; this is assessed on a case-by-case basis. For more information on immigration attorney fees and resources, visit the American Immigration Lawyers Association website at <http://www.aila.org>. Typically, the cost of the waiver is negotiated and shared by both the employer and the physician.

### 3. How can I recruit a J-1 applicant?

It is strongly recommended that any employer interested in recruiting a J-1 applicant contact the Colorado Provider Recruitment Program to access J-1 registered physicians searching for employment in Colorado. Please visit their website for contact information and details on the Colorado Provider Recruitment program at [www.coruralhealth.org/programs/cpr](http://www.coruralhealth.org/programs/cpr).

### 4. How long does the J-1 Visa application process take after the organization has selected an International Medical Graduate?

The process varies in length depending on how experienced the employer is with hiring an International Medical Graduate and depending on the various processing times of the United States Department of State and the United States Citizenship and Immigration Services. The Colorado Primary Care Office ensures review of the application within 30 days of receipt.

The general steps are as follows:

- Step 1: Prospective J-1 physician must complete and send a Data Sheet-3035 application to the United States Department of State. Forms can be downloaded at: [http://travel.state.gov/visa/temp/info/info\\_1296.html](http://travel.state.gov/visa/temp/info/info_1296.html).
- Step 2: Once the Waiver Review Division (within the United States Department of State) has received the Data Sheet-3035 application, the physician will be sent a case number and instructions on how to proceed with the application.
- Step 3: Application to the Primary Care Office at the Colorado Department of Public Health and Environment must be made requesting that the state act as an interested governmental agency in support of the waiver request.
- Step 4: Approved applications are submitted by the Primary Care Office at the Colorado Department of Public Health and Environment to the United States Department of State for final review.
- Step 5: The United States Department of State makes a recommendation and forwards the application to the United States Citizenship and Immigration Services for final approval.

## 5. Where and how are J-1 applicants licensed in the state of Colorado?

A J-1 applicant may be eligible for licensure consideration when he/she has successfully:

- Graduated from medical school; The Colorado Board of Medical Examiners reviews international medical schools on a case-by-case basis. Any questions or concerns regarding school acceptance should be directed to Board staff.
- Passed the examination required by the Educational Commission for Foreign Medical Graduates (ECFMG): Contact ECFMG to request a Status Report of ECFMG Certification (<http://www.ecfm.org>).
- Completed three years of Accreditation Council for Graduate Medical Education (ACGME)/ American Osteopathic Association (AOA) approved clinical post-graduate training in the United States OR Canada.
- Passed one of the following United States Exams:
  - National Exam of Medical Examiners Exam (<http://www.nbme.org/new.version/cert.form.htm>)
  - Flex Exam (<http://www.fsmb.org>)
  - United States Medical Licensing Exam (<http://www.usmle.org>)
  - United States State Board Exam: If a J-1 applicant did not take any of the above national exams but successfully passed a state-constructed exam, state verification scores are requested. Applicants must have a valid unsuspended, unrevoked license in the state where the exam was taken or in another state where the applicant was licensed by reciprocity based on the original state's exam.

## 6. Can you tell me about an International Medical Graduate's English language skills?

Language requirements for an International Medical Graduate are fairly substantial. The International Medical Graduate is required to pass the Test of English as a Foreign Language (TOEFL) exam before entering an educational institution, complete a three-year residency program in the United States where they learn American medical practices and pass all medical exams in English. All International Medical Graduates are exceptionally proficient/fluent in English.

## 7. What type and quality of training (medical school in a foreign country) do International Medical Graduates receive?

All International Medical Graduates interested in the J-1 Visa program have completed medical school in a foreign country. Most physicians have also completed a majority of their training and residency in the United States. Once the physician has completed residency training he/she must have passed either:

- United States Medical Licensing Examination (USMLE) Step 1 and Step 2 Clinical Knowledge (CK)
- The former Visa Qualifying Examination (VQE), National Board of Medical Examiners (NBME) Part I and Part II or the Foreign Medical Graduate Examination in the Medical Sciences (FMGEMS)
- An acceptable combination of any of the above mentioned exams for licensure

Physicians participating in the J-1 program must be licensed in the state they are seeking/have employment.

## 8. Will a J-1 physician leave after their three-year commitment is over and how can I best retain a physician in my community?

According to a report produced by the Colorado Primary Care Office in 2006, 60 percent of J-1 physicians remain in Colorado once their service commitment is complete and 40 percent stay in the community in which they were initially hired. As part of the J-1 application, it is required that the employer/organization develop a retention plan, in order to increase the possibility of the physician remaining in the community.

## 9. What is the timeframe and financial impact of going through the J-1 Visa application process?

The timeframe of the process varies due to the several entities that individually process the J-1 Visa waiver. The financial impact also varies for each applicant. The Primary Care Office ensures review of the application within 30 days of receipt and has a non-refundable visa waiver review fee of \$1,000. In addition to the state waiver review fee, attorney fees range anywhere from \$2,000 to \$20,000, but this is assessed on a case-by-case basis.

## 10. Is there a list of steps that should be completed before recruiting an International Medical Graduate?

A Waiver Application Checklist is available on page three of the International Medical Graduate application packet at <http://www.cdphe.state.co.us/pp/primarycare/img/j1applicationguidance.pdf>.

## 11. Are we recruiting physicians from countries that need them more than the United States?

Currently, the United States has a shortage of primary care providers while other countries, such as India, have an excess of educated physicians. After a physician finishes his/her schooling and residency, they are eager to begin working. However, most physicians come from countries where there are limited available jobs or opportunities to practice at their full capacity. The J-1 Visa waiver program was implemented to help fill the primary care professional shortage in the United States and obtain experienced and educated providers who may have limited or no opportunity to practice in their home country. These physicians want to stay in the United States to practice and will likely pursue permanent residence status in the United States once their employment obligation is complete. As with any other profession, individuals have the right to decide where they will work and live.

## 12. What countries do International Medical Graduates generally come from?

International Medical Graduates are recruited from around the world. India provides 20 percent of the United States' International Medical Graduate workforce, followed by the Philippines, Mexico, Pakistan and the Dominican Republic.

## 13. What are the facility requirements to employ a J-1 applicant?

The Colorado Department of Public Health & Environment is committed to assisting all residents of Colorado with improved access to high quality, affordable healthcare. The Primary Care Office within Colorado Department of Public Health & Environment considers J-1 Visa waiver applications if the following conditions are satisfied.

The facility is required to:

- Be located in an area of the state designated by the Secretary of Health and Human Services as having a shortage of healthcare professionals. Applications outside of a health professional shortage area designation will be considered if strong evidence of a shortage in the physician's specialty is provided and the healthcare facility can demonstrate a history of providing care to the medically underserved (Medicaid, Medicare and uninsured).
- Be able to guarantee the J-1 applicant will work at least 40 hours per week for three years in primary care (family or general practice, general internal medicine, general pediatrics, general obstetrics/gynecology, general psychiatry) or in a medical specialty if certain conditions are met (including six months of recruitment for the position, a competitive salary, location in a Health Professional Shortage Area or a Medically Underserved Area, and evidence that the specialty is needed in the service area). In competitive J-1 Visa waiver application years (30 or more applications received), outpatient primary care placements will generally be considered before specialty placements and placements outside of a Health Professional Shortage Area.
- Practice in the public interest (provide care to the Medicaid, Medicare and uninsured populations of the service area).
- Provide a retention plan for the potential J-1 applicant position.
- Provide evidence of recruitment efforts.
- Sign and adhere to the Colorado Department of Public Health and Environment's, Primary Care Office, Statement of Commitment to Comply with Program Requirements, which includes bi-annual reporting for the three-year service obligation and a brief employer exit survey.

## 14. Must all physicians applying through the J-1 Visa Waiver program work at a facility located in a Health Professional Shortage Area?

The Colorado J-1 Visa waiver program has a preference for outpatient, primary care placements located in a Health Professional Shortage Area, but will consider applications outside of a Health Professional Shortage Area for specialists and inpatient assignments if the healthcare facility can demonstrate a shortage of that specialty in the area of service. The application must show the entire facility is able and willing to serve the underserved population of the service area (Medicaid, Medicare and uninsured patients).

### 15. Is it a requirement for all J-1 applicants to practice in primary care?

The Colorado Primary Care Office strongly supports and prioritizes J-1 applicants practicing in primary care due to the shortage of primary care providers in the state. The Colorado J-1 Visa waiver program allots for 30 J-1 physicians each year. 10 of the 30 slots are considered “flex,” meaning the J-1 applicant can practice outside of a Health Professional Shortage Area or practice in specialty care as long as there is a demonstration of need.

### 16. I have heard Colorado will not accept an application from the J-1 applicant or an attorney. Is this true?

Requests for a J-1 Visa waiver must be submitted by the Colorado healthcare facility (employer) desiring to hire the physician. Most often, the employer, applicant and attorney simultaneously work to complete the necessary steps in obtaining the J-1 Visa waiver recommendation from the Colorado Primary Care Office. The Colorado J-1 Visa waiver program has a preference for outpatient, primary care placements, but will consider applications for specialists and inpatient assignments if the healthcare facility can demonstrate a shortage of that specialty within the service area.

