

**Department of Health and Human Services (HHS)  
Office of Global Affairs (OGA) &  
Health Resources and Services Administration (HRSA)**

**J-1 Visa Waiver for Clinical Care  
September 2018 Overview**

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**Division of Policy and Shortage Designation (DPSD)**

**Bureau of Health Workforce (BHW)**

**Health Resources and Services Administration (HRSA)**



# J-1 Visa Waiver Physicians – Background:

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- International Medical Graduates (IMGs) enter the U.S. for Graduate Medical Training on a J-1 Visa
- Two-Year Return Home Requirement when Training Completed
- Waiver of Requirement in Return for 3 Years' Service in HPSA or MUA/P
- Waiver Request may be made by:
  - Federal Agency (HHS, ARC, DRA, VA)
  - States & District of Columbia (“Conrad 30”)



# Physician Eligibility

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## Primary Care Specialties:

Family Practice  
Internal Medicine  
Pediatrics  
OB/GYN  
General Psychiatry

No More Than One Year Between  
Completion of the Primary Care Residency  
And  
The Start Work Date



# Physician Application Requirements

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Department of State Data Sheet (2 copies)

Readable copies of **J-1's** IAP-66 and/or DS 2019 forms  
for each year in J-1 status

IMG Physician Statement.  
[22 CFR Chap. 1, Sec.41.63(C)(4)(iii)]

Current CV, including Social Security number.

Three letters of recommendation from U.S. residents  
who know the J-1 physician's qualifications

Credentials (diplomas, licenses/application).



# Facility Eligibility

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A Health Center as defined under Section 330  
of the Public Health Service Act;

A Rural Health Clinic as defined under Sections 1102 and 1861  
of the Social Security Act;

or

A Native American/Alaskan Native Tribal medical facility as defined by  
the Indian Self Determination and Education Assistance Act (P.L. 93-  
638).

HHS will accept applications from qualified facilities in or with a  
HPSA score of 7 or higher.



# Facility Application Requirements

## HHS 426

1. Submitter's cover letter and G-28, if appropriate
2. Rural health clinic must submit copy of Letter of Certification from CMS
3. Letter of need from medical facility, on the facility's letterhead paper
4. Three letters of community support for the hire
5. State health department support/acknowledgment letter
6. Department of State Attestation [22 CFR Chap. 1, Sec. 41.63(C)(4)(ii)]



# Facility Application Requirements (Cont'd.)

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Copy of executed contract:

- be of three years' duration,
- obligate the physician to work 40 hours per week, and
- specify the site in which the physician will work

**NOTE:** Contract may not contain a non-compete clause or restrictive covenant.

Prevailing wage form.

Evidence of employer's regional and national recruitment efforts

Proof of facility's existence



# How the Waiver Process Works

- Physician Applies to Dept. of State for Case #
- Physician Signs Employment Contract with Site
- Site Applies to Interested Government Agency (IGA) for Waiver Request
- IGA Sends Waiver Request to Dept. of State
- Dept. of State Recommends Waiver to USCIS
- USCIS Grants Waiver
- Physician Applies to USCIS for H1-B Visa
- USCIS Issues H1-B Visa
- Physician Begins 3-Year Service Period





# HHS and Conrad 30 Relationship:

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## Separate Activities

- HHS has no Statutory or Regulatory Role
- Conrad 30 Waiver Physicians Must be placed in Federally-Designated Shortage Areas (Except FLEX)

## Opportunities for Collaboration

- HHS/HRSA Supports State Primary Care Offices (PCOs)
- PCOs Administer Many State Conrad 30 Programs
  - Assess Needs at Local/State/National Levels
  - Cooperate in Physician Distribution
  - Build sustainable health care delivery sites



# Contact Information

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**<https://www.hhs.gov/about/agencies/oga> –  
'About OGA' link, 'Exchange Visitor Program' link**

- 45 CFR Part 50 (Regulation)
- Form HHS 426 (Application)
- Supplement B (Supporting Documentation)
- Requirements for Waiver for Clinical Care





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