



<b>Tufts Medical Center - (GME)</b>	<b>Subject: Visa Sponsorship</b>	<b>File Under: Policy # GME 114</b>
<b>Issuing Department: Graduate Medical Education</b>		<b>Latest Revision Date:</b>
<b>Original Procedure Date: February 2, 2012</b>	<b>Page 1 of 4</b>	<b>Approved By: Associate CMO for GME Chair, GMEC Director, Physician Services</b>

**PURPOSE:**

For all foreign national physicians who require visa sponsorship in order to participate in a clinical training program at Tufts Medical Center.

**ELIGIBILITY:**

This policy applies to all Tufts Medical Center sponsored residency and fellowship programs accredited by the ACGME.

**RESPONSIBILITY:**

Programs ensure that visa sponsorship forms are completed annually or before the current visa's expiration date, whichever comes first.

**POLICY:**

Acceptable visa types for a residency/fellowship at Tufts Medical Center are as follows:

1. J1 visa – Alien Physician: **The standard** visa for residents/fellows who are not an United States citizen or permanent residents, issued by the Education Commission on Foreign Medical Graduates (ECFMG);
2. J2 visa: - Issued to the dependent of a J1 visa holder (read J2 visa procedure below);

3. H1B visa: - only supported in unique and unusual circumstances that require prior approval from the GME Office (read H1B visa procedure below);
4. Permanent Resident Application pending: - candidates in this situation will be issued Employment Authorization Documentation (EAD) card which must be renewed.

## **PROCEDURE:**

### **J-1 Visa—Alien Physician Procedure**

Candidates must fill out the appropriate J-1 Application on the ECFMG website and then it will be submit to the ECFMG Training Program Liaison in GME on an annual basis.

Information regarding the on-line application materials can be found on the ECFMG website: <http://www.ecfm.org/evsp/application-index.html>.

If a resident/fellow on J-1 visas wishes to do an elective rotation to a site not within the host institution, special permission must be obtained from ECFMG—your program coordinator must contact the GME office for more information.

#### **Average J-1 application processing times:**

- Standard completed applications
  - 2-4 weeks (during the busy season--April, May, June, July)
  - 1-3 weeks (during the non-busy season)
- Non-standard complete applications:
  - 6+ weeks (during the busy season--April, May, June, July)
  - 4-6 weeks (during the non-busy season)

### **J-2 Visa Procedure**

Any residents/fellows training on a J-2 visa are required to obtain an EAD card on an annual basis. Renewal can take up to six (6) months processing time. The J-2 spouse is responsible for ensuring that the J-1 spouse applies for J-1 visa renewal annually and allows enough time for EAD card renewal for the J-2 spouse. The J-2 spouse must also inform the program of any changes to the J-1 spouse's visa sponsorship, as J-2 sponsorship is directly linked to J-1 sponsorship.

## **H-1B Visa Procedure**

In limited situations, meeting the criteria specified below, the Graduate Medical Education Office, will support the use of an H-1B visa may be considered for candidates who have passed the USMLE Step 3 exam and who provide documentation that meets one or more of the following criteria:

1. Applicant currently holds a valid H-1B visa (*provide copy of Form I-797, Notice of Action*)
2. Applicant is the spouse/registered domestic partner of a U.S. citizen, permanent resident (“green card” holder), or individual holding an H-1 or O-1 visa (*provide copy of marriage certificate or H-4 document*)
3. Applicant/applicant’s spouse has a permanent resident petition pending with a likely chance of success (*provide copy of proof of petition*)
4. Applicant is not eligible for or would face a hardship on a J-1 visa due to unique immigration circumstances (e.g., applicant already obtained a J-1 waiver; applicant who has to return home periodically to care for ill parent faces higher risk of being denied re-entry on J-1 visa ) (*provide letter explaining reason for hardship*)
5. The department has offered or is strongly considering the applicant for a faculty or research position after applicant completes the training program (*provide letter identifying intentions of department after applicant finishes training program*)

To obtain GME approval for all H-1B visas, the program must submit a completed documentation that supports one or more of the criteria for offering an H-1B visa to an incoming resident or fellow. The GME office will respond in writing to the department/program indicating whether the request to apply for the H-1B visa is approved or denied.

**Training programs are responsible for ALL costs and fees** associated with preparing and filing H-1 B visas for residents/fellows. Training programs are required to use the services of International Affairs Office at Tufts University.

If a training program terminates or non-renews a resident/fellow appointment before the individual’s H-1B visa expires, **the training program is responsible under U.S. Citizenship and Immigration Services regulations to pay the H-1B physician’s airfare back to his/her home country.**

## **Moonlighting**

- Moonlighting for residents/fellows on J-1 visas is not permitted under any circumstances.
- A resident/fellow on an H-1B visa wishing to moonlight must obtain a separate H-1B visa for each facility where the resident/fellow works outside the training program.
- See the GME Moonlighting policy for further information/clarification, if required.

## **RESPONSIBILITY OF:**

Graduate Medical Education

### **Authors:**

Members of the Graduate Medical  
Education Committee

### **Date:**

February 2, 2012

### **Approved by:**

Graduate Medical Education Committee  
Medical Board