



Georgia J-1 Visa Waiver Program

The purpose of the Georgia J-1 Visa Waiver Program is to improve access to quality healthcare in underserved communities of Georgia by sponsoring international medical graduates holding J-1 Visas. The Program is designed to be consistent with other laws, regulations, health care programs and policies of the state of Georgia, the U. S. Department of State (DOS), the United States Citizenship and Immigration Services (USCIS) and the Appalachian Regional Commission (ARC).

Upon completion of medical training in the home country, a physician may enter the United States on a J-1 Visa in order to serve his/her residency in a fully accredited United States medical facility. Upon completion of the residency program, the physician is required by law to return to his/her home country for a period of two years before being allowed to apply for an immigrant visa, permanent residence, or change to a new non-immigrant status. Physicians who do not wish to comply with the two-year home country residence requirement may apply for a waiver under five applicable grounds including a request by a U. S. Government Agency or a State Department of Health. This is known as a J-1 Visa Waiver.

The Department of Community Health/State Office of Rural Health (DCH/SORH) is responsible for the interpretation of this Policy. The factors that will determine recommendation of a Waiver will be made on, but are not limited to, the following:

- Compliance with State and Federal laws and regulations;
- Need for the service;
- Community support for the placement;
- Employer's commitment to treating patients regardless of their ability to pay;
- Physician's intent to work with the medically underserved on a long-term basis;
- Effect of placement on other programs and policies of Georgia.

A **Georgia healthcare facility** wishing to hire a J-1 physician must meet the following requirements:

- Be located in a designated Health Professional Shortage Area (HPSA), designated Medically Underserved Area (MUA) or be a Federally Qualified Health Center (FQHC);
- Be currently in operation or ready to operate when the J-1 physician commences employment;
- Recruit for U. S. medical graduates at least six months before signing a contract with a J-1 physician;
- Agree to sponsor the J-1 physician's H1B visa for three years and to execute an appropriate employment contract;

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- Agree to accept Medicaid, Medicare and uninsured patients;
- Agree to charge uninsured patients on a sliding fee scale schedule;
- Agree to have a written policy of non-discrimination of patients visually posted;
- Agree to notify SORH, in writing, of physician's start date within 30 days of said date;
- Agree to site visits by SORH staff and
- Agree to uphold this policy in its entirety.

J-1 Physician Eligibility:

- Current immigration status;
- International medical graduate;
- Completed residency/fellowship training from a U. S. medical school;
- Board Certified or eligible;
- Licensed or applying for licensure in Georgia;
- Agree to practice 40 hours per week at the approved site in the approved discipline;
- Agree to accept Medicaid, Medicare and uninsured patients;
- Agree to see uninsured patients on a sliding fee scale schedule;
- Agree to semi-annual reports to SORH;
- Agree to site visits by SORH staff; and
- Agree to uphold this policy in its entirety.

The Georgia Conrad State 30 Program accepts slots divided into three categories:

1. **20 Primary Care slots:** Internal Medicine, Family Practice, Pediatrics, OB/GYN or Psychiatry.
2. **5 Primary Care/Sub-specialties:** physicians in this category must agree to practice part-time primary care and part-time sub-specialty.
3. **5 Sub-specialties only.**

Conrad State 30 Application Process:

1. Applicant sends completed application to SORH.
2. Upon favorable review by SORH, the application is forwarded to the United States Department of State (DOS).
3. Upon favorable review by DOS, the application is forwarded to the United States Citizenship and Immigration Services (USCIS) for final approval.

J-1 Visa Waiver Program Monitoring:

Within 30 days of the physician's start date, physician and employer are responsible for submitting a Placement Verification form.

Written reports will be due on a semi-annual basis for the duration of the 3-year obligation period.

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Site visits will be made periodically throughout the 3-year obligation. The purpose of the site visit is to verify that the physician and employer meet the eligibility requirements and that semi-annual reports contain accurate information. Participants will be notified, in writing, of any J-1 Policy breaches uncovered during the site visit and will have 30 days to rectify the situation before disciplinary action is taken. Serious violations may warrant the initiation of deportation procedures against the J-1 physician and/or limit the participation of the employer in the J-1 Program.

SORH does not have the authority to mediate between employer and employees participating in the J-1 Program; to investigate allegations for wrong doing from either party, or to enforce labor standards. If SORH becomes aware of such issues, we will recommend seeking advice from an attorney or contacting the appropriate agency (i.e. Medicaid Fraud & Abuse, Department of Labor, and USCIS).