

POLICY MANUAL

Date of Issue: 08/08	Policy #: GME-8242-029
Revisions: None	Department of Primary Responsibility: Graduate Medical Education
Subject: Sponsorship Visas for Residency Training	Distribution: GMEC Committee, Program Directors, Program Managers and Coordinators, Residents, Department Chairs

Scope: All foreign national physicians participating in an accredited graduate medical education training program sponsored by the Ochsner Clinic Foundation (Ochsner).

Definition(s): The term resident used throughout this document refers to all interns, residents and subspecialty residents (fellows) enrolled in an Ochsner Clinic Foundation sponsored postgraduate training program.

Policy: Ochsner accepts foreign national physicians into its accredited residency and fellowship with J-1 visas sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG).

Procedures

J-1 Visa

The J-1, or Exchange Visitor visa, is a temporary non-immigrant visa sponsored by the ECFMG for foreign national physicians to participate in graduate medical training in the United States. The duration of participation for J-1 physicians in graduate medical education is the "time typically required" to complete the program, and duration is further limited to seven years, provided that the J-1 physician is advancing in an approved program of graduate medical education or training. The J-1 visa holder is further obligated to return to their country of most recent legal permanent residence for at least two years immediately following the completion of their training. The GME Office supports and administers J-1 visa applications with sponsorship by the ECFMG for residents in Ochsner-Sponsored, accredited programs.

J-1 Eligibility and Requirements:

Exchange Visitors applying for a J-1 visa must be eligible for visa sponsorship under the criteria set forth by the ECFMG, including successful completion of USMLE Steps 1 and 2 (CK & CS) and

ECFMG Certification. A full listing of eligibility requirements and application materials is available on the ECFMG website at <http://www.ecfm.org>.

Application materials must be submitted to the Ochsner Graduate Medical Education Office and not submitted directly to the ECFMG. Application fees and other registration costs, as well as reporting changes to the Immigration and Naturalization Service, are the responsibility of the resident or fellow.

It is the J-1 visa holder's personal responsibility to maintain lawful status while in the United States and while training within an Ochsner-sponsored, accredited GME training program. Lawful status is evidenced by possession of an active SEVIS record along with the corresponding DS-2019 Form and I-94 Record (Arrival/Departure Record) or I-797 Form (Notice of Action).

Residents on a J-1 visa who wish to travel internationally must have a travel endorsement on the DS-2019 Form. If the resident/fellow does not possess a DS2019 with a current travel validation, they must request a duplicate [form DS2019](#) for travel from the ECFMG.

Residents on a J-1 visa are not permitted to moonlight.

H-1B Visa

Effective August 1, 2008 H1B visas for Graduate Medical Education are no longer sponsored. Residents currently in an Ochsner-Sponsored residency training program with a H1B visa issued prior to August 1, 2008 will be allowed to continue training until the current program has been completed.

Program requests for H-1B sponsorship visa for residents otherwise ineligible for a J-1 Visas are reviewed on a case-by-case basis and subject to approval by the Ochsner GME Department and the DIO. All written requests for exception must be approved in advance by the DIO with written confirmation from the Office of Graduate Medical Education (no verbal approvals) before the department may accept a foreign national physician into a Ochsner-Sponsored accredited training program. The salary for an H-1B must be consistent with the prevailing wage for employed workers in the requested occupation in the same geographic area. Additionally, there is a six-year limit on the stay of an H-1B nonimmigrant.

H-1B applications are processed by an independent immigration attorney affiliated with Ochsner. All application fees and any other costs associated with the application procedure are the responsibility of the department in which the resident or fellow will be training.

Written authorization from the operational Vice-President is required to support associated fees from departmental operating budgets. Written authorization from the Academic Vice-President is required to support associated fees from academic special funds.

Only residents otherwise ineligible for a J-1 Visa will be considered for exception.

Eligibility Requirements for H-1B Status:

Foreign Medical Graduates must successfully complete USMLE Steps 1, 2 (CK & CS) and 3 and obtain ECFMG Certification. They must also hold a valid medical license in Louisiana before being issued their H-1B visa.

Foreign nationals who have graduated from a US medical school are exempt from the above requirements since they are not considered Foreign Medical Graduates. Graduates of Canadian medical schools are considered foreign medical graduates.

Incoming Residents on F-1 Student Visas

Ochsner accepts incoming residents into its training programs who are currently studying on F-1 student visas. Most often, applicants will apply for a year of Optional Practical Training (OPT) which provides F-1 students with an opportunity for hands-on work experience complementary to their academic field of study. Application for OPT is processed through the F-1 student's current program – processing time takes about 3 months and OPT status is good for a maximum of 12 months. During this period the trainee will still be considered an F-1 student and they will be issued an Employee Authorization Document (EAD) card which they will need to be eligible to work.

At the end of their year of OPT, the trainee will need to convert their immigration status. It is important that programs notify the GME Office of any incoming trainees currently in F-1 status so that visa options for their second year of training are discussed in advance.

Other Visas & Permanent Residence

No other Visas are acceptable for residency training in accredited Ochsner-Sponsored Programs. Ochsner Graduate Medical Education does not provide sponsorship of permanent residence for residents under any circumstances.

Policy Enforcement:

The GMEC is responsible for enforcing this policy throughout the Ochsner Health System for all Ochsner-Sponsored graduate medical education-training programs. Individual program directors are responsible for the consistent application of this policy within a given training program.

Exceptions:

Exceptions to this policy require the approval of the Executive Vice-President for System Medical Affairs/Chief Academic Officer/DIO prior to any action-taking place.

Hector O. Ventura, M.D., Chairman
Graduate Medical Education Committee

Date

William W. Pinsky, M.D., Executive Vice-President
for System Medical Affairs, Chief Academic Officer/DIO

Date