

**POLICY:** Nonimmigrant Visas

**SCOPE:** CMEF Residency and Fellowship Programs

**PURPOSE:** To delineate the visa requirements that CMEF has established for the residency/fellowship programs

**PROCEDURE:** **J-1:**  
The J-1 Exchange Visitor Program's purpose is to provide foreign nationals with opportunities to participate in educational and cultural programs in the United States and return home to share their experiences. The Educational Commission for Foreign Medical Graduates (ECFMG) is designated by the U.S. Department of State to sponsor J-1 physicians in clinical training. CMEF will assist in the coordination of communication among the ECFMG, the program and the trainee. The J-1 is valid for 1 year, and is renewed annually.

In order to obtain the J-1 Visa, the physician and CMEF will provide to the ECFMG:

- Valid ECFMG Certificate
- Contract
- Statement of Need from Ministry of Health
- CV
- Copy of Passport(s)
- Fee (provided by CMEF)

The J-1 physician must understand and comply with all laws and regulations pertinent to foreign nationals such as:

- Address reporting (SEVIS )
- Special registration
- Obtain and maintains J-1 visa status (J-2 for dependents)
- Fulfills contractual obligations to US training Program
- No outside or internal remunerative work (moonlighting)

**H-1B:**  
H-1B visas are temporary worker visas issued to professional level foreign nationals performing services in a "specialty occupation".

As a sponsor to H-1B residents/fellows, CMEF maintains wage requirements. The annual AAMC Survey of Resident/Fellow Stipends & Benefits or Hospital & Healthcare Compensation's Physician Salary & Benefits Report is used as the prevailing wage source to set wages. CMEF will also maintain the public examination files. The H-1B application is for up to a period of three years, with an extension for a second three year period possible. CMEF pays the application and anti-fraud fees.

In order to be eligible, the residents/fellows must be ECFMG certified, have successfully completed STEP 1, 2, and 3 of the

USMLE and have a valid training certificate issued by Ohio Medical Board.

The documentation required for the application process, including the Labor Condition Application (LCA) can be burdensome. We prefer that the documents be completed by an attorney familiar with immigration law and chosen by the office of Medical Education. The lawyer fees, and premium processing filing fees *if necessary*, will be paid for by the residency/fellowship program. Exceptions for bypassing a lawyer to process the application must be approved by the Administrative Director of Medical Education.

Due to delayed and growing processing times, we encourage all residents/fellows to initiate the visa process as far in advance as possible. To ensure enough time so that the H1B can be processed by July 1, a passing STEP 3 score must be submitted by the time of the NRMP match date. If a passing STEP 3 score has NOT been obtained, then the resident must be prepared to proceed with a J1 application.

Being that an H-1B visa is employer specific, these residents/fellows are prohibited from engaging in any outside remunerative work of any kind or nature.

If CMEF terminates an H-1B employee before the end of that employee's period of authorized stay, we will be liable for the "reasonable costs" of return transportation for the employee to his or her last country of residence. This liability does not extend to the cost of relocating family members or property.

### **OPT/CPT:**

Optional Practical Training and Curricular Practical Training are employment authorization documents obtained by students during/after the conclusion of university studies in the United States. The students will be responsible for obtaining their own OPT/CPT status when eligible.

Additionally, CMEF will accept Internal Medicine Residents who demonstrate valid Optional Practical Training (OPT) or Curricular Practical Training (CPT) status to join Residency training provided the aforementioned employment authorizations specifically permit the Resident Physicians to accept such employment. In circumstances where OPT/CPT permits are issued for purposes other than training with CMEF, these documents will not be accepted as valid proof of employment authorization and the affected resident will be required to secure other means of employment authorization.

Approved by GMERC 2/26/04  
Revised & Approved 6/23/05, 11/22/05,9/24/07  
REvised & Approved 5/28/09, 8/27/09, 9/23/10  
Reviewed 8/15/11 Revised & Approved 11/25/11  
Reviewed 8/20/12 Reviewed & Editorial Revision 7/15/13  
Reviewed 3/17/14,3/16/15 Editorial Revision 10/26/15  
Reviewed 3/21/16, 3/20/17, 4/9/18