

CORD Toolkit: ADVISING INTERNATIONAL MEDICAL GRADUATES ON U.S. VISA PATHWAYS FOR RESIDENCY TRAINING



Purpose

This toolkit provides residency directors, program coordinators, clerkship directors, and student advisors with guidance on:

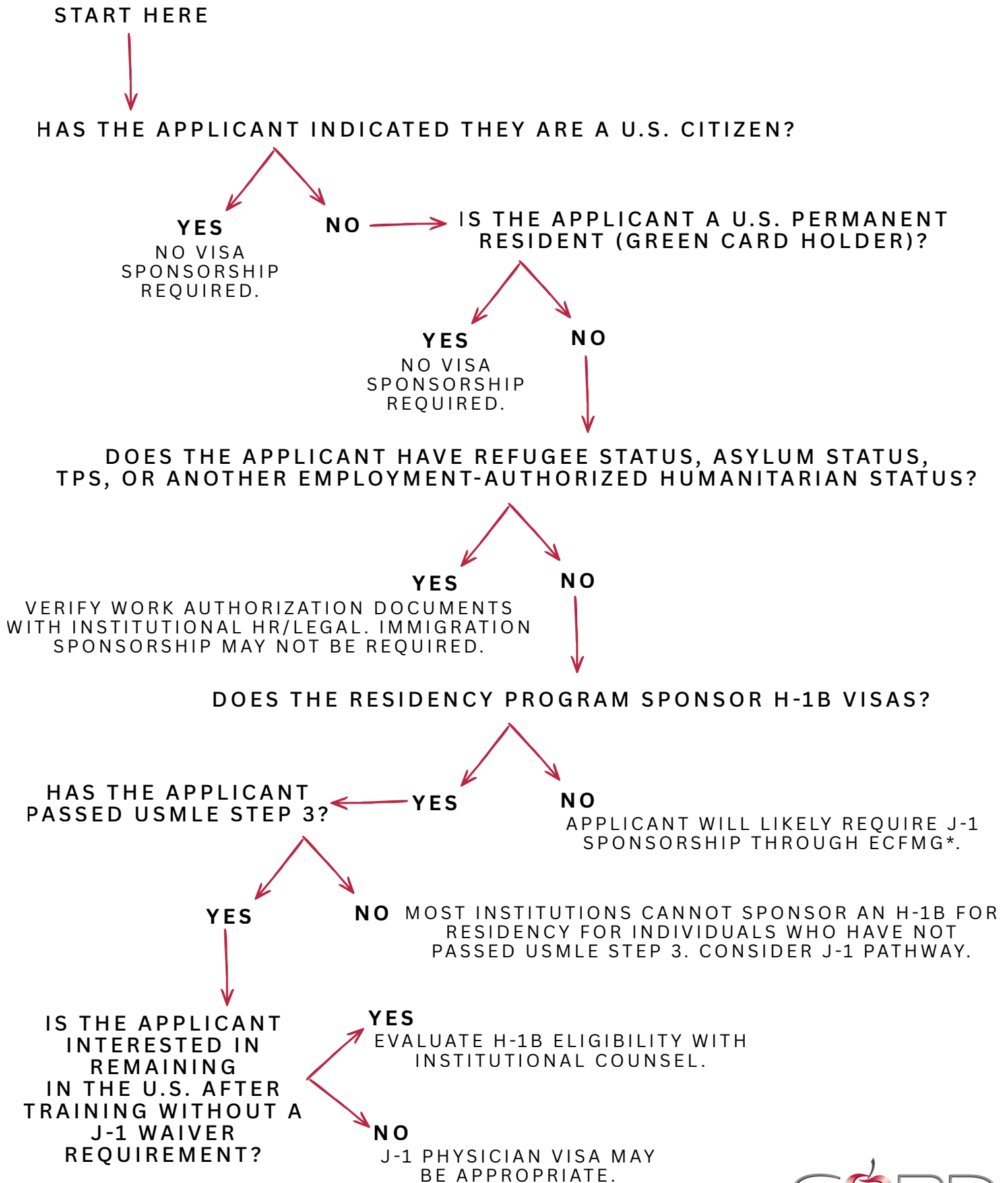
- Common visa types used by residents and fellows
- Eligibility requirements
- Sponsorship processes
- Maintaining visa status
- Program responsibilities
- Transitioning between visa categories
- Frequently encountered challenges

Quick Reference Guide

Visa Type	Most Common for Residency?	Sponsor	Key Benefits	Key Challenges
J-1 Physician	Yes (majority of IMG residents)	ECFMG*/Intealth	Widely accepted; easier for programs to support	Two-year home country requirement
H-1B	Some programs	Residency institution	No two-year return requirement	Requires Step 3 and institutional sponsorship
O-1	Rare	Institution	For individuals with extraordinary ability	High evidentiary burden
TN	Limited	Employer	Available for Canadian and Mexican citizens in certain situations	Not commonly used for residency training
Permanent Resident (Green Card)	N/A	N/A	No visa sponsorship required	Lengthy process for applicants

**ECFMG stands for the Educational Commission for Foreign Medical Graduates. It is a nonprofit organization that evaluates and certifies international medical graduates (IMGs) before they can enter U.S. graduate medical education.*

WHICH VISA PATHWAY APPLIES?



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Section 1: J-1 Physician Visa

Overview

The J-1 Physician Visa is the most common visa used by international medical graduates entering U.S. residency and fellowship programs.

Clinical training sponsorship is administered exclusively through the Exchange Visitor Sponsorship Program operated by the Educational Commission for Foreign Medical Graduates (ECFMG)/Intealth.

Eligibility Requirements

Applicants generally must:

- Graduate from a medical school recognized by ECFMG
- Obtain ECFMG certification
- Secure a residency position in an ACGME-accredited program
- Obtain a Statement of Need from their home country
- Meet English language requirements
- Hold a valid passport and immigration documents

Key Residency Director Responsibilities

Before Match/Recruitment

Programs should clearly indicate:

- Whether J-1 sponsorship is accepted
- Any institutional restrictions
- Program coordinator contact(s) for visa questions

After Match

Programs must:

- Coordinate with the institution's Training Program Liaison (TPL)
- Submit required documentation to ECFMG/Intealth
- Verify onboarding timelines
- Ensure compliance with visa regulations

Maintaining J-1 Status

Residents must:

- **Remain in Full-Time Training**
- Residents must participate only in the approved training program.
- Maintain Valid Documentation
 - Passport
 - DS-2019
 - I-94
- **Maintain Required Insurance**
- Federal regulations require:
 - Health insurance
 - Medical evacuation coverage
 - Repatriation coverage

Section 1: J-1 Physician Visa cont.

Maintaining J-1 Status cont.

Residents must:

- **Report Changes**
- Residents must promptly report:
 - Address changes
 - Training interruptions
 - Leaves of absence
 - Transfers

Moonlighting Considerations

Unauthorized employment is prohibited under J-1 sponsorship.

Residency directors should consult institutional GME and immigration offices before approving moonlighting activities.

Length of Sponsorship

J-1 sponsorship for clinical training is generally limited to:

- The duration of training
- Maximum of approximately 7 years for most clinical pathways

Two-Year Home Country Requirement

One of the most important counseling points.

After training, J-1 physicians are generally subject to the Section 212(e) requirement, requiring:

- Return to their home country for two years

OR

- Obtain an approved waiver

Common waiver pathways include:

- Conrad 30
- VA Waiver
- Federal agency waivers

J-1 Two-Year Home Country Physical Presence Requirement (INA §212(e))

What is the Two-Year Home Country Requirement?

Physicians who complete residency or fellowship training in the United States under an ECFMG-sponsored J-1 visa are generally subject to the **two-year home-country physical presence requirement (Section 212(e) of the Immigration and Nationality Act)**. This means that after completing training, they generally must either:

- Return to their country of citizenship or last legal permanent residence for an aggregate of **two years**, or
- Obtain an approved waiver of the requirement before becoming eligible for certain immigration benefits, including H-1B status, lawful permanent residence (Green Card), or certain other visa classifications.

Section 1: J-1 Physician Visa cont.

Important Note for Canadian Physicians

Although Canada is geographically close to the United States and many Canadian graduates train in U.S. residency programs, **Canadian physicians participating in the ECFMG J-1 Physician program are also subject to the two-year home-country physical presence requirement.** There is **no blanket exemption for Canadian physicians.** Health Canada also does **not** issue "No Objection" waivers for physicians completing U.S. graduate medical education.

Common Waiver Pathways

Residents often begin exploring waiver opportunities during their final year of residency or fellowship. Waiver availability depends on individual circumstances and applicable federal and state requirements

Waiver Type	Typical Use	Common Requirements
Conrad State 30 Program	Most common physician waiver	Full-time employment in a designated underserved area for at least 3 years
Interested Government Agency (IGA)	Federal agencies (e.g., VA, HHS)	Service in qualifying federal programs or underserved communities
Exceptional Hardship	Hardship to a U.S. citizen or lawful permanent resident spouse or child	USCIS determination required
Persecution	Fear of persecution upon return to home country	USCIS determination required

The Conrad State 30 Program is the most frequently used pathway for physicians. Under federal law, physicians approved through this program generally agree to begin qualifying employment within 90 days of the waiver and complete **at least three years of full-time clinical practice** in an eligible position.

Section 1: J-1 Physician Visa cont.

National Resources

The following federal resources provide an overview of the waiver process:

- U.S. Department of State – Exchange Visitor Waiver Program (explains the waiver process and Conrad State 30 program) [Exchange Visitor Waiver Program](#)
- USCIS – Conrad 30 Waiver Program (describes eligibility and notes that each state's health department has its own application requirements) [USCIS Conrad 30 Waiver Program](#)

Finding Your State's Conrad 30 Program

Each state's Department of Health, Primary Care Office, or Office of Rural Health administers its Conrad 30 program and maintains the most current application materials and guidance.

Section 2: H-1B Visa

Overview

The H-1B is a temporary employment visa sponsored directly by the training institution. Unlike the J-1, there is generally no two-year home country return requirement.

Eligibility Requirements

Applicants generally need:

- ECFMG certification
- State licensing eligibility
- USMLE Step 3 completion before sponsorship
- Institutional sponsorship

Advantages

- No home-country physical presence requirement
- Easier transition to long-term employment
- Easier path toward permanent residency

Challenges

- Higher legal and administrative costs
- More institutional involvement
- Processing timelines
- Not all residency programs sponsor H-1B visas

Program Director Counseling Points

Advise applicants to:

- Complete Step 3 as early as possible
- Confirm program-specific sponsorship policies before applying
- Understand institutional filing timelines

Section 3: O-1 Visa

Overview

The O-1 is reserved for individuals demonstrating extraordinary ability.

Usually encountered in:

- Research-focused physicians
- Academic faculty
- Highly accomplished specialists

Rarely used for incoming residents.

Evidence May Include

- Publications
- National awards
- Leadership positions
- Major scholarly contributions
- International recognition

Section 4: Permanent Residents

Applicants with:

- Green cards
- Refugee status
- Asylum status

do not require visa sponsorship.

Residency directors should ensure institutional HR onboarding requirements are met.

Residents with Deferred Action for Childhood Arrivals (DACA)

What is DACA?

Deferred Action for Childhood Arrivals (DACA) is a federal policy that provides certain individuals who came to the United States as children with temporary protection from removal (deferred action) and, if approved, authorization to work in the United States. DACA does not provide lawful immigration status or a visa, nor does it create a pathway to permanent residency or U.S. citizenship. The program has been the subject of ongoing litigation, and eligibility and application processes may change over time.

Can DACA Recipients Participate in Residency?

Yes. Individuals with valid employment authorization under DACA may be eligible to participate in residency training if they meet all other institutional, licensing, and employment requirements. Programs should verify employment authorization through their institution's standard employment verification process and should not impose additional requirements beyond those required by law.

Residents with Deferred Action for Childhood Arrivals (DACA)

What Residency Directors Should Know

Unlike residents requiring J-1 or H-1B sponsorship:

- DACA recipients do not require visa sponsorship from the residency program.
- Employment eligibility is based on a valid Employment Authorization Document (EAD) issued by the federal government.
- DACA recipients may encounter unique challenges related to licensing, travel, or changes in federal policy.
- Institutional Human Resources, Graduate Medical Education (GME), and legal counsel should be involved if questions arise regarding employment authorization or policy changes.

Employment Authorization

DACA recipients are authorized to work only while they maintain a valid Employment Authorization Document (EAD).

Residency programs should:

- Verify employment authorization through routine onboarding procedures.
- Encourage residents to monitor expiration dates and apply for renewal as early as permitted.
- Refer questions regarding eligibility or renewals to qualified immigration counsel.

Travel Considerations

International travel may have significant immigration consequences for DACA recipients. Residency directors should advise residents to consult qualified immigration counsel before making international travel plans. Programs should avoid advising residents on travel eligibility or reentry requirements.

Changes in Federal Policy

Because DACA has been the subject of ongoing litigation and policy changes, residency programs should avoid making assumptions about an applicant's or resident's future employment authorization.

If changes in federal policy could affect a resident's ability to work, programs should:

- Notify the GME office and institutional legal counsel.
- Communicate promptly and compassionately with the resident.
- Refer the resident to qualified immigration counsel for individualized advice.

Residency Director Tip

DACA recipients often identify as domestic applicants because they have been educated and trained in the United States and do not require visa sponsorship. However, they may still face unique legal and administrative challenges. Residency leaders should provide supportive advising while referring legal questions to qualified immigration professionals.

Emergency Resources for Residents on Visas, Refugee Status, or Asylum Status

If a Resident Is Detained by ICE

Residency directors should immediately:

1. Notify the institution's legal counsel and immigration attorney.
2. Contact the Designated Institutional Official (DIO) and GME office.
3. Verify the resident's immigration status and employment authorization.
4. Document visa type, expiration dates, and any pending immigration applications.
5. Assist the resident's designated emergency contact in locating the detainee.
6. Refer the resident or family to qualified immigration counsel. Residents should not rely solely on institutional HR staff for legal advice.

National Legal Resources

Immigrant Legal Resource Center (ILRC)

Provides legal guidance, educational materials, detention resources, and attorney support regarding immigration proceedings, asylum, detention, and removal defense.

National Immigrant Justice Center (NIJC)

Offers legal resources and guidance for detained immigrants and the attorneys representing them. Includes detention-specific materials and removal defense resources.

American Immigration Lawyers Association (AILA) Lawyer Search

Directory of experienced immigration attorneys throughout the United States.

ICE Detainee Locator System

Allows family members and institutions to locate individuals currently in ICE custody.

ICE Law Library and Legal Orientation Resources

Provides information on detainee rights, legal orientation materials, immigration court processes, and available forms of relief. ICE detention standards require access to these resources for detainees.

Emergency Resources for Residents on Visas, Refugee Status, or Asylum Status cont.

Resources for Asylum Seekers

Asylum Seeker Advocacy Project (ASAP) Detention Resources

Provides current guidance for asylum seekers who are detained, including information on bond hearings, humanitarian parole, habeas petitions, release procedures, and detention risks. Updated regularly by immigration attorneys.

Physicians for Human Rights Asylum Network

Connects asylum seekers with clinicians and legal partners for forensic evaluations and documentation of persecution claims.

Special Considerations for Residency Programs

If a resident is:

- A pending asylum applicant,
- An asylee,
- A refugee,
- A Temporary Protected Status (TPS) holder,
- Or another humanitarian status holder,

the residency program should avoid making assumptions about work authorization or immigration status. Many individuals in these categories are legally authorized to work and train in the United States. Changes in immigration proceedings can affect employment authorization, so consultation with qualified immigration counsel is essential.

More Recommended Resources:

- [Intealth Exchange Visitor Sponsorship Program \(EVSP\)](#)
- [ECFMG/Intealth J-1 Sponsorship Information](#)
- [U.S. Department of State J-1 Physician Program](#)
- [U.S. Citizenship and Immigration Services \(USCIS\)](#)
- [AAMC Immigration Resources](#)

Disclaimer:

This toolkit is intended for educational purposes and does not constitute legal advice. Visa regulations change frequently. Programs should consult institutional immigration counsel, GME leadership, and federal guidance when making decisions affecting visa holders. Immigration law is complex and subject to frequent regulatory and policy changes. Residency directors, program coordinators, and GME offices should not provide legal advice. Residents should be referred to qualified immigration counsel and institutional legal resources for individualized guidance.