


Name of Policy: Graduate Medical Education: Visa Status for Resident Policy Number: 3364-86-004-00 Approving Officer: Dean, College of Medicine and Life Sciences Responsible Agent: Director, Graduate Medical Education Scope: UT College of Medicine Residents	 Revised date: 08/07/18 Original effective date: 04/01/97
<input type="checkbox"/> New policy proposal	<input type="checkbox"/> Minor/technical revision of existing policy
<input checked="" type="checkbox"/> Major revision of existing policy	<input type="checkbox"/> Reaffirmation of existing policy

POLICY

The University of Toledo will provide and/or assist in visa sponsorship for non-immigrant foreign nationals entering into residency training programs accredited by the ACGME.

PURPOSE

To ensure that all residents in education programs (GME) are employed with the appropriate and lawful visa for training and receiving remuneration for service.

To ensure that the institution is not placed in jeopardy of having its approval to sponsor international graduates rescinded.

PROCEDURE

Residents entering into a residency/fellowship training program at The University of Toledo who require a visa for employment may be sponsored and accepted under the following visas:

Sponsored Visas

1. J-1 Visa
 - a. The preferred visa of sponsorship for residents entering residency training programs at The University of Toledo is the J-1 visa.
 - b. Residents requiring a J-1 visa will have their visa sponsored through the Education Commission for Foreign Medical Graduates (ECFMG) as governed by the Department of State (DOS), Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) with The University of Toledo serving as the host institution.
 - c. Residents requiring a J-1 visa must be eligible for the visa sponsorship under the criteria set forth by the DOS, ECFMG:

- i. Possess a valid ECFMG Certificate. *The current requirements for ECFMG certification include passing Step 1, Step 2 CK, and Step 2 CS of the USMLE and direct verification of the applicant's medical education credentials with the medical school.*
 - ii. A contract or offer letter from the GME program affiliated with a medical school.
 - iii. A Statement of Need from the Ministry of Health of the physician's country of most recent legal permanent residence.
- d. Residents requiring a J-1 visa will be responsible for the initial visa expenses and renewal expenses thereafter as set by the ECFMG.
 - e. It is J-1 visa holder's (resident) personal responsibility to maintain lawful status while in the United States and under contract in the residency training program. Lawful status is evidenced by possession of an active SEVIS record along with the corresponding DS2019 Form and I-94 Record (Arrival/Departure Record) or I-797 Form (Notice of Action).
 - f. It is the J-1 visa holder's (resident) personal responsibility to report to the Training Program Liaison (TPL) in the Graduate Medical Education Office any incidents involving J-1 physicians and/or their accompanying J-2 dependents. The TPL will report the event to the ECFMG who will report to the Department of State (DOS). The DOS has indicated that any incident or event that impacts the health, safety or welfare of J visa holders or that could bring the DOS J-1 program "notoriety or disrepute" is reportable. Reporting is not limited to only those incidents that occur within the training program. Incidents that occur outside of the training environment must also be reported, which include, but are not limited to:
 - Death of a J-1 physician or J-2 dependent
 - J-1 physician or J-2 dependent is missing
 - J-1 physician or J-2 dependent sustains a serious illness or injury (i.e., brain injury, severe burn, major surgery, communicable disease, serious mental incidents, any condition requiring hospitalization of 48 hours or more, etc.)
 - Litigation (in which the J-1 physician or J-2 dependent is named a party, including malpractice)
 - Incident involving the criminal justice system (i.e., arrest, charges, law enforcement, etc.)
 - Sexually-related incidents or abuse (an incident or allegation involving sexual exploitation, harassment, or abuse)
 - Negative press involving a J-1 physician and/or J-2 dependent(s)
 - Foreign government involvement (including embassy officials)
 - Other situations impacting a J-1 physician's or J-2 dependent's safety (i.e., natural disaster, civil unrest, outbreaks of violence)

J-1 physicians and/or J-2 dependents must report any serious incident or allegation to their TPL *immediately*. The TPL and/or J-1 physician must then report the matter to ECFMG. All reporting is expected to take place within one business day of incident occurrence. Failure to do so may be considered to be a violation of the physician's J-1 status

Each ECFMG sponsored J-1 physician is responsible to know and understand the requirements for securing and maintaining J-1 visa status.

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

2. H-1b Visa

a. The University of Toledo will not sponsor residents/fellows entering into graduate medical education programs on an H-1b visa.


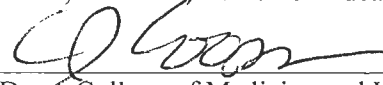
Non-Sponsored Visas

The following visas are acceptable for employment for those residents entering into residency/fellowship training programs at The University of Toledo who do not require a sponsored visa:

1. Employment Authorization Document (EAD)
2. Optional Practical Training (OPT) with a valid EAD card
3. Trade NAFTA (TN)
 - a. Only residents accepted into the Dentistry residency program may be eligible for this visa if they are a citizen of Canada or Mexico.
4. Asylee/Asylum Status
 - a. Must possess a Social Security Card deeming resident eligible for employment.
5. Lawful Permanent Resident (Green Card)
6. Naturalized U.S. Citizen

The University of Toledo does not sponsor residents for Permanent Residency.

Regardless of visa or citizenship status, a candidate who has graduated from a non-LCME medical school must possess a valid ECFMG certificate in order to participate in a residency training program at The University of Toledo.

<p>Approved by:</p> <p> Chair, Graduate Medicine Education Committee</p> <p> Dean, College of Medicine and Life Sciences</p> <p><i>Review/Revision Completed by:</i> Graduate Medical Education Committee</p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none">• None <p>Review/Revision Date: Reviewed 6/00, 11/01/05, Reviewed, 11/6/07, Revised 11/3/09, Revised 11/1/11, Revised 10/1/13, Reviewed 10/6/15, Revised 8/9/16, Revised 8/7/18</p> <p>Next review date: 8/2020</p>
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