

Policies and Procedures

<i>Section:</i> School of Medicine		<i>NO.</i>				
<i>Chapter:</i> Graduate Medical Education	<i>Issued:</i> <i>DATE</i> 10/2017	<i>REV. A</i> <i>DATE</i> 06/2019	<i>REV. B</i> 01/2021	<i>REV. C</i> 2/22/2022		
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PURPOSE

The purpose of this policy is to ensure that all non-citizens applying to residency and fellowship programs at Creighton University have a valid visa or employment status.

SCOPE

This policy applies to all Accreditation Council for Graduate Medical Education (ACGME)-accredited residency and fellowship program residents and fellows.

DEFINITIONS

- **Resident:** Any physician in an accredited graduate medical education program, including interns, residents, and fellows.
- **Training Program Liaison (TPL):** Designated by Creighton University's Designated Institutional Official (DIO) for the Omaha and Phoenix GME Offices, of any notice to take action, or intent to take action, related to their visa. The TPL is registered with the Educational Commission for Foreign Medical Graduates (ECFMG) and this person's contact information is communicated to any Creighton University resident with a visa by the ECFMG as well as the Creighton University GME Office.
- **J-1 Visa:** Temporary nonimmigrant visa reserved for participants in the Exchange Visitor Program. As a public diplomacy initiative of the U.S. Department of State, the Exchange Visitor Program was established to enhance international exchange and mutual understanding between the people of the United States and other nations. In keeping with the Program's goals for international education, J-1 exchange visitor physicians are required to return home for at least two years following their training before being eligible for certain U.S. visas. A resident or fellow may be in the United States in J-1 status for a maximum of seven years.

SPONSORED VISA CATEGORY

J-1 Visa and Requirements

1. The ECFMG is authorized by the U.S. Department of State (DOS) to sponsor foreign national physicians as Exchange Visitors in accredited and recognized non-standard clinical training programs of graduate medical education or training or advanced research programs (involving primarily observation, consultation, teaching or research). Exchange Visitors sponsored by ECFMG receive a Certificate of Eligibility for Exchange Visitor (J-1 visa) Status (Form DS-2019). This document is used to apply for the J-1 visa.
2. Foreign national physicians seeking J-1 sponsorship to enroll in programs of graduate medical education (GME) or training in the United States must fulfill a number of general requirements, which are detailed in the application materials. At a minimum, applicants must:
 - a. Hold a valid Standard ECFMG Certificate at commencement of training;
 - i. Creighton University follows and adheres to all ECFMG J-1 eligibility and basic requirements for sponsorship, specifically in regard to USMLE and NBME requirements.
 - b. Hold a contract or an official letter of offer for a position in a program of graduate medical education or training that is affiliated with a medical school;

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- c. Provide a Statement of Need from the Ministry of Health of the country of most recent legal permanent residence, regardless of country of citizenship. This statement provides written assurance that the country needs physicians trained in the proposed specialty and/or subspecialty. It also serves to confirm the applicant physician's commitment to return to that country upon completion of training in the United States, as required by Section 212(e) of the Immigration and Nationality Act, as amended. The J-1 visa applicant is responsible for all fees and expenses associated with applying for and obtaining the J-1 visa.

POLICY

All non-citizens applying to residency and fellowship programs at Creighton University, in addition to meeting eligibility requirements, must either have Permanent Resident Status, an Employment Authorization Card (EAD), or be eligible to obtain an employment visa, J-1 visa, through the Exchange Visitor Program in coordination with the Creighton University Graduate Medical Education Office.

Foreign national Creighton residents cannot begin employment at Creighton University, or its partner employers, until they have a valid visa status or employment status. Foreign national Creighton University residents who lose legal visa status may be dismissed from the training program. Any Creighton University resident with a visa must immediately notify the TPL.

Creighton University does not sponsor H-1B visa for residency or fellowship programs.. In cases of extreme hardship for current residents and fellows enrolled in a Creighton accredited program, the DIO has the discretion to consider sponsoring another type of visa after consulting with appropriate offices at Creighton University and the resident's employer.

REFERENCES

US Citizenship and Immigration Services, <https://www.uscis.gov/>
ECFMG, <http://www.ecfm.org/>
ECFMG Non-Standard Clinical Training, <https://www.ecfm.org/evsp/applying-types-nonstandard.html>
USMLE, <http://www.usmle.org/>
NBME, <https://www.nbme.org/>
NBOME, <https://www.nbome.org/>

AMENDMENTS OR TERMINATION OF THIS POLICY

This policy supersedes all program level policies regarding this area/topic. In the event of any discrepancies between program policies and this GME policy, this GME policy shall govern.

The United States Immigration policy is subject to change. This policy does not supersede those policies and if discrepancies are seen, national policy must be followed.