Immigration issues: Visas and green cards

Non-U.S. citizen international medical graduate (IMG) physicians, residents and fellows help play a critical role in alleviating the physician shortage by providing health care to many Americans, especially in communities in need as they tend to choose primary care specialties and work in areas of the country with higher rates of poverty.

Nearly 21 million people live in areas of the U.S. where foreign-trained physicians account for at least half of all physicians.

2022

- Submitted a Statement for the Record to the U.S. Senate Subcommittee on Immigration, Citizenship, and Border Safety as part of the hearing entitled “Flatlining Care: Why Immigrants Are Crucial to Bolstering Our Health Care Workforce.” The AMA commended the Subcommittee for focusing on the critically important issue of physician immigration and workforce shortages and emphasized the importance of IMGs in addressing this shortage.
- Cosigned a letter in conjunction with 60 national medical specialty, hospital and patient organizations urging the House and Senate Judiciary Committees to pass the “Conrad State 30 and Physician Access Reauthorization Act,” which would reauthorize the Conrad 30 waiver policy for an additional three years. Under the Conrad 30 program, each state is allocated 30 waivers that exempt J-1 physicians from the requirement to return to their country of origin in exchange for three years of service in an underserved community.
- Submitted a Statement for the Record to the U.S. House of Representatives Committee on the Judiciary Subcommittee on Immigration and Citizenship as part of the hearing entitled “Is there a Doctor in the House? The Role of Immigrant Physicians in the US Healthcare System.” The AMA highlighted the need for additional Medicare-funded residency slots, the importance of IMGs in combating our current and projected physician shortage, and the need to prioritize IMGs during the visa process.
2021

- Sent a letter to the U.S. House of Representatives and the U.S. Senate in support of the “Conrad State 30 and Physician Access Reauthorization Act.”
- Sent a comment letter urging the U.S. Department of Labor (DOL) to rescind or revise their Final Rule titled “Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States.”
- Sent a letter to the U.S. House of Representatives and the U.S. Senate in support of the “Healthcare Workforce Resilience Act,” which would recapture 15,000 unused employment-based physician immigrant visas and 25,000 unused employment-based professional nurse immigrant visas from prior fiscal years as a way to bolster the U.S. health workforce and ensure patient access to care.
- Sent a letter urging the DOL to review and revoke, modify or supersede their Final Rule titled “Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States.”
- Sent a comment letter opposing DHS’s final rule titled “Modification of Registration Requirement for Petitioners Seeking to File Cap-Subject H-1B Petitions,” which would negatively impact H-1B physicians and impede on the ability to provide timely, accessible health care services to rural and medically underserved communities.

2020

- Sent a comment letter in opposition to DHS’s interim final rule titled “Strengthening the H-1B Nonimmigrant Visa Classification Program” which unfairly discriminates against H-1B physicians.
- Sent a comment letter urging DHS to withdraw their proposed rule titled “Modification of Registration Requirement for Petitioners Seeking to File Cap-Subject H-1B Petitions,” or exempt physicians from the proposed rule.
- Sent a comment letter opposing DOL’s interim final rule titled “Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States,” which would have adverse consequences for H-1B physicians.
- 36 members of Congress sent a letter to DHS Acting Secretary Chad Wolf in opposition to proposed changes to the Duration of Status regulations that would negatively impact J-1 physicians and the Conrad 30 program.
• Signed on to a comment letter against DHS’s proposed rule “Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media,” stating that it would disrupt J-1 physician training and worsen the U.S. physician shortage.

• Sent a sign-on letter urging DHS to withdraw the proposed rule “Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media” as it relates to J-1 IMGs.

• Signed on to a letter urging U.S Immigration and Customs Enforcement (ICE) to exclude J-1 physicians from a proposed rule change eliminating “duration of status.”

• Published a resource guide for IMGs following the Presidential Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak.

• Sent a letter urging DHS to withdraw its modifications to the temporary exemptions for nonimmigrant students taking online classes due to the pandemic for the Fall 2020 semester so that medical students seeking to study in the U.S. on an F-1 visa could enter or remain in the country.

• Sent a sign-on letter urging DOS and DHS to issue clarifying guidance related to the Presidential Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak by directing Consular Affairs to advise embassies and consulates that H-1B physicians and their dependent family members’ entry into the U.S. is in the national interest of the country.

• Sent a letter strongly encouraging DOS and DHS to consider J-1 and H-1B IMGs and their families’ entry into the U.S. to be in the national interest of the country, so that these physicians can enter the U.S. in a timely manner and begin providing valuable medical services to U.S. patients and ease the burden on the U.S. physician workforce.

• Sent a letter to the Senate in support of the Healthcare Workforce Resilience Act.

• Sent a letter urging the Administration to allow J-1, H-1B and O-1 IMGs to be exempt from any future immigration bans or limitations so that these physicians can maintain their lawful non-immigrant status while responding to the urgent COVID-19 pandemic.

• Sent a letter urging USCIS to temporarily extend visas automatically for one year and expedite approvals of extensions and changes of status for non-U.S. citizen IMGs practicing, or otherwise lawfully present, in the U.S.

• Sent a letter urging the Administration to permit IMG physicians currently practicing in the U.S. with an active license and an approved immigrant petition, to apply and quickly receive authorization, to work at multiple locations and facilities with a broader range of medical services for the duration of the COVID-19 pandemic. The AMA also urged the Administration to expedite work permits and renewal applications for all IMG physicians who are beginning their residency or a fellowship, or are currently in training.

• Signed on to a letter asking ICE not to change the “duration of status” model or exempt medical residents from the proposed rule “Establishing a Maximum Period of Authorized
Stay for Students, Exchange Visitors, and Media Representatives.”

- Sent a comment letter urging the DOS and DHS to open visa processing at embassies worldwide for physicians seeking to join U.S. residency programs on July 1, 2020, and publicly confirm that J-1 physicians are permitted to be redeployed to new rotations within the host training institution as needed to respond to the COVID-19 pandemic.

- Sent a letter advocating on behalf of international medical graduates in which the AMA urged USCIS to reconsider its suspension of premium processing and instead expand the premium processing option to H-1B visas so that H-1B physicians can continue to provide invaluable health care to U.S. patients.