

## Rules to hinder IMG doctors getting rolled back

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The AMA is supporting bipartisan federal legislation that creates practice opportunities for international medical graduates (IMGs) as they provide care for underserved communities through the Conrad 30 program.

The “Conrad State 30 and Physician Access Reauthorization Act” would allow IMGs to remain in the U.S. upon completing their residency under the condition that they practice in areas experiencing physician shortages. The bill would extend the program by three years and allows for an increase in the number of visas if certain thresholds are met.

“The AMA strongly supports this bill that would ensure all patients, regardless of where they live, have adequate opportunities to be treated by skilled physicians in their local communities,” AMA President Susan R. Bailey, MD, said in a news release issued by Sen. Amy Klobuchar, D-Minn.

“The COVID-19 pandemic has shown the importance of rural and underserved areas having sufficient access to physicians and quality health care. Strengthening the Conrad 30 program is a vital part of making access happen,” Dr. Bailey added.

## H-1B rule vacated

Additional AMA advocacy efforts on behalf of IMG physicians and other immigrants continue on the administrative and judicial fronts.

For example, the AMA applauded the Biden administration for quickly responding to a federal court decision that vacated an interim final rule (IFR) issued by the Trump administration. The court decision was issued before the IFR could take effect and the Biden administration recently removed the text of the IFR from federal immigration regulations—a signal that it will not try to resurrect the rule with amended language.

The AMA had opposed the IFR, entitled “Strengthening the H-1B Nonimmigrant Visa Classification Program,” which would have changed the regulations that define the terms “worksite” and “third-party worksite.”

“These changes could impact clinical faculty, residents, and fellows placed at academic medical centers, as well as researchers collaborating with colleagues on a variety of critical research projects,” AMA Executive Vice President and CEO James L. Madara, MD, wrote in a December letter to former acting Department of Homeland Security (DHS) Secretary Chad Wolf.

The administration also noted that it would delay the effective date of a Trump administration final rule, “Strengthening Protections for the Temporary and Permanent Employment of Certain Aliens in the United States,” until Nov. 14, 2022, as it evaluates “matters of fact, law and policy related to the rule.”

While the delay is seen as a positive step, the AMA continues to urge the administration to revise or rescind the rule’s computation of prevailing wage levels.

“The U.S. should promote an increase of IMGs to supplement our health care workforce and current IMGs should not be hampered by additional unnecessary regulations in the midst of helping the U.S. fight COVID-19,” Dr. Madara wrote in a letter to Labor Secretary Marty Walsh.

The AMA also spoke out against a proposed DHS regulation on mandatory collection of DNA samples from immigrants and their sponsors. The DNA sample collection “undermines fundamental and long-standing accepted ethical conventions related to patient privacy and consent when the federal government collects health information absent a compelling public health or public safety need,” Dr. Madara wrote in a letter to Wolf last October.

The AMA urged the Biden Administration to withdraw the rule, and it recently did so.

## Standing up for J-1 physicians

In a response to a request for public input from the U.S. Citizenship and Immigration Services (USCIS), the AMA urged the agency to rescind a rule proposed by the Trump administration that

would end the practice of admitting J-1 physicians for duration of status (D/S) as residents or fellows. Instead, it would mandate that IMG physicians apply for visa extensions every year through a time-consuming process that can last from five to 19 months.

“The proposed rule seems designed to make it harder, if not impossible, for foreign nationals to complete their medical training in the United States,” Dr. Madara wrote in a letter to DHS Secretary Alejandro Mayorkas and USCIS acting Director Tracy Renaud.

The AMA has put forth multiple letters on this issue and it appears that the administration is not moving forward with the rule at this time.

Due to COVID-19, American consulates in India were not conducting interviews for J-1 physicians who had matched and were scheduled to start their residencies in July. The AMA weighed in with the Department of State, and subsequently learned that the consulates started conducting and expediting interviews for these physicians.

Read about the AMA IMG Section’s policies and advocacy efforts, including an IMG physician toolkit to help navigate the process of practicing medicine in the U.S.