



**Exchange Visitor Sponsorship Program (EVSP)  
Reference Guide for J-1 Physicians**

**ECFMG® would like to welcome you to the Exchange Visitor Sponsorship Program (EVSP)!**

This booklet was designed to provide you with basic information about the U.S. Department of State's (DoS) J-1 program, EVSP, and your responsibilities as a J-1 program participant. If you have questions about any of the information offered in this booklet, please do not hesitate to contact EVSP.

EVSP resource and contact information can be found below.

**General E-mail Inquiries:** [evsp-support@ecfm.org](mailto:evsp-support@ecfm.org)  
**Telephone Inquiries:** (215) 823-2121  
**Website:** [www.ecfm.org/evsp](http://www.ecfm.org/evsp)

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The Exchange Visitor Program is administered under the oversight of the Deputy Assistant Secretary for Private Sector Exchange, Bureau of Educational and Cultural Affairs (ECA). ECA contact information follows.

<p><b>Bureau of Educational and Cultural Affairs</b> U.S. Department of State State Annex SA-5, Fifth Floor Washington, D.C. 20522-0505</p>	<p><b>J-1 Visa Emergency Hotline:</b> 1 (866) 283-9090 This line is for use by Exchange Visitors and third parties in the case of urgent situations.</p> <p><b>Regular Communications or Questions:</b> <a href="mailto:jvisas@state.gov">jvisas@state.gov</a> This e-mail address is to communicate non-emergency issues, questions, and concerns.</p> <p><i>(If you are mistreated and/or your rights are violated, and ECFMG is not providing the help you need, contact the Department of State for assistance.)</i></p>
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# CONTENTS

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ECFMG	4
ROLE OF THE J-1 EXCHANGE VISITOR	4
EXCHANGE VISITOR DEPENDENTS	4
TRAINING PROGRAM LIAISONS (TPLs)	5
CATEGORIES OF EVSP SPONSORSHIP	5
BASIC ELIGIBILITY REQUIREMENTS FOR J-1 PHYSICIANS	6
BASIC ELIGIBILITY REQUIREMENTS FOR J-1 RESEARCH SCHOLARS	6
INITIAL ECFMG SPONSORSHIP	7
U.S. CODE OF FEDERAL REGULATIONS (J-1): 22CFR§62	7
SEVIS	7
SELECTED FEDERAL REGULATIONS	8-9
• Cross-cultural Activities	
• Duration of Stay	
• J-1 Category Change	
• Change of Specialty	
• Two-year Home Physical Presence Requirement	
• Mandatory Insurance Requirements	
• Training Authorization / Employment	
• Repeat Training	
STATEMENT OF NEED SAMPLE LETTER	9-10
MOONLIGHTING	10
TRAVEL AND VISA ISSUANCE	10-11
FORM I-94: ARRIVAL / DEPARTURE RECORD	11
MAINTENANCE OF LAWFUL STATUS	11
APPLYING FOR ECFMG SPONSORSHIP	12
INCIDENT REPORTING	12
HELPFUL LINKS	13
GLOSSARY OF SELECTED TERMS	13-14

# ECFMG

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The Educational Commission for Foreign Medical Graduates (ECFMG) is authorized by the U.S. Department of State (DoS) to sponsor foreign national physicians as “Exchange Visitors” in the J-1 “physician” category for participation in accredited clinical training programs and/or their directly associated fellowships. In limited circumstances, ECFMG also sponsors foreign national physicians for participation in research programs in the J-1 “research scholar” category. All foreign national physicians sponsored by ECFMG are issued Form DS-2019, *Certificate of Eligibility for Exchange Visitor (J-1 Visa) Status*.

The objectives of the DoS’ J-1 program are to enhance international educational and cultural exchange and to promote mutual understanding between the people of the United States and other countries through the interchange of persons, knowledge, and skills. In addition to being educationally and professionally rewarding, it is the DoS’ expectation that each J-1 physician’s stay in the United States will include enriching cross-cultural experiences. Through such cross-cultural experiences, J-1 physicians gain insight into U.S. customs, communities, and people while sharing their own cultures, traditions, and views with the American people.

## ROLE OF THE J-1 EXCHANGE VISITOR

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

- Maintain a valid passport
- Secure and maintain required health and accident insurance for themselves and their J-2 dependents, as detailed on the *Mandatory Insurance* page on the ECFMG website.
- Report any address changes within ten days to ECFMG through ECFMG’s On-line Applicant Status and Information System (OASIS) or the MyECFMG mobile app
- Engage in full-time training at the host institution identified on Form DS-2019
- Notify ECFMG of any *proposed* changes to his/her training plan (e.g., training levels, training dates, resignation, etc.)
- Report any incident or allegation involving the J-1 or a J-2 dependent within 24 hours to ECFMG
- Adhere to all U.S. laws

Each J-1 physician is required to obtain and remain in valid J-1 visa status throughout the duration of his/her stay in the United States. If a J-1 physician wishes to extend his/her stay in this country beyond the end date on the most recent Form DS-2019, he/she must work with the hospital that issued the training contract to file the appropriate application with ECFMG well in advance of the current sponsorship/program end date. Each DS-2019 is issued to reflect specific training dates, training levels, and training programs. The DS-2019 is not transferable and is to be used exclusively for training at the institution listed on Form DS-2019.

## EXCHANGE VISITOR DEPENDENTS

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ECFMG is authorized to sponsor the spouse and unmarried minor children of J-1 Exchange Visitors for entry to the United States under J-2 visa status. A minor child is defined as one under the age of 21. Parents, brothers, sisters, other family members, or domestics are not eligible for sponsorship as J-2 dependents. Physicians already sponsored by ECFMG who wish to request a DS-2019 for a dependent should do so on-line in the *J-1 Visa Sponsorship* section of OASIS. A copy of the dependent’s passport biographic page and evidence of the family relationship (i.e., marriage, birth, or adoption certificate) with English translation, if applicable, must be uploaded in support of any dependent sponsorship request. Issuance of the DS-2019 alone does not automatically grant J-2 status. Applicants for J-2 status need to apply for a J-2 visa either at a U.S. consulate or through United States Citizenship and Immigration Services (USCIS), if eligible.

**Physician couples are encouraged to carefully consider and coordinate their plans for U.S. training. Eligibility for J-1 sponsorship following a period of stay in the United States in J-2 status (and vice versa) should not be presumed. As with all applicants to EVSP, sponsorship eligibility cannot be determined until a complete review of an individual’s U.S. visa history has been conducted.**

# TRAINING PROGRAM LIAISONS (TPLs)

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Each U.S. teaching hospital at which a J-1 physician trains designates an individual to serve as the institution's TPL. The TPL is responsible to coordinate the sponsorship application process with prospective and current J-1 physicians in training at the institution and to be knowledgeable of the J-1 regulations. The TPL works with both ECFMG and J-1 physicians to ensure that the host training site and its J-1 trainees are in compliance with federal requirements for participation.

## CATEGORIES OF EVSP SPONSORSHIP

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EVSP is authorized by the DoS to sponsor foreign nationals who are graduates of medical schools in either clinical training programs of graduate medical education *or* in non-clinical programs of observation, consultation, teaching, or research.

Physicians sponsored as Exchange Visitors for participation in accredited clinical programs or directly associated fellowship programs of graduate medical education or training are categorized as J-1 **“(alien) physicians.”**

Physicians sponsored as J-1 Exchange Visitors for participation in non-clinical programs primarily involved with observation, consultation, teaching, or research are categorized as **“research scholars.”** Unlike “alien physicians,” “research scholar” participants generally are not required to pass U.S. medical licensing exams and are not required to be ECFMG-certified. “Research scholars” are limited to activities involving no patient contact or incidental patient contact.

While ECFMG is the only agency authorized to sponsor the J-1 “physician” category, many U.S. hospitals and training institutions are DoS-designated sponsors for J-1 “research scholars.” Therefore, ECFMG only provides research sponsorship to those physicians participating in programs at hospitals or institutions that do not have their own J-1 research designation. The categories of “alien physician” and “research scholar” are specifically defined in the U.S. Code of Federal Regulations as follows:

### **ALIEN PHYSICIAN (Clinical Training Program)**

An *“alien physician* is...a foreign medical graduate seeking to pursue graduate medical education or training at accredited schools or medical or scientific institutions” [22CFR62.27(a)]. The term *graduate medical education* is further defined as “a program in which the alien physician will receive graduate medical education or training, which generally consists of a residency or fellowship program involving health care services to patients, but does not include programs involving observation, consultation, teaching or research in which there is no or only incidental patient care. This program may consist of a medical specialty or a directly related medical subspecialty or both...” [22CFR62.2].

### **RESEARCH SCHOLAR (Non-clinical Program)**

A *“research scholar* is...an individual primarily conducting research, observing, or consulting in connection with a research project...” [22CFR62.4(f)].

**No Patient Contact:** Activity which involves no direct patient care, indicating that the physician will at most attend or give lectures, go into patient areas as an observer or consultant, or work on research tissue and specimens that have no direct bearing on patient care.

**Incidental Patient Contact:** Activity involving incidental patient contact, indicating clinical patient contact that is directly supervised. The Exchange Visitor must not have final responsibility for diagnosis and treatment. Making a diagnosis and entering it in a patient chart, prescribing treatment or medication administered by the physician or other health care professionals, or performing surgery is beyond the scope of incidental patient contact. Activities which may be acceptable include: performing a diagnostic examination in the presence of a senior physician who repeats the examination or ensures at every step that it is done correctly and the proper diagnostic information is obtained; being present during therapies and treatment with opportunities for hands-on experience in ways that do not compromise the care of the patient; being present in the operating room and having direct patient contact, but not performing procedures. [NAFSA Advisor's Manual §9.10.2, 1998 Edition.]

## BASIC ELIGIBILITY REQUIREMENTS FOR J-1 PHYSICIANS

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Foreign nationals applying for sponsorship as J-1 “physicians” to participate in clinical programs of graduate medical education (GME) must meet the following general requirements:

- Pass USMLE® Step 1, Step 2 Clinical Knowledge (CK) and Step 2 Clinical Skills (CS); or the former VQE, NBME® Part I and Part II, or FMGEMS; or an acceptable combination thereof. (Note: The former one-day ECFMG Examination and the Federation Licensing Examination (FLEX) do **not** meet the requirements for J-1 visa sponsorship.)
- Hold a Standard ECFMG Certificate without expired examination dates, if applicable. (Note: Graduates of LCME-accredited U.S. and Canadian medical schools are not required to be ECFMG-certified.)
- Hold a contract or an official letter of offer for a position in an approved graduate medical education or training program.
- Provide an original Statement of Need from the Ministry of Health of the country of most recent legal permanent residence. This statement must provide written assurance that the country needs specialists in the area in which the Exchange Visitor will receive training and that he/she will return to the country upon completion. If permanent residence is in a country other than that of citizenship, the Statement of Need *must* come from the country of most recent legal permanent residence. (See *Statement of Need Sample Letter on page 9.*)

**Duration of Stay:** ECFMG’s sponsorship for GME participation is limited to the time typically required to complete specialty/subspecialty training requirements as determined by the American Board of Medical Specialties (ABMS). The duration of sponsorship is further limited to a maximum of seven years.

## BASIC ELIGIBILITY REQUIREMENTS FOR J-1 RESEARCH SCHOLARS

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If a foreign national physician’s proposed host institution is not designated as a J-1 sponsor by DoS, ECFMG will consider sponsorship in the “research scholar” category for participation in programs of observation, consultation, teaching, or research. Foreign nationals applying for sponsorship as J-1 “research scholars” must meet the following general requirements:

- Be a graduate of a U.S., Canadian, or foreign medical school;
- Hold a contract or official letter of offer for a position;
- Obtain the appropriate certification statement for no patient contact or incidental patient contact.

**Duration of Stay:** The maximum duration of ECFMG sponsorship in the “research scholar” category is five years. Certain restrictions prevent J-1 research scholars from pursuing consecutive U.S. research programs.

**Change of Category:** A request for a change of category from J-1 research scholar to J-1 physician requires pre-approval from DoS and must be initiated by ECFMG. Please see [www.ecfmq.org/evsp/evspcocomemo.pdf](http://www.ecfmq.org/evsp/evspcocomemo.pdf) for details. There is currently no provision that allows a physician who has participated in any clinical training under ECFMG sponsorship to request a change of category from J-1 physician to J-1 research scholar.

All initial applicants for ECFMG J-1 sponsorship are advised that sponsorship eligibility should not be presumed and cannot be determined until a complete review of an individual’s U.S. visa history has been conducted. The DoS has expressed concern about individuals with a history of “transiting non-immigrant visa types” and has advised ECFMG against sponsoring individuals who previously held J status and switched to an alternate visa classification or J category before applying to ECFMG. Therefore, any history of multiple changes in visa classification and/or movement between multiple J categories may negate sponsorship eligibility.

## INITIAL ECFMG SPONSORSHIP

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Once EVSP issues Form DS-2019 for sponsorship, an applicant has two options by which to obtain J-1 status. If the individual is in the United States in a visa status other than “J-1,” he/she may apply for a change of status through USCIS by filing Form I-539 (see the USCIS website at <http://www.uscis.gov>). If the applicant is physically present outside the United States, he/she may use the Form DS-2019 to schedule an appointment with the U.S. embassy or consulate in his/her home country to apply for a J-1 visa and then enter the United States in J-1 visa status. Physicians should contact embassies and consulates directly for information on the application process and processing times.

Additional information regarding applying for U.S. visas is available at: <http://usembassy.state.gov/>. It is recommended that professional immigration counsel be sought if seeking to change visa status within the United States. **Physicians should not undertake any training with host hospitals until they are in J-1 visa status or have alternative employment authorization.**



## U.S. CODE OF FEDERAL REGULATIONS (J-1): 22CFR§62

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Exchange Visitor physicians and host institutions must be familiar with guiding principles of the J-1 Exchange Visitor Program. Applicants, TPLs, and program directors are encouraged to also review a complete copy of the J-1 regulations (22CFR§62) at:

[www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=1bc531bf257789e45b3049bff8b50d64&r=PART&n=22y1.0.1.7.35](http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=1bc531bf257789e45b3049bff8b50d64&r=PART&n=22y1.0.1.7.35)

The *General Provisions* for all J participants are outlined at 22CFR§62.1 - §62.17; regulations specific to the (alien) physician category are provided at 22CFR§62.27.

## SEVIS

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SEVIS is an Internet-based system that provides tracking and monitoring functionality, with access to accurate and current information on nonimmigrant students (F and M visas) and Exchange Visitors (J visa), and their dependents. SEVIS enables J-1 program sponsors, including ECFMG, to transmit electronic information and event notifications to both the DoS and U.S. Department of Homeland Security (DHS) throughout an Exchange Visitor's stay in the United States. SEVIS is informed of all status events including, but not limited to, entry/exit data, changes of current U.S. address (residence), program extensions, employment notifications, and changes in program of study.

DHS requires all *initial* applicants to pay a \$180 SEVIS fee prior to appearing for a visa interview. (Canadians must pay the SEVIS fee and present the receipt at the port-of-entry.) Please see [www.fmjfee.com](http://www.fmjfee.com) for additional information and payment instructions.

# SELECTED FEDERAL REGULATIONS

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Following is a summary of several pertinent regulations pertaining to J-1 physicians.

**CROSS-CULTURAL ACTIVITIES:** In addition to providing participants with education and training that can be shared with the people of each individual participant's home country, the J-1 Exchange Visitor Program was designed to provide an opportunity for cultural exchange.

**DURATION OF STAY:** The duration of stay for participants in the Exchange Visitor Program for clinical training is limited to the time typically required to complete the advanced medical education program. For clinical training programs, the time typically required refers to the medical specialty and subspecialty certification requirements published by the ABMS. The duration of stay in clinical programs is further limited to a period of no more than seven years.

**J-1 CATEGORY CHANGE:** Exchange Visitors may not, as a matter of course, change from one J-1 category designation to another. The categories most often used by foreign national physicians are: "research scholar," "professor," "student," and "alien physician." For example, physicians entering the United States in J-1 status under the category of "research scholar" may not change to the "alien physician" category for clinical training *without prior DoS approval*. Applicants seeking a change in J-1 category through the DoS must allow at least 60 days for DoS review and decision in addition to regular ECFMG processing times. See [www.ecfm.org/evsp/evspcocomemo.pdf](http://www.ecfm.org/evsp/evspcocomemo.pdf) for additional information.

**CHANGE OF SPECIALTY:** The Regulations state that "...the alien physician may once, and not later than two years after the date the 'alien physician' enters the U.S. as an Exchange Visitor (or acquires exchange visitor status), change his/her designated program of graduate medical education or training..." [22CFR62.27(f)]. ECFMG is authorized to issue a change in program specialty before the completion of the second year of training. Once an Exchange Visitor enters the third year of training, a change in specialty is no longer permitted.

**TWO-YEAR HOME PHYSICAL PRESENCE REQUIREMENT:** In accordance with Section 212(e) of the Immigration and Nationality Act, as amended, all Exchange Visitors sponsored in the J-1 physician category (and all accompanying J-2 dependents) are required to return to their country of nationality or country of last legal permanent residence for an aggregate of at least two years before becoming eligible for a change or adjustment in certain U.S. visa statuses. Research scholars, in some instances, may not be subject to this requirement.

**MANDATORY INSURANCE REQUIREMENTS:** Federal Regulations require that Exchange Visitors and dependents obtain health, accident, medical evacuation, and repatriation of remains insurance. Insurance must provide the following coverage:

1. **Medical benefits of at least \$100,000 per accident or illness;**
2. **Deductible that does not exceed \$500 per accident or illness;**
3. **Co-insurance paid by J-1 not to exceed 25% of covered benefits per accident or illness;**
4. Minimum repatriation of remains in the amount of \$25,000;
5. Minimum medical evacuation expenses in the amount of \$50,000.

J-1 physicians are responsible to ensure that they and their J-2 dependents have health and accident insurance that, at minimum, meets requirements #1, #2, and #3 above. ECFMG provides repatriation of remains and medical evacuation insurances (#4 and #5) to all J-1 physicians and J 2 dependents under its sponsorship. For additional information, see *Mandatory Medical Insurance Requirements* at <http://www.ecfm.org/evsp/mandatory-medical-insurance.html>.

**TRAINING AUTHORIZATION / EMPLOYMENT:** The primary objective of each ECFMG-sponsored Exchange Visitor is to receive graduate medical **training** in the United States which will ultimately enhance his/her skills in a specialty field of medicine. Visa sponsorship, which is documented by Form DS-2019, *Certificate of Eligibility for Exchange Visitor (J-1 Status)* and issued by ECFMG, authorizes a specific training activity and associated financial



compensation. Federal regulations do not permit activity and/or financial compensation outside of the defined parameters of the training program. Therefore, employment outside of approved residency or fellowship training is not permitted.

Dependents of the Exchange Visitor in the United States with J-2 status may file an Application for Employment Authorization (Form I-765) with the office of U.S. Citizenship and Immigration Services for permission to accept and/or continue employment, provided that the earned income is not needed for support of the principal (J-1) Exchange Visitor. Form I-765 may be obtained by accessing the USCIS home page at <http://www.uscis.gov/>.

**REPEAT TRAINING:** Exchange Visitors are expected to advance through **progressive** levels of training that are required by their chosen specialty/subspecialty boards. Repetition of any portion of training is discouraged. Requests for repeat training will only be considered upon strong recommendation by the Program Director.

## STATEMENT OF NEED SAMPLE LETTER

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U.S. Public Law 94-484, effective January 10, 1978, requires that J-1 physician applicants provide a letter of need from the Ministry of Health of the country of his/her nationality or most recent legal permanent residence. Such a letter must provide written assurance, satisfactory to the Secretary of the United States Department of Health and Human Services, that there is a need in that country for persons with the skills the alien physician seeks to acquire.

If the applicant is a permanent resident of a country other than that of citizenship, the Statement of Need (SoN) must come from the Ministry of Health of the country of **most recent legal permanent residence**.

In cases in which a new or updated SoN is required, **an original, official SoN issued directly from the Ministry of Health in the country of most recent legal permanent residence must be submitted directly to ECFMG.** To be accepted by ECFMG, the original SoN must be received in the original, sealed envelope of the Ministry of Health. In addition, the Ministry of Health official issuing the letter must place it in a Ministry of Health envelope and stamp the outside flap with the issuing government seal. The document should be forwarded directly to ECFMG; if the sealed envelope is opened, ECFMG will not accept the SoN. **Electronic or scanned copies on the SoN will not be accepted by ECFMG.**

SoNs in *sealed* Ministry of Health envelopes must be mailed directly to ECFMG either by the Ministry of Health or the applicant. Use of a courier service is recommended. The mailing address is: EVSP/ECFMG, 3624 Market Street, Philadelphia, PA 19104 USA.

### **Additionally, per the U.S. Code of Federal Regulations (CFR), the SoN must:**

- Be issued by the federal/central office of the applicant's country of most recent legal permanent residence
- Be issued on official Ministry of Health letterhead and addressed to ECFMG
- *Exactly* follow prescribed wording outlined in the CFR §62.27
- Align with the training specialty/subspecialty being pursued
- Contain the official stamp or seal of the issuing government *and* dated signature of issuing official on the SoN
- Be issued in English; if not issued in English, a certified word-for-word English translation is required (again, please note that the SoN and any translation must follow regulatory prescribed language)

*\*Any SoN that does not meet all of the above-specified requirements will not be accepted.* If the original SoN is not issued in English the Ministry of Health may provide a *copy* of the SoN to the applicant for the purpose of obtaining an English translation. The certified English translation may either be submitted in the sealed envelope with the original SoN or it may be submitted to ECFMG separately. Both the original SoN and a certified English translation, if applicable, are required as part of the application.

The following is the exact wording that has been approved by the U.S. Secretary of Health and Human Services for the SoN:

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**USMLE®/ECFMG ID Number:** \_ \_ \_ \_ \_

**Name of Applicant for Visa:** \_\_\_\_\_

There currently exists in (country) a need for qualified medical practitioners in the specialty of \_\_\_\_\_.

(Name of Applicant for visa) has filed a written assurance with the government of this country that he/she will return to his/her country upon completion of training in the United States and intends to enter the practice of medicine in the specialty being sought.

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The Statement of Need is required for all **INITIAL** applicants to ECFMG or if *any* of the following apply:

- The applicant is entering a new specialty or subspecialty
- The letter on file with EVSP will expire
- The letter on file with EVSP is institution-specific and a change in host institution is proposed

It is important to note that the source country for the SoN cannot be changed once an applicant acquires J-1 status. Any/all subsequent statements of need must be issued by the same source country.

## MOONLIGHTING

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The U.S. Code of Federal Regulations governing the Exchange Visitor Program clearly states that the primary objective of the Exchange Visitor physician's training in the United States should be to enhance his/her skills in the field of medicine. Visa sponsorship, which is documented by Form DS-2019 and issued by ECFMG, authorizes a specific training activity and associated financial compensation. A final requirement for sponsorship/status as an Exchange Visitor physician involves the signing of the Form DS-2019. This certifies that the Exchange Visitor physician understands that he/she "...shall be permitted to perform only those activities described in Item 4 on this form."

Federal Regulations do not permit activity and/or compensation outside the defined parameters. The U.S. Code of Federal Regulations governing the Exchange Visitor Program states:

- (a) An exchange visitor may receive compensation from the sponsor or the sponsor's appropriate designee for employment when such activities are part of the exchange visitor's program.
- (b) An exchange visitor who engages in unauthorized employment shall be deemed to be in violation of his or her program status and is subject to termination as a participant in an exchange visitor program.
- (c) The acceptance of employment by an accompanying spouse or minor child of an exchange visitor is governed by Immigration and Naturalization Service regulations. [Note that in March 2003, service and benefit functions of the U.S. Immigration and Naturalization Service transitioned into the Department of Homeland Security as the U.S. Citizenship and Immigration Services.] (*22CFR§62.16*)

Participation in a structured training program should serve to meet the above objective by strengthening and improving the J-1 physician's knowledge of American techniques, methodologies, and expertise in a particular medical specialty. As all J-1 physicians sponsored by ECFMG have a chosen primary objective of GME, they may receive compensation *only* for activities that are part of the designated training program. Therefore, work outside of the sponsored program, or "Moonlighting" is *not* permitted.

## TRAVEL AND VISA ISSUANCE

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All physicians sponsored by ECFMG must be in possession of a valid J-1 visa affixed in their passports for reentry to the United States. The passport visa stamp must be valid if the physician is physically outside of the United States and wishes to reenter in J-1 status. J visas may only be issued by U.S. embassies and consulates *outside* of the United States. Typically, J visas are issued by consulates for the duration indicated on the Form DS-2019 submitted at the time of the visa interview. Information on applying for a J visa at a particular U.S. consulate is available at the U.S. consulate website <http://usembassy.state.gov/>.

In addition to possessing a valid J visa in an unexpired passport, J-1 physicians and their J-2 dependents that depart the United States temporarily are required to hold a travel-endorsed Form DS-2019 for reentry. The Form DS-2019 must be signed by an EVSP "Responsible Officer" in the lower right hand box marked "TRAVEL VALIDATION BY RESPONSIBLE OFFICER." Additional information on travel while in J-1 status under ECFMG sponsorship and instructions to request a travel endorsed Form DS-2019 is available at [www.ecfm.org/evsp/travel-index.html](http://www.ecfm.org/evsp/travel-index.html).

Canadian citizens are not required to have J visas affixed in their passports and are therefore, not required to apply for a visa at a U.S. consulate. However, upon reentry to the United States, Canadian citizens must be in possession of a travel endorsed DS-2019 and unexpired Canadian passport.

## FORM I-94: ARRIVAL AND DEPARTURE RECORD

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Form I-94 is the Arrival/Departure Record issued, in either paper or electronic format, by a Customs and Border Protection (CBP) Officer to foreign visitors entering the United States. As of April 30, 2013, most Arrival/Departure records are created electronically at U.S. ports-of-entry. Foreign visitors will not receive a paper copy at the port-of-entry; however, brochures with instructions for accessing and printing a copy of an electronically issued Form I-94 are generally available at U.S. ports-of-entry. The exception to the new electronic Form I-94 is at land border ports-of-entry where CBP still issues the paper Form I-94. Land border ports-of-entry are road and rail crossings on a **land border** between the United States and Canada, and the United States and Mexico.

In addition to Form I-94, foreign visitors are provided with an annotated stamp in their passports at the port-of-entry. In the case of J-1 physicians entering the United States for GME, the annotation should reflect J-1 "Duration of Status (D/S)." If the foreign national physician is already present in the United States in another visa status, the DHS Form I-539 "*Application to Extend or Change Non-Immigrant Visa Status*," must be filed and Form I-797: *Notice of Action* will be issued upon approval.

Form I-94 or Form I-797 issued by USCIS provides the following information:

- **Date of Entry** to the United States/Change of Status Approval Date
- **Visa Status** granted
- **Length of Authorized Stay** in the United States

## MAINTENANCE OF LAWFUL STATUS

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All J-1 physicians must maintain full-time participation in the ECFMG-approved training program as listed on the Form DS-2019. Evidence of lawful J-1 status is maintained through possession of *both* a valid Form DS-2019, reflecting the ECFMG-approved training, and Form I-94 or Form I-797. Form I-94 or Form I-797 marked with "Duration of Status (D/S)" is valid until the end date shown on Form DS-2019. If training with the host institution concludes prior to the end date shown on Form DS-2019, sponsorship terminates on the last day of training rather than the end date shown on Form DS-2019. Any attempt to use the Form DS-2019 after termination or resignation from the training program, regardless of validity dates on the Form DS-2019, is considered a violation of visa status.

Please note that DHS grants a 30-day grace period of lawful status from the expiration date on Form I-94 or Form I-797, if it is finite, or from the expiration date on the Form DS-2019, if Form I-94 or Form I-797 is marked D/S. This additional 30-day period, applicable only to *J* status, is for the purpose of making final arrangements before departing the United States. **There is no employment or training authorization during this 30-day grace period.** Remaining in the United States beyond the grace period can have serious repercussions for future immigration or visa applications. The 30-day grace period may not apply in instances of early departure due to resignation or termination. Consult with ECFMG if early departure from a training program is being considered.

**It is the Exchange Visitor's personal responsibility to maintain lawful J-1 visa status.**

# APPLYING FOR ECFMG SPONSORSHIP

J-1 sponsorship requires direct coordination between the J-1 applicant, the host institution, and ECFMG. The teaching institution's TPL and the J-1 applicant must coordinate the submission of the sponsorship application and all supporting documentation to EVSP for review. An EVSP Regional Advisor reviews each application to confirm sponsorship eligibility and communicates any application deficiencies to the host institution's TPL. All communications and status updates are available for a J-1 applicant to view through the J-1 Sponsorship link in OASIS. If/when an applicant is found to be eligible for sponsorship, an original Form DS-2019 is created and mailed to the TPL via United States Postal Service, for distribution to the J-1 physician or research scholar.\*

## Submitting a Sponsorship Application

TPLs initiate an application request for J-1 visa sponsorship by submitting appointment profile details and uploading supporting documentation through ECFMG's [Exchange Visitor Network \(EVNet\)](#). Once the TPL submits the appointment profile, the J-1 applicant is sent e-mail notice by ECFMG confirming that an on-line application has been initiated with ECFMG. The e-mail includes instructions for completing the applicant portion of the sponsorship application through [OASIS](#). Once the TPL and the applicant have completed their respective portions of the on-line application and all supporting documentation has been submitted to ECFMG, an EVSP Regional Advisor will proceed in evaluating the applicant's J-1 sponsorship eligibility.

## Submitting Documentation in Support of an Application

Both TPLs and applicants are able to upload supporting documentation as Portable Document Format (PDF) files through their respective on-line systems: applicants through OASIS and TPLs through EVNet.

*\*If courier service for mailing of Form DS-2019 is preferred, the TPL or applicant must upload a pre-paid/pre-addressed air bill at the time of application via EVNet or OASIS. The air bill must be pre-addressed to the TPL. Air bills pre-addressed to the applicant will not be used.*

# INCIDENT REPORTING

As a J-1 program sponsor, ECFMG must monitor the well-being of J-1 program participants and report to the DoS incidents involving J-1 physicians and/or their accompanying J-2 dependents. Therefore, ECFMG must be notified of any serious matter involving a J-1 physician or J-2 dependent. 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 institution. Incidents that occur outside of the training environment must also be reported to ECFMG.

The following chart was adapted from a rubric developed by the DoS and is meant to serve as a general guideline for reporting to ECFMG.

NATURE OF INCIDENT OR ALLEGATION	
<ul style="list-style-type: none"><li>• Death of a J-1 physician or J-2 dependent</li><li>• J-1 physician or J-2 dependent is missing</li><li>• 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.)</li><li>• Litigation (in which the J-1 physician or J-2 dependent is named a primary party, including malpractice)</li><li>• Incident involving the criminal justice system (i.e., arrest, charges, law enforcement, etc.)</li></ul>	<ul style="list-style-type: none"><li>• Sexually related incidents or abuse (an incident or allegation involving sexual exploitation, harassment, or abuse)</li><li>• Negative press involving a J-1 physician and/or J-2 dependent(s)</li><li>• Foreign government involvement (including embassy officials)</li><li>• Other situations impacting a J-1 physician's or J-2 dependent's safety (i.e., natural disaster, civil unrest, outbreaks of violence)</li></ul>

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. Please be assured that any/all privacy issues will be respected.

## HELPFUL LINKS

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### Pre-Arrival Information

<http://www.ecfm.org/evsp/pre-arrival-information.html>

### The Exchange Visitor Program Welcome Brochure

<https://j1visa.state.gov/wp-content/uploads/2015/03/Brochure-The-Exchange-Visitor-Program.pdf>

### U.S. Embassies and Consulates

<http://www.usembassy.gov/>

### Visa Appointment and Processing Wait Times

<https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/wait-times.html>

### Wilberforce Pamphlet on the Rights and Protection of Temporary Workers

<https://travel.state.gov/content/dam/visas/LegalRightsandProtections/Wilberforce/Wilberforce-ENG-100116.pdf>

## GLOSSARY OF SELECTED TERMS

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<b>ABMS</b>	<b>American Board of Medical Specialties</b>
<b>ACGME</b>	<b>Accreditation Council for Graduate Medical Education:</b> Responsible for the accreditation of graduate medical education programs in the United States.
<b>AMA</b>	<b>American Medical Association:</b> Major physician membership organization in the United States; instrumental in establishing standards that support graduate medical education.
<b>DHS</b>	<b>Department of Homeland Security:</b> Comprised of divisions responsible for immigration policies, procedures, and enforcement including U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection.
<b>DoS</b>	<b>United States Department of State:</b> U.S. government agency responsible for the administration of all Exchange Visitor Programs.
<b>DS-2019</b>	<b>Certificate of Eligibility for Exchange Visitor (J-1) Status:</b> The legal document necessary to obtain/maintain J-1 status. (Formerly Form IAP-66).
<b>D/S</b>	<b>Duration of Status:</b> contingent upon valid Form DS-2019.
<b>ECFMG</b>	<b>Educational Commission for Foreign Medical Graduates:</b> Through its program of certification, assesses whether international medical graduates are ready to enter graduate medical education in the United States.
<b>EVNet</b>	<b>Exchange Visitor Network:</b> ECFMG's on-line system through which Training Program Liaisons (TPLs) submit sponsorship applications.
<b>EVSP</b>	<b>Exchange Visitor Sponsorship Program:</b> ECFMG Department responsible for J-1 sponsorship.
<b>Exchange Visitor</b>	<b>J-1 visa holder.</b>
<b>GME</b>	<b>Graduate medical education.</b>

<b>Host Institution</b>	United States hospital or medical center which provides graduate medical education or research training to the Exchange Visitor.
<b>I-94</b>	Record of <i>arrival to/departure from</i> the United States; it documents Exchange Visitor's visa status.
<b>I-797</b>	Notice of Action, received when an <i>Application to Extend or Change Non-Immigrant Visa Status</i> is filed with USCIS.
<b>J-1</b>	Visa status assigned to Exchange Visitors for the purpose of education and/or training in the United States.
<b>J-2</b>	Visa status assigned to dependents of Exchange Visitors.
<b>Non-standard Training</b>	Advanced clinical subspecialty disciplines or pathway for which there is no ACGME accreditation and/or ABMS member board certificate available.
<b>OASIS</b>	<b><i>On-line Applicant Status and Information System:</i></b> ECFMG's web-based information service for ECFMG applicants and ECFMG-certified physicians. Applicants for J-1 sponsorship use OASIS to view and accept sponsorship appointment profiles, complete J-1 visa sponsorship applications, update addresses of residence, and submit payments to ECFMG.
<b>SEVIS</b>	<b><i>Student and Exchange Visitor Information System:</i></b> Government database that tracks immigration activities of all non-immigrant students and Exchange Visitors.
<b>SEVIS fee</b>	A U.S. government fee charged to initial applicants for issuance of specific visas, including the J-1 visa. Fee is part of visa application process at U.S. consulates.
<b>TPL</b>	<b><i>Training Program Liaison:</i></b> Person at the host institution who coordinates the administrative details of the Exchange Visitor's training program.
<b>USCIS</b>	<b><i>United States Citizenship and Immigration Services:</i></b> Division of DHS responsible for the administration of immigration and naturalization adjudication functions and establishing immigration services policies and priorities.
<b>Visa Stamp</b>	Issued by a United States embassy or consulate and located inside of a passport. Allows a foreign national to enter and/or reenter the United States (may be issued to allow single or multiple-entry; must include a valid end date). Should not be confused with Form I-94; the visa stamp does not document authorized duration of stay; it is an entry document only and does not confer visa status.
<b>Visa Status</b>	Controls the length of authorized stay and associated privileges with each visa class. The visa status of J-1 physicians is documented by possession of both a valid Form DS-2019 and a valid Form I-94 confirming "J-1, D/S."