



**J-1 Visa Waiver
Program Guidance 2020**

Iowa Department of Public Health
Protecting and Improving the Health of Iowans





Contact Information

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Definitions

1. **Metropolitan Statistical Areas:** are core based statistical areas that contain a core urban area of 50,000 or more population. The metropolitan statistical area comprises the central county or counties or equivalent entities containing the core, plus adjacent outlying counties having a high degree of social and economic integration with the central county or counties as measured through commuting.
2. **Micropolitan Statistical Areas:** are core based statistical areas that contain an urban core of at least 10,000 (but less than 50,000) population. The micropolitan statistical area comprises the central county or counties or equivalent entities containing the core, plus adjacent outlying counties having a high degree of social and economic integration with the central county or counties as measured through commuting.
3. **Health Professional Shortage Area (HPSA):** An area, population group, or facility designated by the U.S. Department of Health and Human Services as having an acute shortage of primary health care professionals. Please refer to the resource at <https://data.hrsa.gov/tools/shortage-area> for more information on HPSAs.
4. **Medically Underserved Area (MUA):** An area designated by the U.S. Department of Health and Human Services as meeting scoring criteria under the Index of Medical Underservice (IMU) which considers the ratio of primary medical care physicians to population, infant mortality rate, percentage of the population with incomes below the poverty level, and percentage of the population age 65 or over. Please refer to the resource at <https://data.hrsa.gov/tools/shortage-area> for more information on MUAs.
5. **Medically Underserved Population (MUP):** A designation by the U.S. Department of Health and Human Services which involves application of the Index of Medical Underservice (IMU) to data on an underserved population group within an area of residence to obtain a score for the population group. Please refer to the resource at <https://data.hrsa.gov/tools/shortage-area> for more information on MUAs.
6. **Governor-Designated and Secretary-Certified Shortage Areas for Rural Health Clinics:** Governors may designate areas of their state as shortage areas specifically for the purpose of Rural Health Clinic (RHC) certification. State-created and HRSA-certified plans outline how to identify areas that need RHC services, but do not otherwise qualify for HPSA or MUA/P designation. *A State Governor designation is not an eligible shortage designation for J-1 Visa Waiver.*



General Information

This guidance provides information about eligibility for the Conrad J-1 Visa Waiver Program. There are terms (in blue ink) within this guidance which are hyperlinked to the definitions section of this document or to external links that provide additional information.

Statutory Authority

The federal government authorizes the IDPH to sponsor physicians for a waiver who are subject to the 2-year home residency requirement upon completion of their exchange visitor program (see Section 214(l) of the Immigration Nationality Act (INA)).

Program Overview

The State of Iowa is committed to improving access to health care in underserved areas of the state. The Conrad J-1 visa waiver program, framed by Senator Kent Conrad of North Dakota in 1994, is one way to address the shortage of physicians in rural and urban areas. The Primary Care Office, within the Bureau of Policy and Workforce Services at the Iowa Department of Public Health, receives requests and makes recommendations for waivers on behalf of physicians holding J-1 visas in accordance with the Conrad State 30 program.

Waiver requests are accepted for physicians who provide primary health care, mental health care, and specialty care. Recipients of a waiver agree to a service commitment in an underserved area of the state, as designated by the federal government. There are currently 30 available spots annually, 10 of which may be considered as a flex spot for physicians who agree to work in non-designated areas, yet still serve residents in underserved areas. The IDPH forwards recommendations to the U.S. Citizenship and Immigration Services, who approves and issues the waivers (*amended*).

Candidate Requirements and Documentation

Requirements are listed numerically in the following table. The requirements include a description and the corresponding documentation required as part of the waiver request packet.

Requirement 1: Candidate must provide proof of identity.

Documentation:

1. Copy of one of the following:
 - Birth Certificate
 - Passport

Requirement 2: Candidate must not submit another request to any U.S. Government department or agency equivalent to act on my behalf in any matter relating to a waiver of the two-year home residence requirement. *(amended)*

Description

Physician does not have pending, nor will physician submit another application while this application is pending, to any U.S. Government department or agency equivalent to act on physician's behalf in any matter relating to a waiver of physician's two-year home residence requirement. *(amended)*

Documentation

1. Conrad 30 J-1 Visa Waiver Program Physician Form *(amendment)*

Requirement 3: J-1 Visa Waiver request must be submitted by employer or legal counsel on behalf of the candidate.

Description

Statement from employer or legal counsel must include the following:

- Provider full name, date of birth, and country of origin
 - Type of request (designated or non-designated)
 - Legal name and physical address of employer
 - Shortage designation name and ID# of each practice site (if applicable)
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Documentation

1. Signed letter from employer or legal counsel on letterhead

Requirement 4: Candidate must provide federal J-1 Visa and J-1 Visa Waiver documentation.

Description

- The J-1 Visa Waiver Recommendation Application Form DS-3035 includes a bar-coded document, supplementary candidate information, and statement of reason. This document facilitates processing once a recommendation and waiver request has been forwarded to the Department of State
 - The Certificate of Eligibility for Exchange Visitor (J-1) Status DS-2019 is a document that is required to apply for a J-1 Visa. A copy of this form is used to provide proof of J-1 visa eligibility.
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Documentation:

1. Form DS-3035, including the 3rd Party Barcode Page
2. Copy of all DS-2019 Forms issued to the candidate

Requirement 5: Candidate must practice in an eligible discipline.

Primary Health Care provider disciplines are:

- Family Practice
- General Internal Medicine
- General Pediatrics
- Geriatrics
- Obstetrics-Gynecology

**Primary Emergency Department Care are services provided by primary care physicians who practice in an emergency department.*

Mental Health Care provider disciplines are:

- General Psychiatry
- Child/adolescent Psychiatry
- Geriatric Psychiatry
- Substance Use Disorders

Specialty Health Care are services provided by physicians in disciplines other than those of Primary Care or Mental Health Care

Documentation

1. Conrad 30 J-1 Visa Waiver Program Physician Form (*amendment*)

Requirement 6: Candidate must have proof of eligible employment. (*amended*)

Description:

Employment contract must specify the following information:

- Physician legal name
- Pertinent health care discipline of physician
- Full-time employment
- Employer legal name and physical address
- Practice site legal name(s) and physical address(es) and include:
 - **All** practice sites where the provider will be fulfilling service commitment
 - Hours of service at each practice site
 - Shortage designation name (if applicable)
 - Shortage Designation ID (if applicable)
- Services must be provided for a minimum 3-year term and forty (40) hours per week. (*amended*)
- Three-year service commitment starting the first day of employment
- Service commitment will begin within 90 days from the date waiver was granted by the U.S. Citizenship and Immigration Services.
- Services must be provided at the practice site(s) specified in this application for the duration of the service obligation.
- Provides medical care to both Medicaid- and Medicare-eligible patients, and indigent uninsured patients. (*amended*)

- Services must be provided to all individuals, regardless of ability to pay (Medicaid and Medicare recipients, indigent, and uninsured). (*amended*)
- Indicate compliance with INA section 214(I)

Documentation:

1. Signed employment contract that attests to all participant and practice site requirements
2. Conrad 30 J-1 Visa Waiver Program Employer Form (*amendment*)

Requirement 7: If home country funded candidate’s medical education, home country must waive the “two-year home country physical presence requirement.”

Description:

Candidates must possess documentation that the home country government does not require the candidate to fulfill the “two-year home country physical presence requirement” if the home country funded their medical education.

Documentation:

1. Copy of J-1 Waiver No-Objection Statement, if applicable

Requirement 8: Candidate must be appropriately credentialed and qualified to practice in the discipline that candidate is applying for within the state of Iowa.

Documentation

1. Curriculum Vitae
2. Copy of Iowa full/provisional professional license/certificate or copy of proof of payment to the Iowa Board of Medicine
3. Copy of specialty certificate, if applicable

Requirement 9: Candidate’s employer must have attempted to recruit a U.S. citizen for the position being filled by the J-1 visa waiver requestor.

Description

Employer must provide the following information:

- How long the position has been vacant
- Recruitment has been conducted for a minimum of six months
- Recruitment is specifically for the position being filled by the J-1 visa waiver requestor
- Specific method/s used to facilitate recruitment
- Number of inquiries received as a result of recruitment methods
- Number of candidates identified as a result of recruitment methods
- How many interviews were conducted and if an offer was made

Documentation

-
1. Conrad 30 J-1 Visa Waiver Program Employer Form (*amendment*)

Prioritization Criteria

Waiver requests are prioritized for recommendation in the following order:

- Priority 1.** Primary care and non-primary care providers where service commitment will occur in a shortage designation area.
- Priority 2.** Primary care providers where service commitment would occur in non-shortage designated areas.
- Priority 3.** Specialty care providers where service commitment will occur in areas *not* designated as metropolitan or micropolitan.
- Priority 4.** Any remaining waiver requests received will be considered in order of receipt until the 30 slots are filled.*

**Candidates requesting a flex spot will no longer be considered once the 10 flex spots are filled.*

Submission Timeframe

J-1 visa waiver requests are accepted annually starting the first Tuesday in September through the last Friday in October.

Late Submissions

Requests may be submitted after the last Friday in October but are considered late. Late submissions will only be considered if waiver slots are still available after making recommendations on requests submitted in the aforementioned September - October timeframe. *Late submissions will be processed in accordance with Prioritization Criteria noted in the previous section.*

Waiver Request Review

Waiver request review is based on the following considerations:

- Review Consideration 1.** Contents are tabbed in accordance with [Request Packet Instructions Section](#) of this document
- Review Consideration 2.** Requested information is sufficiently addressed
- Review Consideration 3.** Program requirements are satisfied

Waiver requests that do not meet requirements are designated as conditionally accepted pending submission of additional, requested materials within a specified date of return. If requested materials



are not submitted in a timely manner, the waiver request will revert to a new submission, which may affect priority status.

Monitoring Criteria

J-1 Waiver Recipients must adhere to the following monitoring criteria while fulfilling their service commitment.

Monitoring Criteria 1. Submit a completed Commencement of Employment Status Form within 30 days after employment commences

Monitoring Criteria 2. Complete annual provider survey

Request Packet Instructions

J-1 Visa Waiver requests must be submitted in accordance with the following criteria. Failure to submit as prescribed may result in a waiver recommendation denial.

- Use a table of contents and tab documents (*amendment*)
- Submit the documents in the order indicated on the Documentation Checklist
- The DOS Case Number must be printed on the lower right hand corner of every page of the request packet
- Request packet contents must be unbound
- Request packet contents must be single-sided
- Request packet contents must be on 8.5" x 11" paper
- Do not use staples, or binders
- Do not include documents that are not required by the State of Iowa
- Send waiver request packet to:

Iowa Department of Public Health
Bureau of Policy and Workforce Services
J-1 Visa Waiver Program
321 E 12th St.
Des Moines, IA 50319



J-1 VISA WAIVER REQUEST DOCUMENTATION CHECKLIST

Use this checklist as an aid to submitting your request. Documents are linked to the Requirements and Documentation section of the J-1 visa waiver program guidance.

- Contact page form (*amendment*)
- Signed letter from legal counsel on letterhead
- Copy of one of the following:
 - Birth Certificate
 - Passport
- Conrad 30 J-1 Visa Waiver Program Employer Form (*amendment*)
- Printed online federal Form DS-3035 with barcode
- Copy of federal Form DS-2019
- Conrad 30 J-1 Visa Waiver Program Physician Form (*amendment*)
- Copy of signed employment contract or employment verification form (provided) that attests to all participant and practice site requirements
- J-1 Waiver No-Objection Statement (if applicable)
- Curriculum Vitae
- Copy of Iowa full/provisional professional license or certificate or copy of proof of payment to the Iowa Board of Medicine
- Copy of professional specialty license/certificate, if applicable

NOTES:

Resources

1. Health Resources and Services Administration (HRSA) Data: <https://data.hrsa.gov/>
2. HPSA by State and County: <https://data.hrsa.gov/tools/shortage-area/hpsa-find>
3. INA section 214(l): <https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title8-section1184&num=0&edition=prelim>
4. MUA/P Find: <https://data.hrsa.gov/tools/shortage-area/mua-find>
5. Shortage by Address: <https://data.hrsa.gov/tools/shortage-area/by-address>
6. U.S. Department of Health and Human Services Exchange Visitor Program: <https://www.hhs.gov/about/agencies/oga/about-oga/what-we-do/exchange-visitor-program/index.html>
7. U.S. Citizenship and Immigration Services (USCIS) Conrad 30 Waiver Program: <https://www.uscis.gov/working-united-states/students-and-exchange-visitors/conrad-30-waiver-program>
8. U.S Department of State Exchange Visitor Visa: <https://travel.state.gov/content/travel/en/us-visas/study/exchange/waiver-of-the-exchange-visitor/how-to-apply-waiver.html>

Amendments

1. The following Iowa Forms have been replaced by the **Conrad 30 J-1 Visa Waiver Program Employer Form**
 - a. Affidavit of Requirements Recognition by Sponsoring Agency (IA-J1D)
 - b. Affidavit of Recruitment Efforts by Sponsoring Agency
2. The following Iowa Forms have been replaced by the **Conrad 30 J-1 Visa Waiver Program Physician Form**
 - a. J-1 Visa Waiver Agreement of Non-Involvement in Other Waiver Processes (IA-J1C)
 - b. Completed Physician Form
3. Under General Information, added
 - a. The IDPH forwards recommendations to the U.S. Citizenship and Immigration Services, who approves and issues the waivers.
4. Requirement 2, deleted
 - a. Candidate must not request a waiver in another state.
5. Requirement 2, added
 - a. Candidate must not submit another request to any U.S. Government department or agency equivalent to act on my behalf in any matter relating to a waiver of the two-year home residence requirement.
6. Under Requirement 2, deleted
 - a. While actively seeking a Conrad 30 waiver in Iowa, the candidate must not request a waiver in another state at the same time.
7. Under Requirement 2, Added
 - a. Physician does not have pending, nor will physician submit another application while this application is pending, to any U.S. Government department or agency equivalent to act on physician's behalf in any matter relating to a waiver of physician's two-year home residence requirement.
8. Under Requirement 6, deleted
 - a. Service commitment must be conducted at eligible practice site/s
 - b. Provides medical care to both Medicaid- and Medicare-eligible patients, and indigent uninsured patients.
9. Under Requirement 6, added
 - a. Services must be provided for a minimum 3-year term and forty (40) hours per week.
 - b. Services must be provided at the practice site(s) specified in this application for the duration of the service obligation.
 - c. Services must be provided to all individuals, regardless of ability to pay (Medicaid and Medicare recipients, indigent, and uninsured).
10. Requirement 6, deleted
 - a. Candidate must have a written employment contract.
11. Requirement 6, added
 - a. Candidate must have proof of eligible employment.
12. Added Contact Page Form



13. Added the following request packet instructions:
 - a. Use a table of contents and tab documents