From J-1 Trainee To Permanent Residence
What International Medical Graduates (IMGs) Need to Know
WHAT HAS AND HAS NOT CHANGED?

- Settled Law: Remains Consistent
- New Administration: Changes Mainly in Travel/Unauthorized Foreign Nationals
CURRENT IMMIGRATION OUTLOOK FOR IMG’s

• Basic Outlook is Challenging but Good
• Shortages in Physician Workforce Suggest Positive Immigration Prospects
• Challenges: Finding Jobs that Can Be Leveraged into Immigration Status
THREE PARADIGMS OF IMG IMMIGRATION

- J-1 Trainee to H-1B Physician
- H-1B Trainee to H-1B Physician
- Pathways to Permanent Residence
J-1 TRAINEE TO H-1B PHYSICIAN

• What is the Two-Year Home Residence Requirement?
• Why is a Waiver Necessary?
• How Can a J-1 Physician Get a Waiver?
  ➢ Persecution in the Home Country
  ➢ Exceptional Hardship to an Anchor Spouse or Child
  ➢ Interested Government Waiver Sponsorship
JOB SEARCHES FOR A CONRAD WAIVER:
3 REQUIREMENTS FOR SUCCESS

1. Does the Job/Employer Provide “Safety-Net” Services?
2. Will the Employer Actively Support the Waiver Case?
3. State of Intended Practice: Policies & Waiver Number Availability
H-1B TRAINEE TO H-1B PRACTICING PHYSICIAN

• Relevance of H-1B Quota (Cap)
• H-1B Trainee to Private Employer: Subject to Quota
• Main Exemptions from Quota:
  – New Employer is University Institution
  – New Employer is Non-Profit & University Affiliated
  – Work will be “AT” Exempt Institution
OPTIONS FOR PERMANENT RESIDENCE

- PERM Labor Certification Application
- National Interest Waiver
CONTACT INFORMATION:

Robert D. Aronson
Fredrikson & Byron, P.A.
200 South Sixth Street
Suite 4000
Minneapolis, MN  55402
Phone: 612.492.7260
Email: raronson@fredlaw.com
Website: www.fredlaw.com