

# 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



U.S. Citizenship  
and Immigration  
Services

# 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





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