

RESOLUTION OF THE COALITION FOR PHYSICIAN ACCOUNTABILITY

WHEREAS, the U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security (the “Department”) has published a proposed rule which would eliminate “duration of status” as an authorized period of stay for certain nonimmigrant visas (F, I, and J);

WHEREAS, more than 12,000 J-1 physicians training in the United States form an essential part of the U.S. health care system as they provide supervised patient care at nearly 750 teaching hospitals in 51 states and provinces, their absence can potentially impact quality and safety;

WHEREAS, training programs in the United States last from one to seven years, depending on the medical specialty or subspecialty;

WHEREAS, the current duration of status regulation allows J-1 physicians to extend their authorized stay in the United States for subsequent years of training at the same time that they renew their visa sponsorship annually with ECFMG|FAIMER;

WHEREAS, the Department’s proposed rule change would replace “duration of status” with a specific end date tied to the J-1 physician’s contract term and the additional requirement to apply through the U.S. government each year to extend this end date;

WHEREAS, the current published processing time for such an extension application, which would recur annually, ranges from five to 19 months creating an impossible timeline which could render J-1 physicians unable to continue in their training programs on July 1 each year;

WHEREAS, the program participation dates and corresponding authorized period of stay for all J-1 physicians are already available to ICE through SEVIS, a joint database of the U.S. Department of State and U.S. Department of Homeland Security, the proposed rule will yield no new or additional information while disrupting the services of J-1 physicians at teaching hospitals where essential patient care is provided;

WHEREAS, the Department’s proposed rule change, if adopted, would impede the participation of J-1 physicians in training programs creating an immediate and adverse impact on the delivery of health care in the United States; and

NOW THEREFORE LET IT BE:

RESOLVED, that the members of the Coalition for Physician Accountability recommend in the strongest terms that physicians be exempted from the proposed rule change to eliminate “duration of status” as an authorized period of stay for J-1 Visas.

RESOLVED, that the members of the Coalition for Physician Accountability call on the health care community to mobilize to ensure the Department retracts the proposed rule change for J-1 physicians and ensures a strong frontline health policy.

APPROVED: October 27, 2020

MEMBERS, COALITION FOR PHYSICIAN ACCOUNTABILITY:

Accreditation Council for Continuing Medical Education (ACCME)
Accreditation Council for Graduate Medical Education (ACGME)
American Association of Colleges of Osteopathic Medicine (AACOM)
American Board of Medical Specialties (ABMS)
American Medical Association (AMA)
American Osteopathic Association (AOA)
Association of American Medical Colleges (AAMC)
Council of Medical Specialty Societies (CMSS) (liaison member)
Educational Commission for Foreign Medical Graduates (ECFMG)
Federation of State Medical Boards (FSMB)
Joint Commission (liaison member)
Liaison Committee for Medical Education (LCME)
National Board of Medical Examiners (NBME)
National Board of Osteopathic Medical Examiners (NBOME)