

# Baystate Medical Center

## Policies and Procedures: Graduate Medical Education

Individuals Reviewing Policy

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Policy: **BH-AA-GME-3.05**

SUBJECT: **RESIDENT VISAS**

### I. POLICY

Foreign national BMC residents shall enter the United States on an appropriate visa and maintain appropriate visa status throughout their training.

### II. PURPOSE

To ensure that all foreign national BMC residents are appropriately authorized to work in the United States.

### III. SCOPE

All foreign national BMC residents and GME programs.

### IV. PROCEDURE

A foreign national is a citizen of a country other than the United States.

BMC offers J-1 visas for foreign national BMC residents. The J-1 visa is the preferred visa for foreign national BMC residents. The J-1 visa is a temporary, nonimmigrant visa reserved for participants in the Exchange Visitor Sponsorship Program, a public diplomacy initiative of the United States Department of State that permits foreign national physicians to participate in clinical training programs in the United States. The J-1 visa is sponsored by the Exchange Visitor Sponsorship Program of the ECFMG.

A program that offers a position to or matches with a foreign national shall begin the J-1 visa application process as soon as possible. The J-1 application must be completed by the resident and Program Director under the procedures specified by the Exchange Visitor Sponsorship Program. The completed application must be approved and mailed to the Exchange Visitor Sponsorship Program by the GME Registrar. The J-1 visa applicant is responsible for all fees and expenses associated with applying for and obtaining the J-1 visa.

BMC does not routinely offer H-1B visas for foreign national BMC residents. The H-1B visa may be offered by BMC in exceptional circumstances. The H-1B is a nonimmigrant classification for a highly skilled nonimmigrant worker admitted to the United States to work temporarily in a specialty occupation. BMC, as the employer,

must sponsor the H-1B visa and fulfill sponsorship requirements as set forth by the United States Immigration and Citizenship Services.

Requests by the Program Director for consideration of an H-1B visa are submitted to the DIO, who must approve all H-1B visas for foreign national BMC residents. The applicant must be outstanding, placed or would be placed in the top 10% of the rank order list, and have compelling extenuating circumstances that must be documented by the Program Director and affirmed by the DIO. If the H-1B request is approved by the DIO, BMC is responsible for required fees and expenses associated with applying for and securing the H-1B visa with the exception of the fee for premium processing by the Immigration and Citizenship Services, which may be paid by an applicant who desires to expedite the visa process.

Foreign national BMC residents shall not begin employment at BMC until they have a valid visa. Foreign national BMC residents who lose legal visa status may be dismissed from the training program. Any BMC resident with a visa must notify the Office of Education in writing immediately of any notice to take action, or intent to take action, related to their visa.

**Approved by the Graduate Medical Education Committee**  
**Effective Date: 03/03/2006**

**Revision Dates:**

10/02/2009	05/31/2006					
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