



September 26, 2001

MEMORANDUM FOR The Federal Co-Chairman
ARC General Counsel

SUBJECT: OIG Memorandum Report 01-44(H), J-1 Visa Waiver
Compliance Visits in Northeast Pennsylvania

BACKGROUND

This review was undertaken as part of a survey of J-1 Visa Waiver program operations in the Appalachian Region.

The J-1 Visa Waiver program provides a waiver of the requirements for a foreign physician to return to his/her home country after completion of medical training in the United States. The Appalachian Regional Commission (ARC) participates as a Federal Entity sponsor to assist Appalachian Region communities in providing healthcare services to medically underserved areas. The applicable ARC policies and procedures require J-1 physicians to practice 40 hours of primary care per week in a designated Health Profession Shortage Area (HPSA) in the Appalachian Region. The ARC program requires the physician to serve at least 3 years (unless a state has a longer period). There is no prohibition on J-1 physicians working extra hours or practicing subspecialties after fulfilling primary care requirements.

Although primary responsibilities for reviewing J-1 Visa Waiver requests, including supporting documentation, justifications of need, program oversight, and reporting have been delegated to the state health agencies, ARC retains the authority to act on waiver requests and to ensure compliance with program objectives requirements.

OBJECTIVE

The objective of our review was to determine the compliance with ARC J-1 Visa Waiver program requirements that J-1 physicians performing primary care services in an Appalachian HPSA for 40 hours per week.

SCOPE AND RESULTS


On August 24, 2001, unannounced contacts were made at three locations employing four J-1 physicians. These contacts and followup discussions with physicians who were not on site at the time of our visit disclosed that the physicians were generally complying with program provisions. In three cases, the physicians were providing services at the approved locations and at locations in the vicinity of the approved

location. In these cases, the services were being provided in eligible areas; and the physicians were requested to submit updated work schedules to ARC.

Two physicians were approved to provide psychiatric services at Lehighton, Pennsylvania. During our visit, the cited location was closed. Contact with the employer disclosed that, due to shortages of physicians to provide psychiatric services, the physicians were serving several communities in the area and at the local hospital. A visit to the local hospital confirmed the services being provided by the physicians. Telephone contact with the physicians confirmed their schedules, and the physicians will provide ARC with an updated work schedule.

Two physicians were also approved to provide family practice services for two employers in Shamokin, Pennsylvania. Visits to the approved location disclosed that one physician was practicing at the approved site and the other physician was splitting time between the Shamokin office and an office in Kulpmont, Pennsylvania, 6 miles east of Shamokin. One physician noted that his service was necessary at Kulpmont due to the heavy workload and that efforts were in process to increase the patient workload at Shamokin. Observations at one of the Shamokin offices and at the Kulpmont office indicated very large workloads as reflected by crowded waiting rooms.

Although three of the four physicians were providing service at locations not previously identified, the activities were consistent with program intents and the locations appeared to be in eligible areas. The physicians expressed satisfaction with the program and voiced intentions to remain in the area after completion of the J-1 waiver period.


HUBERT N. SPARKS
INSPECTOR GENERAL




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Visits in Northeast Pennsylvania

The locations visited and physicians contacted were:

- Dr. Raphael Barda, Lehigh, Pennsylvania
- Dr. Babar Choudry, Lehigh, Pennsylvania
- Dr. Ahmad F. Wardeh, Shamokin, Pennsylvania
- Dr. Alakananda Chakvabarty, Shamokin, Pennsylvania


Hubert M. Sparks
Inspector General



October 4, 2001

Ms. Constance Hanna
Public Health Program Administrator
Bureau of Primary Care Resources
and Systems Development
Pennsylvania Department of Health
P. O. Box 90
Harrisburg, PA 17108

re: OIG Memorandum Report 01-44(H)

Dear Ms. Hanna:

Enclosed is a copy of our report on four participants in the J-1 Visa Waiver program. The schedules provided by Drs. Barda and Choudhry note that they are providing psychiatric service to various organizations and programs. Although we are not familiar with some of the activities noted, our overall position is that the physicians are very active in the area and are serving a varied clientele in a shortage area.

Sincerely,


Hubery N. Sparks
Inspector General

Enclosures



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Hubert M. Sparks
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