



December 7, 2001

MEMORANDUM FOR The Federal Co-Chairman
ARC General Counsel

SUBJECT: OIG Memorandum Report 02-14(H)—J-1 Visa Waiver
Compliance Visits in Alabama

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 compliance with the ARC J-1 Visa Waiver program requirement that J-1 physicians perform primary care services in an Appalachian HPSA for 40 hours per week.

SCOPE AND RESULTS

On December 3-4, 2001, unannounced visits were made to 11 locations in Alabama where 13 J-1 physicians were employed. Additionally, a former J-1 physician was visited to verify that practices during the waiver period were in accord with program requirements. Our visits confirmed that the physicians were in compliance with program requirements. In several instances, notices identifying that services were

available to all patients needed to be posted in the waiting areas; but observation and discussion indicated that services were being provided regardless of income levels.

Eight of the physicians were available at the time of our visit. Discussion and observations indicated that the physicians were in compliance with program requirements. The physicians noted that they had not been subject to recriminations resulting from the September 11, 2001 events. One of the physicians visited had recently completed the J-1 Visa Waiver period, and our visit was intended to confirm compliance with program requirements to serve all income classes. Two of the visits were primarily to followup on a prior report that noted employer/employee concerns with respect to several issues. The physicians noted that concerns had been resolved, and the practices were going well.

In 6 cases, the physicians were not available at the time of our visit; but discussions with available staff and observation indicated that the physicians were in compliance with program provisions. In 2 cases, the physicians provided some service at a site in a neighboring community.


Hubert N. Sparks
Inspector General



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SUBJECT J-1 Visa Waiver Program Visits to Alabama,
OIG Report 02-14(H)

The following listing and footnotes identify the J-1 physicians included in the subject report.

PHYSICIAN	LOCATION	NOTES
Z. Khan	Birmingham	<u>1</u> /
S. Jacob	Haleyville	<u>2</u> /
R. Coplin	Russellville	<u>2</u> /
M. Master	Town Creek	<u>2</u> /
Y. Qureshi	Rogersville	<u>2</u> /
D. Mahapatra	Huntsville	<u>3</u> /
N. Bishara	Sylcauga	<u>1</u> /, <u>5</u> /
A. Almakkee	Goodwater	<u>1</u> /
J. Jain	Kellyton	<u>2</u> /
E. Slavcheva	Kellyton	<u>2</u> /
M. Medina	Wetumpka	<u>1</u> /
S. Maheshwari	Clanton	<u>2</u> /, <u>5</u> /
H. Langschwager	Centreville	<u>1</u> /, <u>4</u> /
M. Stan	Centreville	<u>1</u> /, <u>4</u> /

Notes:

- 1/ Physician not available at time of visit, but discussion with staff indicated overall compliance with program requirements.
- 2/ Physician on site at time of visit, and program compliance noted.
- 3/ Physician had completed J-1 period, and visit confirmed that service had been provided to all patients in line with program requirements.
- 4/ Physicians provided some service at the neighboring town of Woodstock.
- 5/ A notice indicating service to all income levels needed to be posted in the waiting area.


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