



REPORT OF REVIEW

J-1 VISA WAIVER PROGRAM SURVEY OF SELECTED HEALTH CARE PROVIDERS

OIG Report 96-17(H)
December 18, 1995

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 requirement 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 health care 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 initially required the physicians to serve at least 2 years; however, in August 1995 the minimum was changed to 3 years (unless a state requires 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 state health agencies, ARC retains the authority to act on waiver requests and to ensure compliance with program objectives and requirements.

OBJECTIVE

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

RESULTS

We made unannounced visits to seven medical facilities in West Virginia, November 2-3, 1995, to review the status of eleven J-1 physicians (see Appendix). We located all of the physicians and ten of the eleven indicated they were performing primary care services in their approved HPSA location for a minimum of 40 hours per week. One physician was not at the approved location when we arrived, but a clinic employee indicated the physician split his time between the approved facility in

Gilbert, West Virginia (Mondays and Wednesdays) and another facility in Man, West Virginia (Tuesdays, Thursdays, Fridays) which is also in a HPSA. We went to the Man facility and located the physician who confirmed that he practiced primary care at both facilities. He told us he works at either or both of the two locations on Fridays, as needed.


The physicians were working under contracts ranging from two to four years and the types of facilities ranged from one-physician clinics to a three-county emergency hospital. The physicians indicated they were well-treated by their employers/sponsors.

CONCLUSION

All eleven of the J-1 physicians we selected for our review were located and interviewed during our unannounced visits to West Virginia November 2-3, 1995. All of them were working in their approved HPSA locations and one was also working in another HPSA location. They all indicated they were performing primary care services a minimum of 40 hours per week.

RECOMMENDATION

We recommend that ARC officials remind J-1 physicians and employers to notify ARC and the state agency when physicians begin working at locations other than those noted in waiver applications.


Hubert N. Sparks
Inspector General

**SELECTED J-1 PHYSICIANS/EMPLOYERS
IN WEST VIRGINIA**

Employer/Practice Location

J-1 Physician

Kelly Medical Corporation
Welch, WV

Syed Husain Aziz
Zaki Elsarrag
Charbal Butrors Bazo
Vijay Bhardwaj
Joseph Ebitenbo Goin

Gilbert Medical Center
Gilbert, WV

* Maximo L. Fernan, Jr.

Tug River Health Association

Northfork, WV
Gary, WV

Kofi Bruce-Mensah
Nihad Boutros

Hygeia Facilities Foundation, Inc.

Raleigh-Boone Medical Center
Whitesville, WV

Waheed Ahmed Khan

Wharton Medical Center
Wharton, WV

Mustafa Rahim

Oceana Medical Center
Oceana, WV

Amarindr Singh Chhabra

*Dr. Fernan also works at the Community Health Foundation of Man; Man, WV

OFFICE OF INSPECTOR GENERAL
REPORT OF CONTACT

NOTE: This form must be filled in with ink or typewriter.

NAME OF CONTACT:
Maggie Catillaz (Ca-till'-us)

DATE OF CONTACT:
11-7-95

ADDRESS OF CONTACT:
New York

TELEPHONE NO.:
716-231-1122

SUBJECT:
J-1 client not working in approved area

TYPE OF CONTACT:
 Personal Telephone

STATEMENT OF INFORMATION REQUESTED/GIVEN:

Ms. Catillaz called and identified herself as an attorney in New York who has a J-1 client. She did not identify the client by name but I believe it is Gurpreet Narula in Phelps, KY. Her client is worried .she. is violating ARC policy by working in an unapproved area. Her employer is requiring her to work in the unapproved location and the doctor wants to find other employment in an approved ARC location. The doctor contacted Ms. Catillaz for help and they need to know what to do. The doctor wants to do the right thing but is worried about jeopardizing her career.

Ms. Catillaz said she understood I had visited the location recently. The only female physician I visited was Dr. Narula. Her employer is Dr. Purohit in So. Williamson, KY. When I visited Dr. G. Narula the first time, she said she was working in Phelps when there were appointments and in So. Williamson while waiting for her practice to build up in Phelps. I called her several weeks after my on-site visit and she said she had gotten more patients and she and her husband are both at the Phelps clinic full-time. However, I called her at the So. Williamson office mid-morning and she said she would be departing for Phelps in about an hour and that her husband was at the Phelps location at that time. Dr. Gurpreet Narula's husband, Dr. Harjeet Narula, is also supposed to be at the Phelps location full-time.

Subsequent to my last conversation with Dr. G. Narula, Dr. Purohit called and said Dr. Narula was upset about my telephone call to her and was afraid we had gotten a complaint. I told him that was not the case and that the call was a follow-up to see if she had gotten more patients in Phelps. He said they had gotten more patients as a result of an advertising campaign but hadn't gotten as many as he had hoped. He said there were lots of people in the area that just want prescriptions for drugs but they won't do that and don't want that kind of patient. Dr. Purohit said he is paying the doctors what he is supposed to but they are not currently generating as much income as he had hoped they would be at this point.

I told Ms. Catillaz I would discuss this with the General Counsel's office and we'd get back to her. My impression is that the doctor wants out of her current employment situation but doesn't want to confront the employer until she knows what her options are.

11-8-95 Deann Greathouse said she had talked to this attorney twice before. Evidently she called yesterday before she called me and Deann agreed to send her "transfer" forms. Ms. Catillaz did not identify her client to Deann. We have also learned that Ms. Catillaz contacted Don Bucher twice + id'd the client as Dr. narula. He is trying to help re-locate the dr. but told them they need not restrict their job search to Kentucky. Dr. Purohit did not keep an appointment w/ Don on 11/7.

SIGNATURE:

J. Brennan

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OFFICE OF INSPECTOR GENERAL
REPORT OF CONTACT

NOTE: This form must be filled in with ink or typewriter.

NAME OF CONTACT: Maggie Catillaz	DATE OF CONTACT: 11-8-95
ADDRESS OF CONTACT: New York	TELEPHONE NO.:
SUBJECT: J-1 client in Kentucky	TYPE OF CONTACT: <input type="checkbox"/> Personal <input checked="" type="checkbox"/> Telephone

STATEMENT OF INFORMATION REQUESTED/GIVEN:

I called Ms. Catillaz as I promised. I told her I learned she had already talked with our J-1 rep in the General Counsel's office. She said she didn't realize Deann Greathouse was in the GC's office and appologized for me having to contact them. I told her I believed her client was a doctor assigned to Phelps, Kentucky and she confirmed it. I told her we were aware during my initial visit to Dr. Purohit's office that the J-1 wasn't full-time in Phelps. I followed up my visit with a phone call and her client told me she was now full-time in Phelps. I told Ms. Catillaz that her client should call me if that is not the case. She said the doctor is at the Phelps location full-time and is having problems with the employer because he wants to use her elsewhere (presumably in So. Williamson). So, the doctor is not currently in violation of program policy. The doctor very much wants to leave there and Ms. Catillaz is trying to help her find another location. She understands that the doctor must go to an ARC county that is in a HPSA and that they need approval from ARC and the state. I told her that the contract between the doctor and the employer is their problem to resolve. She understands. She didn't mention the husband's situation.

I called Deann and informed her of the above.

SIGNATURE: 	PAGE 1 OF PAGES
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JB
10-11-95
46-18 H

J-1 Visa Waiver Physician

Report of Contact - Dr. Gurpreet Narula

- Purpose: To determine how many patients Dr. Narula is seeing in Phelps, KY and verify where she currently has hospital privileges
- Source: At 9:45 a.m. on Oct. 11, 1995, I called the So. Williamson, KY offices of Dr. Nilkhanth B. Purohit (ph: 606-237-6000) and spoke with Dr. Gurpreet Narula.
- Scope: This call was a follow-up to my unannounced visit on Aug. 19, 1995. Dr. Gurpreet Narula was approved to work full-time at the Phelps, KY clinic.

Dr. Narula said they haven't gotten as many patients for the Phelps, KY clinic as they had hoped. Currently, she and her husband (Dr. Harjeet Narula) are there 5 days a week from 9 a.m. to 6 p.m. She said she sees 15-20 patients per week (probably 15 is closer to actual, she said) but it varies from day to day. Yesterday for example, she saw 5 patients, but some days 1 or 2. They get some walk-ins so they no longer go to Phelps only when they have appointments.

She said they are in Phelps from 9-6 but at the time we were talking it was almost 10am and she was in So. Williamson. She said she was leaving for Phelps in about an hour but that her husband was already in Phelps. She said "You can call him now to check. The number is (606) 456-9363."

I asked her where she has hospital privileges and she said Williamson Memorial Hospital. I asked if she had privileges at the Appalachian Regional Hospital and she indicated that she did not but that they were trying to get in there.

She asked for my phone number in case she needs to call me and asked me to repeat my last name. She also wanted to know if I would be coming back to visit. I told her I don't have any plans to visit again.

9/7/95

J-1 Visa Waiver Physicians
Phelps, KY

- Purpose: To determine where the J-1 Physicians approved for Phelps, KY are currently working
- Source: Dr. Nilkhanth B. Purohit, 210 Virginia Ave., So. Williamson, KY 41503, ph: (606)237-6000
- Scope: Dr. Gurpreet Narula reported to ARC that she began employment in Phelps, KY on July 1, 1995. On Jan. 31, 1995, ARC requested a waiver on behalf of Dr. Harjeet Narula; however, ARC has no record that a waiver has been approved.

I made an unannounced visit to the office of Dr. Purohit at about 8:15 a.m. on August 29, 1995. The doctor was in and met with me for about 1-1/2 hours.

Dr. Purohit said Dr. Gurpreet Narula was working at the Phelps office. I told him I was there yesterday afternoon and the place was deserted. He said they are currently recruiting patients for that office. They have a radio advertising campaign underway and are getting new patients from it. He said Dr. Gurpreet Narula is working at Phelps and in the So. Williamson office and admitting patients to the Williamson Memorial Hospital in Williamson, WV. It will be 3-4 more weeks before Dr. Harjeet Narula begins practicing. Dr. Harjeet just sat for his boards in Louisville.

Dr. Purohit said they applied for medical malpractice insurance for Dr. Gurpreet in July and he (Dr. Purohit) paid for her insurance and is paying her wages out of a home equity loan he took out. He said it will be a while before Dr. Gurpreet builds up her practice and is able to generate enough income to cover her wages. He said Dr. Gurpreet had also been away for three days recently to accompany her husband to Louisville while he took his board exams. Dr. Purohit said Appalachian Regional Hospital (ARH) is giving him a hard time about privileges for Dr. Gurpreet. They want her to complete a Citizenship/Immigrant Status Verification Form. He told them that he is her employer and it is his responsibility to verify her status and that ARH should not be concerned with the matter.

Dr. Purohit said he also had been away recently because of a serious illness involving his brother. Also, his wife has had breast cancer and it has been a financial and emotional struggle. Dr. Purohit said he has been seeing a doctor because of depression but stressed that he is not taking medications for it.

There is cutthroat competition in the area according to Dr. Purohit and it is a very political climate. As a result, he said, he may not be able to renew his lease on the Phelps office. He has found a backup location near Matewan, KY which is also in a HPSA. He's obtained a written quotation of terms to lease (\$875/month) or buy the space just in case he needs it. Evidently the owner of the Phelps office is tied politically to someone who opposes Dr. Purohit. He believes there are problems in the area with the quality of care people are getting from other physicians

and he also thinks there are Medicare abuses where costs are escalated 500 - 1000%. He has been very outspoken and has made some enemies.

Dr. Purohit has been in the area for 23 years and is very committed to the people. He provided photo copies of documents regarding two local babies who were sick in 1976. According to the statements of a mother whose baby died, Dr. Purohit tried to help but an ambulance company wouldn't transport her sick baby to a hospital because the family didn't have enough money to pay the full fee. A few months later, Dr. Purohit paid the \$358 for the ambulance to transport another baby to the hospital because the family had no money to pay the bill. That baby survived and the parents indicated that Dr. Purohit saved the baby from dying. According to Dr. Purohit, these are early examples of how he feels about the community.

During my conversation with Dr. Purohit, Dr. Gurpreet called and he asked her to come over to his office to meet me. The receptionist indicated Dr. Gurpreet was at the hospital. I told Dr. Purohit that it wasn't necessary for Dr. Gurpreet to do that but he wanted me to meet her. She arrived in a few minutes and I asked her in Dr. Purohit's presence if she had seen any patients in Phelps. She said yes and I told her I was there yesterday (8-28-95). She said they take appointments and she goes whenever there are appointments. The rest of the time she practices in Dr. Purohit's office. I asked her how much time she spends in Phelps and she said she didn't know exactly but she has records. I told her I didn't have time to review them. As I was leaving Dr. Harjeet Narula came in. He said he had just sat for his boards and was looking forward to practicing in Phelps. He said he was very pleased to be in the area.

On my way out of town I heard a radio advertisement for Dr. Purohit that indicated that Dr. Gurpreet Narula is now associated with him and people could call phone numbers in So. Williamson and Phelps for appointments.

Conclusion: Dr. Gurpreet Narula indicated she is practicing in Phelps and So. Williamson, KY. She is in So. Williamson when there are no appointments in Phelps. Dr. Purohit indicated he is advertising on the radio for new patients for Phelps and I happened to hear one of the ads on my way out of town. Dr. Purohit said Dr. Harjeet just sat for his boards and it will be a few more weeks before he will be working. Dr. Purohit took out a home equity loan and is using that money to pay the doctors wages and for Dr. Gurpreet's malpractice insurance until they are generating enough income. Dr. Purohit said there is cutthroat competition in the area and he has made some enemies. He believes there are Medicare abuses amongst some of the local medical personnel.

98
9-6-92

J-1 Visa Waiver Physician

Purpose: To determine if approved J-1 physicians are working at Dr. Purohit's office in Phelps, KY

Source & Scope: ARC J-1 documents indicate Drs. Gurpreet K. Narula and Harjeet S. Narula were to begin practicing internal medicine for Dr. N. B. Purohit on July 1, 1995 at an office in Phelps, KY. I made an unannounced visit to the site on August 28, 1995.

According to ARC documents, the Phelps office is located in the Citizens Drug Building. I located the building at about 3:30 p.m. and found that the office which is next door to a pharmacy was not open. However, two signs in the window read as follows:

Dr. Nick Purohit
Now Open
Call for Appointment
(Phelps, KY) - 456-9363 or 237-6000 - (So. Williamson)

Dr. J. Kendall Cecil
Optometry
456-3000
Wednesday Appointments Available

There were chairs in the waiting room area and there appeared to be equipment of some sort in the inner office but it was deserted and the door was locked. I went next door to the pharmacy and asked a pharmacist if she had seen any doctors next door. She told me that the doctor is in on Wednesday. I asked if she meant the optometrist and she indicated she did. I asked her if she had seen any medical doctors working over there and she said she hadn't. I asked if the pharmacy had filled any prescriptions for any medical doctors from next door and she said she was not aware of any.

Conclusion:

At about 3:30 p.m. on August 28, 1995, I made an unannounced visit to the office in Phelps, KY where Drs. Gurpreet and Harjeet Narula were to be practicing. They were not there but there was a sign in the window advising people to call Dr. Nick Purohit for an appointment. The pharmacy next door was not aware of any medical doctors practicing there.