

MARCH 18, 1998

OIG REPORT 98-28(H)

MEMORANDUM FOR

THE FEDERAL CO-CHAIRMAN ARC EXECUTIVE DIRECTOR ARC GENERAL COUNSEL

SUBJECT:

Memorandum Survey Report--Review of Selected Health Care

Providers in Georgia

## **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 two years; however, in August 1995 the minimum was changed to 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 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 several medical facilities in Georgia on Friday, February 20, 1998 to review the status of four J-1 physicians. We located a physician approved for the Neighborhood Healthcare Center/Dawsonville at their new facility at 45 Medical Center Drive, Dawsonville. The J-1 physician indicated he is providing full-time primary care as required by the ARC agreement.

We attempted to locate the J-1 physician approved for the Dawsonville Medical Center, Highway 9 South, Dawsonville, Georgia, however, when we arrived we found that the Dawson Community News currently occupies that space. An employee of the local post office did not have a forwarding address for the physician and indicated that they were forwarding mail for the medical center to an address in Atlanta based on information provided by the building owner. Prior to our visit, we discussed the physician with an ARC official and understood that ARC had been notified by the physician and by state placement personnel that the facility was closing and the physician needed a new placement. Subsequent to our visit, we learned that ARC has been notified that the physician is actively seeking another job in Appalachia. There is a vacancy for which she is qualified at a U.S. Department of Veteran Affairs (VA) facility in North Dakota and ARC officials have discussed it with VA officials. ARC officials indicated they would agree to let the physician take the VA job if she is unable to find a job in Appalachia by March 20, 1998. We understand that the term of employment and other requirements contained in the physician's ARC agreement would be enforced by the VA.

We attempted to locate a third physician approved for Dawsonville, Georgia. The employer, Georgia Mountains Primary Care, P.C. initially indicated to ARC that the physician's practice location would be 159 Highway 53 West, Dawsonville, Georgia. We found that space occupied by a chiropractor who had never heard of the J-1 physician. We inquired at the pharmacy next door and were told that the physician had once considered renting the space but had not done so. We noted that the physician's employment contract indicated her practice address would be Hightower Place, Suite 250, 5959 Highway 54 East, Dawsonville. We went to that location and found the space occupied by another medical practice. We also visited the building next door but tenants there did not recognize the J-1 physician's name either. Subsequent to our on-site visit, we contacted the physician's employer and determined that their clinic opened in the second building (5983 Highway 53 East, Suite 200) on February 23, 1998, just after we visited. The physician was not available when we called to talk to her but her employer's administrator told us the office is open every weekday except Tuesdays from 8:00 a.m. to 6:30 p.m. He indicated that the patient workload is growing.

We also visited Mountainview Pediatrics in Dahlonega, Georgia but the J-1 physician was at his Gainesville office that day. His office staff indicated he practices in Dahlonega all day on Tuesdays and Thursdays and in Gainesville on Mondays, Wednesdays and Fridays. He also works some Saturday mornings in Dahlonega. Because of time constraints, we did not attempt to locate the physician in Gainesville but we did not note anything that would indicate he was not complying with the J-1 Visa Waiver program provisions.

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