

OFFICE OF INSPECTOR GENERAL

Inspection Report
ARC's Visa Waiver Program
In Kentucky



July 29, 2014

Background

ARC implemented a J-1 Visa Waiver program that recommends, under certain conditions, a waiver of the Foreign Residence requirement on behalf of physicians holding J-1 visas. ARC utilizes its member state governmental apparatus to gather information and documentation from prospective J-1 visa physicians. Upon ARC approval of a J-1 visa request from a state ARC submits a request to the Department of State (DOS) to request the DOS request the U.S. Citizenship and Immigration Services (CIS) to waive the physicians foreign residency requirement based on at least three years of service at the Health Professional Shortage Area (HPSA), as designated by the U.S. Public Health Services (USPHS). ARC issues policies with respect to sponsor and physician requirements and is responsible for program oversight.

Purpose, Scope and Results

We visited the Kentucky Offices of five physicians granted J-1 visa waivers through ARC's program. The purpose of the visits was to assess program results and compliance with established policies. The visits were conducted in early July 2014 and the offices were located in primarily Southeast Kentucky counties identified by USPHS as in a HPSA.

Overall, the visits disclosed that the J-1 physicians were generally complying with the program provisions and the program was successfully meeting objectives to provide primary medical care to residents in Health Professional Shortage Areas. In several waiting rooms patient notices did not include ARC requirements in that notices did not specify that service would be provided to persons unable to pay. In two cases J-1 physicians were

providing some medical services at locations not included in applications or information provided to ARC.

In one case a J-1 physician stationed in Knox County spent one or two days a week at facilities in Laurel and Madison Counties that had HSPA designations and in the other case a J-1 physician stationed in Carter County spent some time at a facility in Boyd County for which a HPSA designation was not identified.

We provided the ARC sample notice to be placed conspicuously in the waiting area to employers and recommended that ARC be notified if medical care is to be provided at locations other than locations noted in J-1 waiver request or ARC approvals.

We recommend that emphasis be placed on notifying employers of the need to notify and obtain ARC approval if J-1 physicians are assigned to additional locations and the conspicuous placement of a notice containing the required language, including service regardless of the ability to pay, in patient waiting rooms.