

OFFICE OF INSPECTOR GENERAL

Inspection Report
ARC's Visa Waiver Program
New York



August 27, 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 New York State offices of 12 physicians granted J-1 Visa Wavers through ARC's program. The purpose of the visits was to assess program results and compliance with established policies. The unannounced visits were conducted in mid-August 2014 and included offices in Owego, Olean, Jamestown, Fredonia and Dunkirk which were located in the Appalachian counties in Southern New York.

The visits disclosed overall compliance with program provisions and the program was successfully meeting objectives to provide primary medical care to residents in Health Professional Shortage Areas.

Direct contacts were made with four physicians. The other eight physicians were not available primarily due to servicing other eligible locations at the time of our visit or being on vacation. Discussion with office staff, including office managers, determined that the physicians were providing the required service at eligible locations, the program was considered successful and the physicians had well established practices. Discussion with the available physicians indicated satisfaction with the program and confirmation of eligible work schedules.

In two instances the ARC sample notice with respect to providing medical service to all was provided. In one instance the medical office had been relocated since the start of physician service. In four instances the physicians were in the latter stages of the three year contract period.

Although information was provided to ARC with respect to areas to be served by the J-1 physician and recognizing that schedule change due to patient workload we recommended that ARC be provided an overall schedule indicating the primary daily locations where physicians are stationed. This is particularly applicable to psychiatry practitioners who had the most flexible schedules and offices contacted were generally not certain when physicians would be on-site.

Also, we recommend employers notify ARC when office locations are permanently changed.