

**OFFICE OF INSPECTOR GENERAL**

**Inspection Report  
ARC's Visa Waiver Program**



**June 11, 2015**

## **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 three physicians and the Pennsylvania office of one physician participating in the program. The purpose of the visits was to assess program results and compliance with established policies. The unannounced visits were conducted on May 21 and 22, 2015 and included offices in Johnson City and Cooperstown, NY and Edwardsville, PA which were located in the applicable Appalachian counties in Southern New York and Pennsylvania.

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 the four physicians. Discussion determined that the physicians were providing the required service at eligible locations, the program was considered successful and the physicians generally had well established practices. Discussion with the available physicians indicated overall satisfaction with the program and staff confirmed eligible work schedules.

In two instances a notice with respect to providing medical service to all was not posted in the lobby. The ARC sample notice was provided and it was recommended it, or a similar type notice be posted conspicuously in the lobby area.

In one instance a physician with nine months service had been informed of a forthcoming separation. It was recommended she contact the ARC J-1 Program Manager and her legal counsel for information with respect to options and requirements with respect to this situation, including potential transfers if requirements are satisfied. Prior to our contact with the physician ARC had not been informed of any issues that would result in the physician leaving the employer prior to the three year service period.

ARC notifies the potential employer and/or the physicians' legal representative at the time of application when the ARC Federal Co-Chair requests the Department of State to request the U. S. Citizen and Immigration Services to waive the physicians two year foreign residency requirement. This notification includes a requirement that any subsequent change in the location of the physicians' employment must be reported immediately to ARC