PURPOSE
To provide residents and fellows (trainee) with a document that outlines important information about their appointment as a trainee into a University of Minnesota GME training program.

POLICY STATEMENT
Acceptable visa types for a residency/fellowship at the University of Minnesota are:
1. J-1 visa—Alien Physician: the standard visa for residents/fellows who are not United States citizens or permanent residents, issued by the Education Commission on Foreign Medical Graduates (ECFMG);
2. J-2 visa: issued to the dependent of a J-1 visa holder (read J-2 Visa Procedure below);
3. H-1B visa: requires GME approval (read H-1B Visa Procedure below);
4. O-1 visa: requires petition to GME; contact Visa Manager for requirements and procedure;
5. F-1 Post Graduation Optional Practical Training (OPT): an extension to F-1 visa for the first year of residency training. Requires additional permissions from International Students & Scholar Services (ISSS). Contact Visa Manager immediately if candidate is interested in OPT for requirements and procedure.
6. Permanent Residence Application pending: candidates in this situation will be issued an Employment Authorization Document (EAD) card which must be renewed annually. Contact Visa Manager for further information.

NOTE: F-1 and M-1 student visas are NOT allowed (other than #5 above) for a residency/fellowship at the University of Minnesota.

PROGRAM RESPONSIBILITY
Ensure that visa sponsorship forms are completed annually or before the current visa’s expiration date, whichever comes first.

PROCEDURES
J-1 Visa—Alien Physician Procedure
The J-1 alien physician visa is sponsored by the Education Commission for Foreign Medical Graduates (ECFMG), and is the preferred visa of University of Minnesota Medical School
residencies and fellowships. Please contact your Program Coordinator to verify if J-1 visa sponsorship is allowed in your program.

All ECFMG J-1 applications originate online via EVNet, and are initiated by the ECFMG Training Program Liaison (TPL) for the University of Minnesota. Information on the required documents for the J-1 application can be found on the ECFMG website: [http://www.ecfmg.org/evsp/application.html](http://www.ecfmg.org/evsp/application.html).

If a resident/fellow on J-1 visas wishes to do an elective rotation to a site not within the host institution, special permission must be obtained from ECFMG—contact the Visa Manager in the GME office for more information.

J-2 Visa Procedure
Any residents/fellows training on a J-2 visa are required to obtain an EAD card on an annual basis. Renewal can take up to six (6) months processing time. The J-2 spouse is responsible for ensuring that the J-1 spouse applies for J-1 visa renewal annually and allows enough time for EAD card renewal for the J-2 spouse. The J-2 spouse must also inform the program of any changes to the J-1 spouse's visa sponsorship, as J-2 sponsorship is directly linked to J-1 sponsorship. The program must obtain a signed J-2 offer letter from the Program Director and signed by the J-2 spouse annually; contact the Visa Manager for the template.

H-1B Visa Procedure
At the discretion of the individual training programs, the H-1B visa may be considered for candidates who have passed the USMLE Step 3 exam and who provide documentation that meets one or more of the following criteria:

1. Applicant currently holds a valid H-1B visa at this university or another institution (provide copy of Form I-797, Notice of Action)
2. Applicant is the spouse/registered domestic partner of a U.S. citizen, permanent resident ("green card" holder), or individual holding an H-1 or O-1 visa (provide copy of marriage certificate or H-4 document)
3. Applicant/applicant's spouse has a permanent resident petition pending with a likely chance of success (provide copy of proof of petition)
4. Applicant is not eligible for or would face a hardship on a J-1 visa due to unique immigration circumstances (e.g., applicant already obtained a J-1 waiver; applicant who has to return home periodically to care for ill parent faces higher risk of being denied re-entry on J-1 visa) (provide letter explaining reason for hardship)
5. Applicant's spouse/registered domestic partner is employed by the University in a faculty or other continuing position (provide letter identifying spouse's position)
6. Applicant is a graduate of a medical school in the United States, Canada or Puerto Rico accredited by the Liaison Committee on Medical Education (LCME) (provide copy of medical school diploma)
7. The department has offered or is strongly considering the applicant for a faculty or research position after applicant completes the training program (provide letter identifying intentions of department after applicant finishes training program)

In addition to meeting all UMN eligibility and selection criteria, H-1B visa applicants must meet additional eligibility requirements: they must have passed USMLE Step 3 and also hold a MN residency permit (at minimum, or MN medical license if applicable) prior to submitting their H-1B visa application.

Prior to scheduling an interview, the program must provide all applicants with a copy of the institutional visa policy and the program-specific policy on offering H-1B visas.

To obtain GME approval for all H-1B visas, the program must submit a completed H-1B Visa Request Form and the documentation that supports one or more of the criteria for offering an H-1B visa to an incoming resident or fellow. The GME office will respond in writing to the department/program indicating whether the request to apply for the H-1B visa is approved or denied.
Training programs are responsible for ALL costs and fees associated with preparing and filing H-1B visas for residents/fellows. This includes supplementing stipends to meet the prevailing wage requirements, if applicable. Training programs are required to use the services of International Student and Scholar Services (ISSS) or work through the Office of the General Counsel at the University to obtain outside legal counsel for this purpose.

If a training program terminates or non-renews a resident/fellow appointment before the individual’s H-1B visa expires, the training program is responsible under U.S. Citizenship and Immigration Services regulations to pay the H-1B physician’s airfare back to his/her home country.

MOONLIGHTING
- Moonlighting for residents/fellows on J-1 visas is not permitted under any circumstances.
- A resident/fellow on an H-1B visa wishing to moonlight must obtain a separate H-1B visa for each facility where the resident/fellow works outside the training program.

RELATED POLICIES AND LINKS
- Institution Policy on Eligibility and Selection of Resident/Fellow
- Institution Policy on International Medical Graduates
- Institution Policy on Setting Annual Stipend
- H-1B Visa Request Form
- ECFMG website: http://www.ecfmg.org
- International Medical Graduates and Visa Information on the GME Website: http://www.med.umn.edu/gme/international/home.html
- International Students & Scholar Services: http://www.isss.umn.edu