



Exchange Visitor Sponsorship Program (EVSP)

REFERENCE GUIDE FOR J-1 PHYSICIANS



Introduction & Contact

ECFMG® WOULD LIKE TO WELCOME YOU TO THE EXCHANGE VISITOR SPONSORSHIP PROGRAM (EVSP)!

This booklet was designed to provide you with basic information about ECFMG's J-1 program, EVSP, and your responsibilities as a J-1 program participant.

If you have questions about any of the information offered in this booklet, please do not hesitate to contact EVSP.

CONTACT EVSP

GENERAL E-MAIL INQUIRIES:
evsp-support@ecfm.org

TELEPHONE INQUIRIES:
(215) 823-2121

WEBSITE:
www.ecfm.org/evsp

If you are mistreated and/or your rights are violated, and ECFMG is not providing the help you need, contact the Department of State for assistance.

<https://j1visa.state.gov/contacts/>

The Exchange Visitor Program is administered under the oversight of the Deputy Assistant Secretary for Private Sector Exchange, Bureau of Educational and Cultural Affairs (ECA). ECA contact information follows.

CONTACT ECA

J-1 VISA EMERGENCY HOTLINE:
1 (866) 283-9090

This line is for use by Exchange Visitors and third parties in the case of urgent situations.

REGULAR COMMUNICATIONS OR QUESTIONS:
jvisas@state.gov

This e-mail address is to communicate non-emergency issues, questions, and concerns.

BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS

U.S. Department of State
Office of Private Sector Exchange (ECA/EC)
SA-4E, 2430 E Street, NW
Washington, DC 20037

In a serious emergency that threatens life or property call 911 to be connected to your local police department, fire department, or emergency medical services.

The contents of the EVSP Reference Guide are subject to change. J-1 physicians are encouraged to regularly review the most current version, available at www.ecfm.org/evsp/evsprfgd.pdf. In addition, J-1 physicians should regularly review the information posted on the EVSP pages of the ECFMG website at www.ecfm.org/evsp/. All J-1 physicians are responsible to comply with the most current J-1 regulations (22CFR§62) and ECFMG/EVSP policies and procedures.

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Defining Roles

ROLE OF ECFMG

The Educational Commission for Foreign Medical Graduates (ECFMG) is authorized by the U.S. Department of State (DoS) to sponsor foreign national physicians as “Exchange Visitors” in the J-1 physician category for participation in accredited clinical training programs and/or their directly associated fellowships. In limited circumstances, ECFMG also sponsors foreign national physicians for participation in research programs in the J-1 research scholar category. All foreign national physicians sponsored by ECFMG are issued Form DS-2019, *Certificate of Eligibility for Exchange Visitor (J-1 Visa) Status*.

The objectives of the DoS’ J-1 program are to enhance international educational and cultural exchange and to promote mutual understanding between the people of the United States and other countries through the interchange of persons, knowledge, and skills. In addition to being educationally and professionally rewarding, it is the DoS’ expectation that each J-1 physician’s stay in the United States will include enriching cross-cultural experiences. Through such cross-cultural experiences, J-1 physicians gain insight into U.S. customs, communities, and people while sharing their own cultures, traditions, and views with the American people.

ROLE OF THE J-1 EXCHANGE VISITOR

Each ECFMG-sponsored J-1 physician is responsible to know and understand the requirements for securing and maintaining J-1 visa status. J-1 physicians are also specifically responsible to:

- Maintain a valid passport
- Secure and maintain required health and accident insurance for themselves and their J-2 dependents; see more on page 9
- Report any address changes within ten days to ECFMG through ECFMG’s On-line Applicant Status and Information System (OASIS) or the MyECFMG mobile app
- Engage in full-time training at the host institution identified on Form DS-2019
- Notify ECFMG of any proposed changes to his/her training plan (e.g., training levels, training dates, resignation, etc.)
- Report any incident or allegation involving the J-1 or a J-2 dependent within 24 hours to ECFMG
- Adhere to all U.S. laws

Each J-1 physician is required to obtain and remain in valid J-1 visa status throughout the duration of his/her stay in the United States. If a J-1 physician wishes to extend his/her stay in this country beyond the end date on the most recent Form DS-2019, he/she must work with the hospital that issued the training contract to file the appropriate application with ECFMG well in advance of the current sponsorship/program end date. Each DS-2019 is issued to reflect specific training dates, training levels, and training programs. The DS-2019 is not transferable and is to be used exclusively for training at the institution listed on Form DS-2019.

ECFMG is authorized
by the U.S. DoS to
sponsor visa types:
J-1 physician
J-1 research scholar
see more on page 5

“The Exchange Visitor
Program fosters
global understanding
through educational
and cultural
exchanges.”

j1visa.state.gov



EXCHANGE VISITOR DEPENDENTS

ECFMG is authorized to sponsor the spouse and unmarried minor children of J-1 Exchange Visitors for entry to the United States under J-2 visa status. A minor child is defined as one under the age of 21. Parents, brothers, sisters, other family members, or domestics are not eligible for sponsorship as J-2 dependents. Physicians already sponsored by ECFMG who wish to request a DS-2019 for a dependent should do so on-line in the *J-1 Visa Sponsorship* section of OASIS. A copy of the dependent's passport biographic page and evidence of the family relationship (i.e., marriage, birth, or adoption certificate) with English translation, if applicable, must be uploaded in support of any dependent sponsorship request. Issuance of the DS-2019 alone does not automatically grant J-2 status. Applicants for J-2 status need to apply for a J-2 visa either at a U.S. consulate or through United States Citizenship and Immigration Services (USCIS), if eligible.

PLEASE NOTE:

Physician couples are encouraged to carefully consider and coordinate their plans for U.S. training. Eligibility for J-1 sponsorship following a period of stay in the United States in J-2 status (and vice versa) should not be presumed. As with all applicants to EVSP, sponsorship eligibility cannot be determined until a complete review of an individual's U.S. visa history has been conducted.

TRAINING PROGRAM LIAISONS (TPLs)

Each U.S. teaching hospital at which a J-1 physician trains designates an individual to serve as the institution's TPL. The TPL is responsible to coordinate the sponsorship application process with prospective and current J-1 physicians in training at the institution and to be knowledgeable of the J-1 regulations. The TPL works with both ECFMG and J-1 physicians to ensure that the host training site and its J-1 trainees are in compliance with federal requirements for participation.

Sponsorship Overview

CATEGORIES OF EVSP SPONSORSHIP

EVSP is authorized by the DoS to sponsor foreign nationals who are graduates of medical schools in either clinical training programs of graduate medical education or in non-clinical programs of observation, consultation, teaching, or research.

Physicians sponsored as Exchange Visitors for participation in accredited clinical programs or directly associated fellowship programs of graduate medical education or training are categorized as J-1 "alien" physicians."



J-1 PHYSICIAN (CLINICAL TRAINING PROGRAM)

As defined in the U.S. Code of Federal Regulations: An "*alien physician* is...a foreign medical graduate seeking to pursue graduate medical education or training at accredited schools or medical or scientific institutions" [22CFR62.27(a)]. The term *graduate medical education* is further defined as "a program in which the alien physician will receive graduate medical education or training, which generally consists of a residency or fellowship program involving health care services to patients, but does not include programs involving observation, consultation, teaching or research in which there is no or only incidental patient care. This program may consist of a medical specialty or a directly related medical subspecialty or both..." [22CFR62.2].

Physicians sponsored as J-1 Exchange Visitors for participation in non-clinical programs primarily involved with observation, consultation, teaching, or research are categorized as "research scholars." Research scholar participants generally are not required to pass U.S. medical licensing exams and are not required to be ECFMG-certified. Research scholars are limited to activities involving no patient contact or incidental patient contact.



J-1 RESEARCH SCHOLAR (NON-CLINICAL PROGRAM)

A “research scholar is...an individual primarily conducting research, observing, or consulting in connection with a research project...”
[22CFR62.4(f)].

Research scholars should have “no patient contact” or “incidental patient contact.”

While ECFMG is the only agency authorized to sponsor the J-1 physician category, many U.S. hospitals and training institutions are DoS-designated sponsors for J-1 research scholars. Therefore, ECFMG only provides research sponsorship to those physicians participating in programs at hospitals or institutions that do not have their own J-1 research designation.



More information is available on the ECFMG website at:

<https://www.ecfm.org/evsp/applicants-requirements-j1-research-scholar.html>

BASIC ELIGIBILITY REQUIREMENTS FOR J-1 PHYSICIANS

Foreign nationals applying for sponsorship as J-1 physicians to participate in clinical programs of graduate medical education (GME) must meet the following general requirements:

- Pass USMLE® Step 1, Step 2 Clinical Knowledge (CK) and Step 2 Clinical Skills (CS); or the former VQE, NBME® Part I and Part II, or FMGEMS; or an acceptable combination thereof. (Note: The former one-day ECFMG Examination and the Federation Licensing Examination (FLEX) do **not** meet the requirements for J-1 visa sponsorship.)
- Hold a Standard ECFMG Certificate without expired examination dates, if applicable. (Note: Graduates of LCME-accredited U.S. and Canadian medical schools are not required to be ECFMG-certified.)
- Hold a contract or an official letter of offer for a position in an approved graduate medical education or training program.
- Provide an original Statement of Need from the Ministry of Health of the country of most recent legal permanent residence. This statement must provide written assurance that the country needs specialists in the area in which the Exchange Visitor will receive training and that he/she will return to the country upon completion. If permanent residence is in a country other than that of citizenship, the Statement of Need must come from the country of most recent legal permanent residence. (See *Statement of Need* on page 10.)

Duration of Stay: ECFMG’s sponsorship for GME participation is limited to the time typically required to complete specialty/subspecialty training requirements as determined by the American Board of Medical Specialties (ABMS). The duration of sponsorship is further limited to a maximum of seven years.

BASIC ELIGIBILITY REQUIREMENTS FOR J-1 RESEARCH SCHOLARS

If a foreign national physician’s proposed host institution is not designated as a J-1 sponsor by DoS, ECFMG will consider sponsorship in the research scholar category for participation in programs of observation, consultation, teaching, or research. Foreign nationals applying for sponsorship as J-1 research scholars must meet the following general requirements:

- Be a graduate of a U.S., Canadian, or foreign medical school;
- Hold a contract or official letter of offer for a position;
- Obtain the appropriate certification statement for no patient contact or incidental patient contact.

Duration of Stay: The maximum duration of ECFMG sponsorship in the research scholar category is five years. Certain restrictions prevent J-1 research scholars from pursuing consecutive U.S. research programs.



Change of Category: A request for a change of category from J-1 research scholar to J-1 physician requires pre-approval from DoS and must be initiated by ECFMG. There is currently no provision that allows a physician who has participated in any clinical training under ECFMG sponsorship to request a change of category from J-1 physician to J-1 research scholar.



More information about Change of Category is available on the ECFMG website at:

www.ecfm.org/evsp/evspcocmemo.pdf

INITIAL ECFMG SPONSORSHIP

Once EVSP issues Form DS-2019 for sponsorship, an applicant has two options by which to obtain J-1 status. If the individual is in the United States in a visa status other than J-1, he/she may apply for a change of status through USCIS by filing Form I-539 (see the USCIS website at <http://www.uscis.gov>). If the applicant is physically present outside of the United States, Form DS-2019 should be used to schedule an appointment to apply for a J-1 visa with the U.S. embassy or consulate in the home country. Physicians can contact [embassies and consulates](#) directly for information on the application process and processing times, or visit www.ustraveldocs.com.

Additional information about applying for U.S. visas is available at: <http://usembassy.state.gov/>. Physician seeking a change of status within the United States may want to consult professional immigration counsel. **Physicians should not undertake any training with host hospitals until they are in J-1 visa status or have alternative employment authorization. Physicians must maintain current status while a change of status is pending.**



PLEASE VISIT THE ECFMG WEBSITE FOR IMPORTANT PRE-ARRIVAL INFORMATION.

<http://www.ecfm.org/evsp/applicants-current.html>

<http://www.uscis.gov>

<http://usembassy.state.gov/>

www.ustraveldocs.com

Federal Requirements

U.S. CODE OF FEDERAL REGULATIONS (J-1): 22CFR\$62

Exchange Visitor physicians and host institutions must be familiar with guiding principles of the J-1 Exchange Visitor Program. Applicants, TPLs, and program directors are encouraged to also review a complete copy of the J-1 regulations (22CFR\$62) at the link to the right.

The *General Provisions* for all J participants are outlined at 22CFR\$62.1 - \$62.17; regulations specific to the J-1 physician category are provided at 22CFR\$62.27.



More information is available on the Electronic Code of Federal Regulations website at:

www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=1bc531bf257789e45b3049bff8b50d64&r=PART&n=22y1.0.1.7.35

STUDENT AND EXCHANGE VISITOR INFORMATION SYSTEM (SEVIS)

SEVIS is an Internet-based system that provides tracking and monitoring functionality, with access to accurate and current information on nonimmigrant students (F and M visas) and Exchange Visitors (J visa), and their dependents. SEVIS enables J-1 program sponsors, including ECFMG, to transmit electronic information and event notifications to both the DoS and U.S. Department of Homeland Security (DHS) throughout an Exchange Visitor's stay in the United States. SEVIS is informed of all status events including, but not limited to, entry/exit data, changes of current U.S. address (residence), program extensions, employment notifications, and changes in program of study.

DHS requires all *initial* applicants to pay a \$180 SEVIS fee prior to appearing for a visa interview. (Canadians must pay the SEVIS fee and present the receipt at the port-of-entry.)

SELECTED FEDERAL REGULATIONS

Following is a summary of several pertinent regulations pertaining to J-1 physicians.

CROSS-CULTURAL ACTIVITIES: In addition to providing participants with education and training that can be shared with the people of each individual participant's home country, the J-1 Exchange Visitor Program was designed to provide an opportunity for cultural exchange.

DURATION OF STAY: The duration of stay for J-1 physicians is limited to the time typically required to complete the advanced medical education program. For clinical training programs, the time typically required refers to the medical specialty and subspecialty certification requirements published by the ABMS. The duration of stay in clinical programs is further limited to a period of no more than seven years.

J-1 CATEGORY CHANGE: Exchange Visitors may not, as a matter of course, change from one J-1 category designation to another. The categories most often used by foreign national physicians are: "research scholar," "professor," "student," and "physician." Currently, there is no provision for a J-1 physician who has participated in any clinical training under ECFMG sponsorship to request a change of category from the J-1 physician category to the J-1 research scholar category. However, a change in category from research scholar to physician is possible under certain circumstances. This requires pre-approval from the DoS and must be initiated by ECFMG. Applicants seeking a change in J-1 category through the DoS must allow adequate time for both ECFMG and DoS review and decision.

CHANGE OF SPECIALTY: The Regulations state that "...the alien physician may once, and not later than two years after the date the 'alien physician' enters the U.S. as an Exchange Visitor (or acquires exchange visitor status), change his/her designated program of graduate medical education or training..." [22CFR62.27(f)]. ECFMG is authorized to issue a change in program specialty before the completion of the second year of training. Once an Exchange Visitor enters the third year of training, a change in specialty is no longer permitted. Specialty designations are determined by ABMS-member boards.



More information and SEVIS payment instructions are available on the **Student and Exchange Visitor Program (SEVP) I-901 SEVIS Fee Processing Website:**

www.fmjfee.com



More information about Change of Category is available on the **ECFMG website at:**

www.ecfm.org/evsp/evspcocomemo.pdf

TWO-YEAR HOME PHYSICAL PRESENCE REQUIREMENT:

In accordance with Section 212(e) of the Immigration and Nationality Act, as amended, all Exchange Visitors sponsored in the J-1 physician category (and all accompanying J-2 dependents) are required to return to their country of most recent legal permanent residence for an aggregate of at least two years before becoming eligible for a change or adjustment in certain U.S. visa statuses. Research scholars, in some instances, may not be subject to this requirement.

MANDATORY INSURANCE REQUIREMENTS: Federal Regulations require that Exchange Visitors and dependents obtain health, accident, medical evacuation, and repatriation of remains insurance. Insurance must provide the following coverage:

1. **Medical benefits of at least \$100,000 per accident or illness;**
2. **Deductible that does not exceed \$500 per accident or illness;**
3. **Co-insurance paid by J-1 not to exceed 25% of covered benefits per accident or illness;**
4. Minimum repatriation of remains in the amount of \$25,000;
5. Minimum medical evacuation expenses in the amount of \$50,000.



For additional information, see *Mandatory Medical Insurance Requirements* on the ECFMG website: <http://www.ecfm.org/evsp/applicants-regulations-medical-insurance.html>

PLEASE NOTE:

J-1 physicians are responsible to ensure that they and their J-2 dependents have health and accident insurance that, at minimum, meets requirements #1, #2, and #3 above. ECFMG provides repatriation of remains and medical evacuation insurances (#4 and #5) to all J-1 physicians and J-2 dependents under its sponsorship.

TRAINING AUTHORIZATION / EMPLOYMENT: The primary objective of each ECFMG-sponsored Exchange Visitor is to receive graduate medical **training** in the United States which will ultimately enhance his/her skills in a specialty field of medicine. Visa sponsorship, that is documented by Form DS-2019, *Certificate of Eligibility for Exchange Visitor (J-1 Status)* and issued by ECFMG, authorizes a specific training activity and associated financial compensation. Federal regulations do not permit activity and/or financial compensation outside of the defined parameters of the training program. Therefore, employment outside of approved residency or fellowship training is not permitted. Refer to the “moonlighting” section on page 12 for more information.

Dependents of the Exchange Visitor in the United States with J-2 status may file an Application for Employment Authorization (Form I-765) with the office of U.S. Citizenship and Immigration Services for permission to accept and/or continue employment, provided that the earned income is not needed for support of the principal (J-1) Exchange Visitor.

REPEAT TRAINING: Exchange Visitors are expected to advance through **progressive** levels of training that are required by their chosen specialty/subspecialty boards. Repetition of any portion of training is discouraged. Requests for repeat training of up to 12 months will only be considered upon strong recommendation by the Program Director.



Access form I-765 and additional information on the USCIS website at:

<http://www.uscis.gov/>

Applying for Sponsorship

STATEMENT OF NEED

U.S. Public Law 94-484, effective January 10, 1978, requires that J-1 physician applicants provide a letter of need from the Ministry of Health of the country of his/her nationality or **most recent legal permanent residence**.

The Statement of Need (SoN) is required for all **INITIAL** applicants to ECFMG or if *any* of the following apply:

- The applicant is entering a new specialty or subspecialty
- The letter on file with EVSP will expire
- The letter on file with EVSP is institution-specific and a change in host institution is proposed

It is important to note that the source country for the SoN cannot be changed once an applicant acquires J-1 status. Any/all subsequent statements of need must be issued by the same source country.



For more information, including sample SoN text and FAQs, visit the **ECFMG website**:

<https://www.ecfm.org/evsp/applicants-regulations-statement-need.html>

APPLYING FOR ECFMG SPONSORSHIP

J-1 sponsorship requires direct coordination between the J-1 applicant, the host institution, and ECFMG. The teaching institution's TPL and the J-1 applicant must coordinate the submission of the sponsorship application and all supporting documentation to EVSP for review. An EVSP Regional Advisor reviews each application to confirm sponsorship eligibility and communicates any application deficiencies to the host institution's TPL. All communications and status updates are available for a J-1 applicant to view through the J-1 Sponsorship link in OASIS. If/when an applicant is found to be eligible for sponsorship, an original Form DS-2019 is created and mailed to the TPL via United States Postal Service, for distribution to the J-1 physician or research scholar.

If courier service for mailing of Form DS-2019 is preferred, the TPL or applicant must upload a pre-paid/pre-addressed shipping label at the time of application via EVNet or OASIS. The shipping label must be pre-addressed to the TPL. Shipping labels pre-addressed to the applicant will not be used.

SUBMITTING A SPONSORSHIP APPLICATION: TPLs initiate an application request for J-1 visa sponsorship by submitting appointment profile details and uploading supporting documentation through ECFMG's Exchange Visitor Network (EVNet). Once the TPL submits the appointment profile, the J-1 applicant is sent e-mail notice by ECFMG confirming that an on-line application has been initiated with ECFMG. The e-mail includes instructions for completing the applicant portion of the sponsorship application through OASIS. Once the TPL and the applicant have completed their respective portions of the on-line application and all supporting documentation has been submitted to ECFMG, an EVSP Regional Advisor will proceed in evaluating the applicant's J-1 sponsorship eligibility.

SUBMITTING DOCUMENTATION IN SUPPORT OF AN APPLICATION: Both TPLs and applicants are able to upload supporting documentation as Portable Document Format (PDF) files through their respective on-line systems: applicants through OASIS and TPLs through EVNet.

APPLICATION DECISIONS: ECFMG reserves the right to deny the application or reapplication for J-1 visa sponsorship of any prospective, current or returning foreign national physician for any reason, including but not limited to: the withholding of pertinent information from ECFMG related to the application; the submission of false information or documents to ECFMG by the applicant or by a third party on behalf of the applicant; or any other action which could or would subvert or attempt to subvert any of ECFMG's policies or procedures. In addition, if certain documentation is not available or does not meet application standards or the applicant has previously resigned or been dismissed from a program of graduate medical education (GME)

due to legal issues, a deficit in one of the ACGME-identified core competencies (e.g., patient care and procedural skills, medical knowledge, practice-based learning and improvement, professionalism, interpersonal and communication skills, etc.) or other significant incident or allegation, ECFMG reserves the right to deny the applicant's request for J-1 sponsorship. Such denial decisions are solely within ECFMG's discretion.

By submitting an application to EVSP, an applicant certifies that it is true, correct, and complete. Also, by submitting an application to EVSP, an applicant gives permission for ECFMG to obtain additional information from others pertinent to the application.

MAINTAINING ACCURATE CONTACT INFORMATION: Maintenance of accurate and up-to-date contact information in OASIS, including U.S. residential address, cell phone number, and e-mail address, is solely the responsibility of an applicant/J-1 physician. It is a regulatory requirement to report any address change within ten days to ECFMG via OASIS or the MyECFMG mobile app. (Note: Applicants are advised to add ECFMG to their "safe senders" list to ensure that e-mail communications from ECFMG are not marked as spam.)

During Your Sponsorship

FORM I-94: ARRIVAL AND DEPARTURE RECORD

Form I-94 is the Arrival/Departure Record issued, in either paper or electronic format, by a Customs and Border Protection (CBP) Officer to foreign visitors entering the United States. As of April 30, 2013, most Arrival/Departure records are created electronically at U.S. ports-of-entry. Foreign visitors will not receive a paper copy at the port-of-entry; however, brochures with instructions for accessing and printing a copy of an electronically issued Form I-94 are generally available at U.S. ports-of-entry. The exception to the electronic Form I-94 is at land border ports-of-entry where CBP still issues the paper Form I-94. Land border ports-of-entry are road and rail crossings on a **land border** between the United States and Canada, and the United States and Mexico.

In addition to Form I-94, foreign visitors are provided with an annotated stamp in their passports at the port-of-entry. In the case of J-1 physicians entering the United States for GME, the annotation should reflect J-1 "Duration of Status (D/S)." If the foreign national physician is already present in the United States in another visa status, the DHS Form I-539 "*Application to Extend or Change Non-Immigrant Visa Status*," must be filed and Form I-797: *Notice of Action* will be issued upon approval.

Form I-94 or Form I-797 issued by USCIS provides the following information:

- **Date of Entry** to the United States/Change of Status Approval Date
- **Visa Status** granted
- **Length of Authorized Stay** in the United States

TRAVEL AND VISA ISSUANCE

All physicians sponsored by ECFMG must be in possession of a valid J-1 visa affixed in their passports for reentry to the United States. The passport visa stamp must be valid if the physician is physically outside of the United States and wishes to reenter in J-1 status. J visas may only be issued by U.S. embassies and consulates *outside* of the United States. Typically, J visas are issued by consulates for the duration indicated on the Form DS-2019 submitted at the time of the visa interview. Information on applying for a J visa at a particular U.S. consulate is available at the U.S. consulate website.



Read more on the ECFMG website at:

<https://www.ecfm.org/evsp/applicants-current.html>

Get your I-94 record and additional information from the I-94 website at:

<https://i94.cbp.dhs.gov/i94/#/home>



More information is available on the U.S. Embassy website at:

<http://usembassy.state.gov/>



Visit the U.S. Consulate website:

<http://usembassy.state.gov/>

For ECFMG travel information:

<http://www.ecfm.org/evsp/applicants-current-travel.html>

In addition to possessing a valid J visa in an unexpired passport, J-1 physicians and their J-2 dependents that depart the United States temporarily are required to hold a travel-endorsed Form DS-2019 for reentry. The Form DS-2019 must be signed by an EVSP “Responsible Officer” in the lower right hand box marked “TRAVEL VALIDATION BY RESPONSIBLE OFFICER.” Additional information on travel while in J-1 status under ECFMG sponsorship and instructions to request a travel endorsed Form DS-2019 is available at www.ecfm.org/evsp/applicants-current-travel.html.

Canadian citizens are not required to have J visas affixed in their passports and are therefore, not required to apply for a visa at a U.S. consulate. However, upon reentry to the United States, Canadian citizens must be in possession of a travel endorsed DS-2019 from EVSP, and an unexpired Canadian passport.



MAINTENANCE OF LAWFUL STATUS

All J-1 physicians must maintain full-time participation in the ECFMG-approved training program as listed on the Form DS-2019. Evidence of lawful J-1 status is maintained through possession of *both* a valid Form DS-2019, reflecting the ECFMG-approved training, and Form I-94 or Form I-797. Form I-94 or Form I-797 marked with “J-1, Duration of Status (D/S)” is valid until the end date shown on Form DS-2019. If training with the host institution concludes prior to the end date shown on Form DS-2019, sponsorship terminates on the last day of training rather than the end date shown on Form DS-2019. Any attempt to use the Form DS-2019 after termination or resignation from the training program, regardless of validity dates on the Form DS-2019, is considered a violation of visa status.

Please note that DHS grants a 30-day grace period of lawful status from the expiration date on Form I-94 or Form I-797, if it is finite, or from the expiration date on the Form DS-2019, if Form I-94 or Form I-797 is marked D/S. This additional 30-day period, applicable only to J status, is for the purpose of making final arrangements before departing the United States. **There is no employment or training authorization during this 30-day grace period.** Remaining in the United States beyond the grace period can have serious repercussions for future immigration or visa applications. The 30-day grace period may not apply in instances of early departure due to termination. Consult with ECFMG if early departure from a training program is being considered.

It is the Exchange Visitor’s personal responsibility to maintain lawful J-1 visa status.

MOONLIGHTING

The U.S. Code of Federal Regulations governing the Exchange Visitor Program clearly states that the primary objective of the Exchange Visitor physician’s training in the United States should be to enhance his/her skills in the field of medicine. Visa sponsorship, which is documented by Form DS-2019 and issued by ECFMG, authorizes a specific training activity and associated financial compensation. A final requirement for sponsorship/status as an Exchange Visitor physician involves the signing of the Form DS-2019. This certifies that the Exchange Visitor physician understands that he/she “...shall be permitted to perform only those activities described in Item 4 on this form.”



Federal Regulations do not permit activity and/or compensation outside the defined parameters. Therefore, working outside of the sponsored program, or “Moonlighting” is *not* permitted. This includes opportunities at your host institution that fall outside of the sponsored program, and any external opportunities outside of the host institution and sponsored program.



For the full U.S. Code of Federal Regulations governing the Exchange Visitor Program and more information, visit the ECFMG website:

<https://www.ecfm.org/evsp/evspemot.pdf>

INCIDENT REPORTING

As a J-1 program sponsor, ECFMG must monitor the well-being of J-1 program participants and report to the DoS incidents involving J-1 physicians and/or their accompanying J-2 dependents. Therefore, ECFMG must be notified of any serious matter involving a J-1 physician or J-2 dependent. The DoS has indicated that any incident or event that impacts the health, safety, or welfare of J visa holders or that could bring the DoS J-1 program “notoriety or disrepute” is reportable. Reporting is not limited to only those incidents that occur within the training institution. Incidents that occur outside of the training environment must also be reported to ECFMG.

The following list was adapted from a rubric developed by the DoS and is meant to serve as a general guideline for reporting to ECFMG.



Find the incident reporting form and more information on the ECFMG website here:

<https://www.ecfm.org/evsp/incident-report-physician.pdf>

REPORT INCIDENTS OR ALLEGATIONS OF THE FOLLOWING NATURE:

- Death of a J-1 physician or J-2 dependent
- J-1 physician or J-2 dependent is missing
- J-1 physician or J-2 dependent sustains a serious illness or injury (i.e., brain injury, severe burn, major surgery, communicable disease, serious mental incidents, any condition requiring hospitalization of 48 hours or more, etc.)
- Litigation (in which the J-1 physician or J-2 dependent is named a primary party, including malpractice)
- Incident involving the criminal justice system (i.e., arrest, charges, law enforcement, etc.)
- Sexually related incidents or abuse (an incident or allegation involving sexual exploitation, harassment, or abuse)
- Negative press involving a J-1 physician and/or J-2 dependent(s)
- Foreign government involvement (including embassy officials)
- Other situations impacting a J-1 physician's or J-2 dependent's safety (i.e., natural disaster, civil unrest, outbreaks of violence)

J-1 physicians and/or J-2 dependents must report any serious incident or allegation to their TPL *immediately*. The TPL and/or J-1 physician must then report the matter to ECFMG. All reporting is expected to take place within one business day of incident occurrence. Failure to do so may be considered to be a violation of the physician's J-1 status. Please be assured that any/all privacy issues will be respected.



U.S. LAWS

It is important that J-1 physicians and J-2 dependents become familiar with United States federal laws, in addition to your state and local laws, which may vary. The following list is not comprehensive, but may act as a general primer for your reference.

SUBSTANCES

- **Smoking:** Many states have banned smoking in public places; most employers have banned smoking on premises.
- **Alcohol:** U.S. legal drinking age is 21.
 - » Driving under the influence (DUI/DWI) is a felony, and has serious repercussions for non-immigrant visa holders. See the [Department of State's Guidance Directive on Visa Revocation](#) for additional information.
 - » While alcohol laws vary by state, most states prohibit drinking in public (e.g.; public parks), and/or public intoxication.
- **Drugs:** It is the responsibility of those who prescribe controlled substances to fully comply with applicable federal and state laws and regulations. In addition:
 - » Using or distributing drugs that are not prescribed to you is a felony offense.
 - » Generally, employers may drug test and terminate employees based on usage.

FAMILY AND RELATIONSHIPS

- **Domestic Violence:** Strict laws govern domestic relationships (husband/wives, boyfriend/girlfriend, etc.) to protect individuals from physical or mental harm; domestic offenses can include spousal abuse or stalking.
- **Child Abuse or Neglect:** If you have children, you are responsible for ensuring their health, safety, and well-being. The U.S. defines child abuse very broadly, perhaps more so than in some other countries. If you have children, be mindful when:
 - » Disciplining children with physical force; the legal line between discipline and abuse is very thin.
 - » Leaving a child unattended, even for a few minutes. It is illegal to leave a child alone in a car while you “run a quick errand.”

OTHER

- **Taxes:** File annually with the Internal Revenue Service (IRS) by April 15; consult a professional tax preparer for support.
- **Driving:** The law dictates that drivers wear their seatbelt, follow posted rules and speed limits, and refrain from using a cell phone (in many states).



For more information on U.S. laws, visit Commonly Requested U.S. Laws and Regulations on USA.gov here:

<https://www.usa.gov/laws-and-regulations>

See the DoS Guidance Directive on Visa Revocation for additional information on the consequences of driving under the influence:

<https://j1visa.state.gov/wp-content/uploads/2016/09/2016-03-GD-Visa-Revocation-FINAL-Sept-2016.pdf>



For more on tax obligations, visit the ECFMG website here:

<https://www.ecfm.org/evsp/applicants-current.html>

COMPLIANCE WITH U.S. LAW IS REQUIRED TO MAINTAIN YOUR J STATUS

SERIOUS PROBLEM OR CONTROVERSY (22CFR 62.13(d))

Engaging in any “...activity or serious problem or controversy that could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor’s exchange visitor program into notoriety or disrepute, including any potential litigation related to a sponsor’s exchange visitor program, in which the sponsor or an exchange visitor may be a named party” may be deemed a violation of J status.

Resources

HELPFUL LINKS



Pre-Arrival Information

<http://www.ecfm.org/evsp/applicants-current.html>

The Exchange Visitor Program Welcome Brochure

<https://j1visa.state.gov/wp-content/uploads/2015/03/Brochure-The-Exchange-Visitor-Program.pdf>

U.S. Embassies and Consulates

<http://www.usembassy.gov/>

Visa Appointment and Processing Wait Times

<https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/wait-times.html>

Wilberforce Pamphlet on the Rights and Protection of Temporary Workers

<https://travel.state.gov/content/dam/visas/LegalRightsandProtections/Wilberforce/Wilberforce-ENG-100116.pdf>

GLOSSARY OF SELECTED TERMS

ABMS	<i>American Board of Medical Specialties</i>
ACGME	<i>Accreditation Council for Graduate Medical Education:</i> Responsible for the accreditation of graduate medical education programs in the United States.
AMA	<i>American Medical Association:</i> Major physician membership organization in the United States; instrumental in establishing standards that support graduate medical education.
DHS	<i>Department of Homeland Security:</i> Comprised of divisions responsible for immigration policies, procedures, and enforcement including U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection.
DoS	<i>United States Department of State:</i> U.S. government agency responsible for the administration of all Exchange Visitor Programs.
DS-2019	<i>Certificate of Eligibility for Exchange Visitor (J-1) Status:</i> The legal document necessary to obtain/maintain J-1 status. (Formerly Form IAP-66).
D/S	<i>Duration of Status:</i> Contingent upon valid Form DS-2019.
ECFMG	<i>Educational Commission for Foreign Medical Graduates:</i> Through its program of certification, assesses whether international medical graduates are ready to enter graduate medical education in the United States.
EVNet	<i>Exchange Visitor Network:</i> ECFMG's on-line system through which Training Program Liaisons (TPLs) submit sponsorship applications.
EVSP	<i>Exchange Visitor Sponsorship Program:</i> ECFMG Department responsible for J-1 sponsorship.
Exchange Visitor	<i>J-1 visa holder</i>
GME	<i>Graduate medical education</i>
Host Institution	United States hospital or medical center which provides graduate medical education or research Institution training to the Exchange Visitor.

I-94	Record of <i>arrival to/departure from</i> the United States; it documents Exchange Visitor's visa status.
I-797	Notice of Action, received when an <i>Application to Extend or Change Non-Immigrant Visa Status</i> is filed with USCIS.
J-1	Visa status assigned to Exchange Visitors for the purpose of education and/or training in the United States.
J-2	Visa status assigned to dependents of Exchange Visitors.
Non-standard Training	Advanced clinical subspecialty disciplines or pathway for which there is no ACGME accreditation and/or ABMS member board certificate available.
OASIS	<i>On-line Applicant Status and Information System:</i> ECFMG's web-based information service for ECFMG applicants and ECFMG-certified physicians. Applicants for J-1 sponsorship use OASIS to view and accept sponsorship appointment profiles, complete J-1 visa sponsorship applications, update addresses of residence, and submit payments to ECFMG.
SEVIS	<i>Student and Exchange Visitor Information System:</i> Government database that tracks immigration activities of all non-immigrant students and Exchange Visitors.
SEVIS fee	A U.S. government fee charged to initial applicants for issuance of specific visas, including the J-1 visa. Fee is part of visa application process at U.S. consulates.
TPL	<i>Training Program Liaison:</i> Person at the host institution who coordinates the administrative details of the Exchange Visitor's training program.
USCIS	<i>United States Citizenship and Immigration Services:</i> Division of DHS responsible for the administration of immigration and naturalization adjudication functions and establishing immigration services policies and priorities.
Visa Stamp	Issued by a United States embassy or consulate and located inside of a passport. Allows a foreign national to enter and/or reenter the United States (may be issued to allow single or multiple-entry; must include a valid end date). Should not be confused with Form I-94; the visa stamp does not document authorized duration of stay; it is an entry document only and does not confer visa status.
Visa Status	Controls the length of authorized stay and associated privileges with each visa class. The visa status of J-1 physicians is documented by possession of both a valid Form DS-2019 and a valid Form I-94 confirming "J-1, D/S."