

STATE OF IOWA DEPARTMENT OF  
**Health** AND **Human**  
SERVICES

J-1 Visa Waiver and  
Physician National Interest Waiver  
Program Comparison

October, 2022

	State J-I Visa Waiver	HHS J-I Visa Waiver	Physician National Interest Waiver
Description	<p>The J-I visa is a <u>non-immigrant</u> exchange visitor visa and is often used by International Medical Graduates (IMGs) pursuing a medical residency or fellowship training in the United States. The J-I visa allows holders to remain in the U.S. until they complete their Graduate Medical Education. Upon completion, J-I visa holders are required to return to their home country for at least two years before gaining eligibility for an H-1B visa to re-enter and work in the United States or for permanent residence. This requirement can be waived if the physician's service is in the national interest of the United States.</p>		<p>The second-preference employment category (EB-2) allows individuals of exceptional ability and individuals who are members of professions holding advanced degrees to obtain a Green Card (permanent residence). EB-2 visa requirements include a job offer and a labor certification. This requirement can be waived if the petitioner demonstrates that granting an EB-2 petition would be in the national interest of the United States</p>
Visa Type	<u>Non-immigrant</u>		Immigrant
Waiver Allotment	<p>Thirty waivers are allowed per federal fiscal year. Ten of the 30 waivers may be requested for physicians who serve at a facility that is <u>NOT</u> located in a designated Health Professional Shortage Area, or HPSA (Flex Spot).</p>	Unlimited	

	State J-I Visa Waiver	HHS J-I Visa Waiver	Physician National Interest Waiver
Qualifying Providers	<ul style="list-style-type: none"> <li>→ <b>Primary Care</b> (Family Practice, General Internal Medicine, General Pediatrics, Geriatrics, Obstetrics-Gynecology)</li> <li>→ <b>Mental Health</b> (General Psychiatry, Child/adolescent Psychiatry, Geriatric Psychiatry, Substance Use Disorders)</li> <li>→ <b>Specialty Care</b></li> </ul>	<ul style="list-style-type: none"> <li>→ <b>Primary Care</b> (Family Practice, General Internal Medicine, General Pediatrics, Obstetrics-Gynecology, General Psychiatry) who have completed their residency training no more than 12 months before the date of commencement of contracted employment</li> </ul>	<ul style="list-style-type: none"> <li>→ <b>Primary Care</b> (Family Practice, General Internal Medicine, General Pediatrics, Geriatrics, Obstetrics-Gynecology, Psychiatry)</li> <li>→ <b>Specialty Care</b> (Dentists, Chiropractors, Podiatrists, and Optometrists are <u>NOT</u> eligible)</li> </ul>
Service Obligation	<p>Three-year, Full-time</p> <ul style="list-style-type: none"> <li>→ Physicians must submit a request to transfer based on extenuating circumstances to USCIS for a transfer to another facility or out of state.</li> </ul>		<p>Five-year, Full-time</p> <ul style="list-style-type: none"> <li>→ Does not have to be served consecutively</li> <li>→ <u>Can transfer to another facility or out of state without penalty</u></li> </ul>
Service Location	<p>Federally designated:</p> <ul style="list-style-type: none"> <li>→ Health Professional Shortage Area (HPSA)</li> <li>→ Medically Underserved Area (MUA)</li> <li>→ Medically Underserved Population (MUP)</li> <li>→ A health care facility which serves patients located in a HPSA, MUA, or MUP</li> </ul>	<p>Federally designated:</p> <ul style="list-style-type: none"> <li>→ <u>HPSA with a score of seven (7) or higher</u></li> </ul>	<p>Federally designated:</p> <ul style="list-style-type: none"> <li>→ HPSA</li> <li>→ Mental Health Professional Shortage Area (Psychiatrists <b>ONLY</b>)</li> <li>→ Medically Underserved Area (MUA)</li> <li>→ Medically Underserved Population (MUP)</li> <li>→ Physicians Scarcity Area (PSA)</li> <li>→ Veteran Affairs Facility</li> </ul>

	<b>State J-1 Visa Waiver</b>	<b>HHS J-1 Visa Waiver</b>	<b>Physician National Interest Waiver</b>
<b>Waiver Authorizing Agency</b>	U.S. Citizens and Immigration Service (USCIS)		
<b>Waiver Application Submission Steps</b>	<ol style="list-style-type: none"> <li>1. Iowa Department of Health and Human Services (Iowa HHS) receives and reviews applications.</li> <li>2. Iowa HHS submits its recommendation for waivers along with applications to the U.S. Department of State (DOS) Waiver Division. DOS then submits its recommendation to the USCIS.</li> </ol>	<ol style="list-style-type: none"> <li>1. Applications must be submitted by private or non-federal institutions, organizations, or agencies, or by components of U.S. Health and Human Services (HHS).</li> <li>2. HHS receives and reviews applications.</li> <li>3. HHS submits its recommendation for waivers to the DOS.</li> <li>4. DOS reviews and approves the recommendation for waivers.</li> <li>5. DOS submits the approved recommendation for waivers to the USCIS.</li> </ol>	<ol style="list-style-type: none"> <li>1. Iowa HHS receives and reviews applications.</li> <li>2. Iowa HHS provides a letter of attestation for waivers to the physician or their legal representative.</li> <li>3. The physician or legal representative submits the waiver application to the USCIS.</li> </ol>