



Visa Information for International Medical Professionals seeking to visit Medical Examiner and Coroner's Offices in the US

Purpose

This guide is intended to be an introduction to the various avenues available to medical professionals seeking to visit ME/Coroner's offices in the US.



Target Audience

Foreign medical professionals and ME/Coroner's offices

Visa Options

For many ME offices that are happy to accept international visitors/Observers, the B-1 Visa, J-1 Visa or Visa Waiver program would be good options. Which option to choose would depend on the length and purpose of the intended visit and sponsorship capabilities of the host organization.

Glossary

Visa: An endorsement on a passport indicating that the holder is allowed to enter, leave or stay for a specified period of time in a country

B-1: Short term, non-immigrant visa for observership Maximum duration of 6 months

J-1: Non-immigrant visa for observership, training or research Maximum duration of 7 years

H-1B: Dual-intent visa i.e. a visa holder could apply for a green card Maximum duration of 6 years

Visa Waiver: No visa needed. For short observerships, no longer than 90 days

Labor Condition Application (LCA):
An application filed by prospective

B-1 VISA

- 1 Short-term, non-immigrant visa for observerships.
- 2 Maximum 6 months stay, although can occasionally be extended.
- 3 The visitor is responsible for applying for the visa and a fee is involved.
- 4 ME/Coroner Office must provide letter of invitation to applicant, stating purpose of visit (strictly observership), applicant's financial arrangement (no US funds used), and the start and end dates. Other than this, no sponsorship needed.

Other requirements are that:

- 5 The visitor must have a profession or studies outside the U.S. to which he or she will return (may need documentation to prove this).
- 6 There must be evidence that the visitor has finances to fund the visit, including transportation and health insurance.
- 7 For those individuals with a medical degree; there are no patient care responsibilities, only observing.
- 8 Will not be paid a salary from a U.S. source.
- 9 The activity at the ME office will primarily benefit the visitor, not the ME office

Note: It is probably a good idea for B-1 visa applicants to consult with an immigration attorney to ensure the process is as smooth as possible.

J-1 VISA

- 1 Non-immigrant visa for observerships, training or research.
- 2 Maximum length of stay varies depending on purpose of visit.
- 3 For physician residency training (including fellowship), maximum stay is 7 years.
- 4 Needs sponsorship by the host organization.
- 5 There are eligibility requirements to become a J-1 sponsor, and paperwork for both the host organization and visitor.
- 6 Sponsorship is best achieved through an affiliated academic institution or a private entity that contracts with the host organization to co-ordinate paperwork (See later section: Additional Considerations for Host ME/Coroner's Offices).

Note: An advantage of the J-1 visa is that a spouse of the visa holder is eligible to work in the US during their stay. The foreign physician is required to return to their home country after completion of the program of study, but in some cases a waiver of home residence requirement can be obtained: that discussion is beyond the scope of this guide, but further information about J-1 waivers is readily available online.

employers on behalf of workers applying for work authorization for the H1-B visa.

Visa Waiver for Business Program

Short-term, non-immigrant program. Does not require a visa.

For this, the individual must stay no longer than 90 days; therefore, this option would only be appropriate for short term electives or observerships.

There is a list of 38 countries that participate on the US Department of State website at: <https://travel.state.gov/content/travel/en/us-visas/tourism-visit/visa-waiver-program.html>

Individuals eligible for this would need to obtain a travel authorization (ESTA) - an automated application can be done online at: www.esta.us

Note: It is also advisable for the hosting office to provide a letter, similar to that used for the B-1 visa, to facilitate the visitor's entry to the US. This letter can be shown to an immigration officer at the port of entry if there are questions about the purpose of the visit.

H-1B VISA

- 1 A dual-intent visa i.e. the visa holder could potentially apply for permanent resident status (green card).
- 2 The dual-intent nature of the visa means that the scrutiny for H visas is much heavier than for J-1 and B-1.
- 3 Maximum length of stay is 6 years (granted for 3 years initially, with option to renew for further 3 years if needed).
- 4 The processing time is long (usually 2-6 months but can be longer). This time can be reduced by paying a 'premium processing' fee.
- 5 H-1B visa applications are complex, usually requiring legal assistance.

Note: The employer needs to demonstrate that the applicant has specialized knowledge and qualifications that make them eligible for the position, and that there are no equivalent US citizens available to fill the position. Paperwork and expenses, such as application and legal fees, can be considerable. As with J-1 visas, sponsorship for an H-1 visa applicant is best achieved with the assistance of an affiliated academic institution or a private entity. If these options are not available, then the input of an immigration lawyer who specializes in work visas is advisable. The latter can add extra expense to the process, in addition to the visa application fees.

Additional Considerations for Host ME/Coroner's Offices

- 1 ME/Coroner offices interested in hosting foreign visitors are advised to look into affiliation with a local institution ahead of time, if this is not already in place, and discuss sponsorship requirements with the institution's immigration office, as well as other necessary visitor requirements like medical insurance, so that they are prepared for potential applicants.
- 2 A key point is that ME offices accepting visitors would need to ensure the visitor has adequate health insurance coverage, up to date immunizations and, if required, adequate funds and return travel arrangements.
- 3 There are private entities available that contract with host institutions to facilitate the sponsorship process. They work with the State Department and the international visitor to manage and co-ordinate required paperwork, including insurance and immunizations. The assistance of these entities can considerably reduce the time burden and complexity of the process for the sponsoring office. One such organization is the Center for International Career Development (CICD). They have worked with several medical examiner offices to successfully sponsor a foreign physician visitor. Website links to this and another similar private organization are listed in the Useful Links section.

O-1 VISA

- 1 Non-immigrant visa for outstanding aliens to do specialized work in the United States.
- 2 In the medical field, the O-1A visa applies to individuals who possess extraordinary ability in the fields of sciences.
- 3 Qualification requirements include: Scientific publications, being a reviewer and/or panel judge, employment in critical medical organizations or offices, national or international award recipient, critical membership positions in professional organizations, commanding a high salary or other significant remuneration compared to others in your specialty, have been on national or international media for a work achievement, made significant new developments or discoveries in your field.
Requires a job offer.
- 4 Features and advantages of this visa: No annual cap on number of O-1 visas issued, not subject to “labor condition application”, dual intent is essentially permitted (however, see J-1 visa comments to the right), no maximum number of years for O-1 visa status (can renew in 3-year increments). The qualifying requirements are not strict – doctors can submit comparable experience from their own specialty to establish eligibility.

It's a great option for J-1 visa doctors subject to the 'two-year rule' (INA Section 212(e)):

- 1 Doctors can switch from J-1 to O-1 if the visa is approved (exiting and re-entering the United States with an O-1 visa is required).
- 2 They still need to find a J-1 visa waiver to start the green card process.
- 3 The O-1 visa **does NOT** cancel the 'two-year rule' requirement, but it delays it: doctors can work in the United States while searching for a J-1 waiver.

Note: The application process is long and not easy. Many supporting documents need to be submitted. Working with an US immigration lawyer is generally recommended.

Summary

There are several visa options available for foreign medical professionals wishing to visit a US ME/Coroner's Office. Selecting the appropriate option is an individual choice, both for the visitor and sponsoring institution, based upon a variety of factors such as the intended course of study, length of stay and sponsorship requirements.

Private organizations are available who can contract with the host office to considerably ease the process of sponsoring a foreign medical professional.

Foreign physicians and potential hosts interested in exploring these visa options are encouraged to connect with members of the International Relations Committee at the NAME meeting.

Many of the committee members have first-hand experience, both as visa holders and sponsors, and would be happy to discuss them further.

USEFUL LINKS

B-1 Visa

<https://www.uscis.gov/working-united-states/temporary-visitors-business/b-1-temporary-business-visitor>

<https://visaguide.world/us-visa/nonimmigrant/visitor/b1/>

H-1B Visa

<https://www.uscis.gov/working-united-states/temporary-workers/h-1b-specialty-occupations-dod-cooperative-research-and-development-project-workers-and-fashion-models>

<https://www.dol.gov/whd/immigration/h1b.htm>

J-1 Visa

<https://www.uscis.gov/working-united-states/students-and-exchange-visitors/exchange-visitors>

<https://j1visa.state.gov/wp-content/uploads/2018/03/J1Visa-fact-sheet-2018.pdf>

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

<https://j1visa.state.gov/participants/common-questions/>

US Visas in general

<https://travel.state.gov/content/dam/visas/BusinessVisa%20Purpose%20Listings%20March%202014%20flier.pdf>

Private Entities Contracting with Host Institutions to Facilitate Sponsorship Process

CICD: <https://www.cicdgo.com/>

IIE: <https://www.iie.org/en/Work-With-Us/US-Exchange-Visitor-Sponsorship>

Working in the US

<https://www.uscis.gov/working-united-states/working-us>

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