

- ii. Recruitment challenges
 - 1. Undesirable areas? _____
 - 2. No ID medical school? _____
 - 3. Information gap: _____
 - a. It is not that hard to get a foreign MD working - it just takes some understanding of how to do it _____
 - b. Idaho Department of Rural Health is there to assist _____
 - c. This is a specialty area of law _____
 - iii. Shortage of IT and other trained staff _____
 - iv. Your rural hospital client may land a Spanish speaking internist or pediatrician! _____
 - v. Metro areas can benefit also but the rules are different: An MD must not need a J-1 Waiver or have completed it elsewhere. _____
2. What sorts of foreigners are hired in health care? _____
- a. MDs - this will be the focus of this presentation _____
 - b. Certified Laboratory Scientists/Medical Technologists [Must have a B.A.] _____
 - c. IT people _____
 - i. Programmers _____
 - ii. System administrators, etc. _____
 - iii. Anyone else with a B.A. as long as other requirements are met - accountants, managers, improvement specialists, etc. _____
 - d. [Nurses = quagmire] _____
3. How do you get them on the ground and working? _____
- a. H-1B Visa _____
 - i. H-1B requirements: _____

1. Bachelor's degree - subjective and objective standard. Watch out for respiratory therapists.
 2. Pay prevailing wage as determined by the USDOL
 3. File appropriate petition and attachments with USCIS
 - a. Very objective application but very detailed, lots of moving parts
 - b. Can expedite for additional fees of \$1,225 - "premium processing"
 - c. *Portability* - new employee can start work when petition is received at USCIS. Sweet!
- ii. H-1B parameters:
1. Valid for three years
 2. Easy to extend for three more
 3. Most hospitals are "cap exempt"
- iii. The H-1B cap
1. 63,000 +20,000 per year
 2. Cap exemption for
 - a. **Public** hospitals and
 - b. **Non-profit** hospitals
 - c. Both **need a written affiliation agreement with an institution of higher education ** and a hiring history**
 - d. Most hospitals have these affiliation agreements
 - e. For profit hospitals have cap issues
 - f. Time won't allow discussion of all of

the cap nuances but
caps create timing
challenges - you
want to be cap-
exempt

g. CAUTION -
INCONSISTENT
ADJUDICATIONS WITH
NEW APPLICATIONS

b. TN = Trade NAFTA pursuant to NAFTA
Appendix 1603.A.3. - list of
acceptable professions - some
professional nurses.

c. OPT - Optional Practical Training
MD issues

4.

a. Foreign or US Medical School

b. Medical residency in the US or
abroad

c. USMLE

d. Most residents have a J-1 Visa:

i. 2-year home-stay requirement -
go back home or get a J-1
Waiver

ii. Each state has 30 waivers per
year - this is a huge
opportunity for Idaho
hospitals and clinics

iii. J-1 Waivers: There are some
Draconian procedural
requirements showing
recruitment efforts, but:

1. 2-year home-stay is
waived

2. HPSA/MUA - with some
limitations from IDRH

3. 3 year commitment

4. File a complex
application to:

a. IDRH

b. Department of State

c. USCIS

d. Then you can file
the H-1B petition

e. Green Cards - Lawful Permanent
Residence - What every foreign

professional wants!

i. PERM

1. Test of the labor market
2. Expensive
3. Not 100% objective

ii. National Interest Waivers

1. Five year commitment to HPSA or MUA
2. Inexpensive and much less risky than PERM
3. But some MDs won't commit to five years

5. Citizenship

6. A good faith marriage to a US Citizen will take care of everything **except** the J-1 Waiver

7. Questions?

8. Call me!

Medical/Allied Professional

Dentist	D.D.S., D.M.D., Doctor en Odontologia or Doctor en Cirugia Dental; or state/provincial license
Dietitian	Baccalaureate or Licenciatura Degree; or state/provincial license
Medical Laboratory Technologist (Canada)/Medical Technologist (Mexico and the United States) ⁶	Baccalaureate or Licenciatura Degree; or Post-Secondary Diploma or Post-Secondary Certificate, and three years experience
Nutritionist	Baccalaureate or Licenciatura Degree
Occupational Therapist	Baccalaureate or Licenciatura Degree; or state/provincial license
Pharmacist	Baccalaureate or Licenciatura Degree; or state/provincial license
Physician (<i>teaching or research only</i>)	M.D. or Doctor en Medicina; or state/provincial license
Physiotherapist/Physical Therapist	Baccalaureate or Licenciatura Degree; or state/provincial license
Psychologist	State/provincial license; or Licenciatura Degree
Recreational Therapist	Baccalaureate or Licenciatura Degree
Registered Nurse	State/provincial license; or Licenciatura Degree
Veterinarian	D.V.M., D.M.V. or Doctor en Veterinaria; or state/provincial license