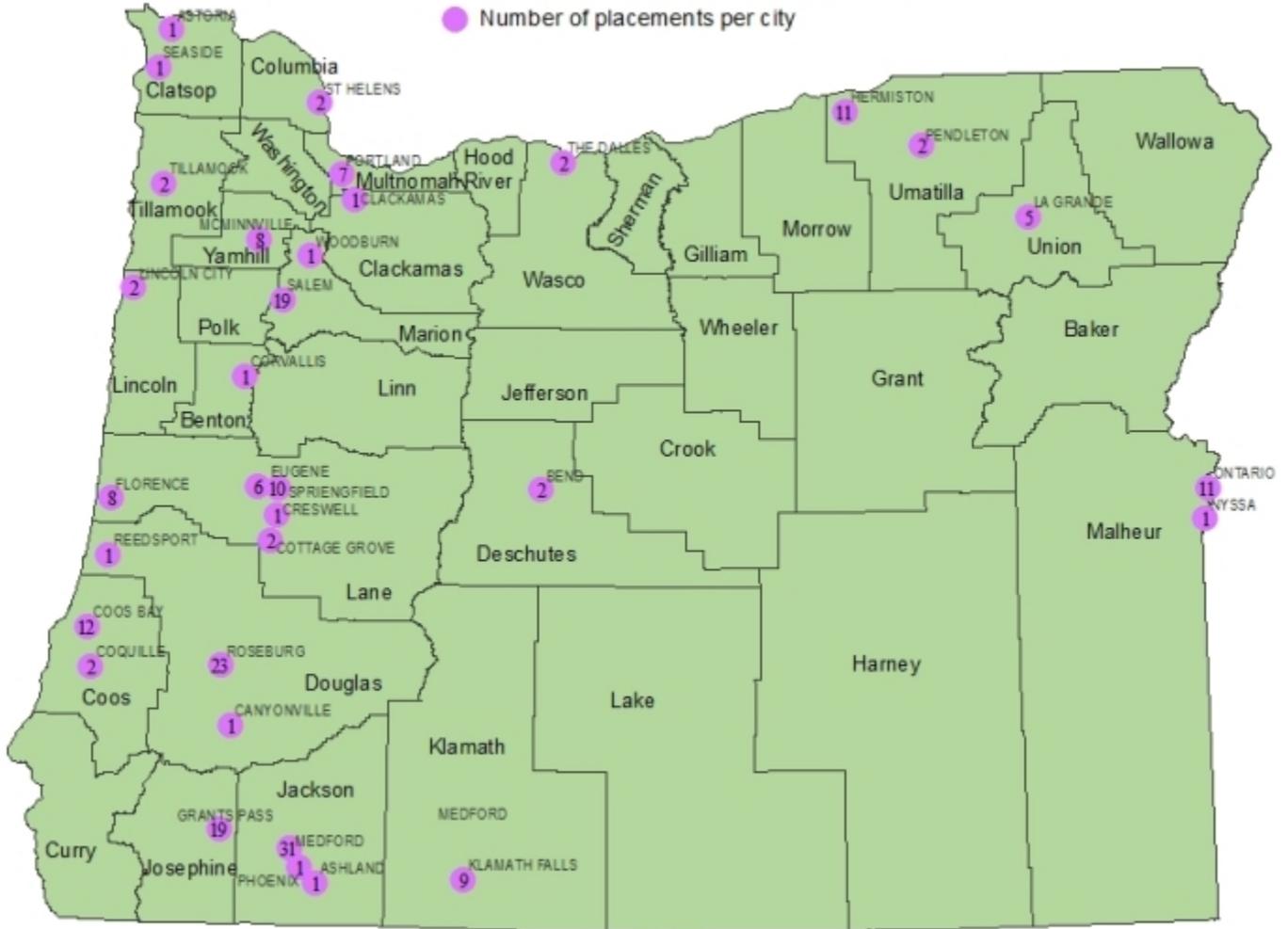


OREGON'S PHYSICIAN VISA WAIVER PROGRAM
(2002-2012)

(206 Placements in 33 Cities and 20 Counties as of 11/02/2012)



Oregon Health Authority

Office of Health Policy and Research/Oregon Primary Care Office

Web Page: www.oregon.gov/OHA/OHPR/Pages/pco/index.aspx

December 2012

PHYSICIAN VISA WAIVER PROGRAM

(2002-2012)

BRIEF PROGRAM DESCRIPTION

The Physician Visa Waiver Program (synonymous with J-1 Visa Waiver Program and Conrad Program) allows international medical graduates who have completed residencies or fellowships in the United States to remain in this country to practice in federally designated shortage areas. Each state may submit up to 30 waivers per fiscal year (October 1- September 30). The Oregon Office of Health Policy and Research (OHPR) examines each application for accuracy and completeness before sending it to the U.S. Department of State. USDOS recommends the candidate to Homeland Security, which issues the waiver. The entire approval process from the time the application arrives at OHPR until the waiver is granted typically takes three to four months. See (Attachment 1), Application Flow Chart, for more information.

HOW TO GET STARTED

1. Visit www.oregon.gov/OHA/OHPR/Pages/pco/index.aspx
2. Read the Application_1.2011, located at the bottom left of the web page, to become familiar with the required documentation.
3. Read the Administrative Rules (OAR-409-035) located at the bottom left of the web page.
4. Consult Dia Shuhart, Program Coordinator dia.shuhart@state.or.us (503) 373-0364, for guidance before starting the application process.

General Federal requirements

1. Employer letter offering a job for 40 hours per week or equivalent;
2. Employment contract of at least three years duration;
3. Proof that the employer is either located in a shortage area (HPSA or MUA), or will serve patients who reside in an underserved area (Flex Option) ¹;
4. Confirmation that the physician will start work within 90 days of receiving the waiver;
5. Confirmation that the employer provides care to Medicaid/OHP, Medicare and low income, uninsured patients;
6. Physician may only have one application pending at a time;

¹ Up to ten of the thirty waivers per year may be for facilities not located in a shortage area that serve patients from underserved area(s)

7. Copy of DS 3035 form previously submitted by the physician to the U.S. Department of State;
8. Copies of required documentation from physician listed in Application_1.2011.

Oregon Specifications

1. We fill slots on a first-come basis, so there is no application deadline;
2. We give priority to primary care, but we also accept subspecialties;
3. The “Flex Option” requires prior approval from OHPR;
4. Employer must try to actively recruit an American doctor for six months before considering a J-1 doctor;
5. Employer must enclose approved ETA 9035 as confirmation that J-1 physician will receive the prevailing wage;
6. At least 20% of patient visits during the prior six months must be Medicaid/OHP, Medicare, and low income, uninsured. Medicare may satisfy up to half of the 20%. Low income, uninsured is defined as 200% or less of the current Federal Poverty Guidelines (Attachment 2);
7. Employer agrees to post a sliding fee scale and not to deny care because of the inability to pay.

MORE PROGRAM BACKGROUND

How It All Started

The J-1 (Exchange Visitor) program laws require physicians to return to their home countries for two years upon completion of graduate coursework in the United States. In 1994 Senator Kent Conrad of North Dakota sponsored legislation allowing each state to recommend up to 20 waivers per year for J-1 physicians who agree to stay in the U.S. and practice in underserved areas.² Congress increased the number of waivers to 30 per year in 2003.

The U.S. Department of Agriculture, which previously administered the program in Oregon, discontinued sponsorship in 2002. In order to fill this void, the Department of Human Services (now Office of Health Policy and Research) launched the Oregon Physician Visa Waiver Program in August 2002. The 2003 Legislature enacted HB 2151³ to codify the program and authorize the collection of application fees to fund the program. The program is entirely self-funded. The \$2000 per-application fee covers expenses including staff, application processing, technical assistance, and follow-up during the three-year employment contract.

² 8 U.S.C. 1182(e) and 1184(l)

³ 2003 Or Laws ch. 68

Flex Placements

In 2004 Congress gave states the option to place up to 10 of their yearly allotment in clinics not located in federally designated shortage areas, but that treat patients from underserved areas. Oregon had used this option an average of once or twice per year.

Types of Physicians

The Program is part of the Primary Care Office; therefore, our placement priority is Family Medicine, General Internal Medicine, Pediatrics, OB/GYN and General Psychiatrists. OAR 409-035-0040 requires 80% of placements to be primary care, with the caveat that positions may be re-allocated based on state needs. Since we have had more slots than we can fill, 32% of the 206 placements since 2002 have been specialists. Please refer to these illustrations:

Attachment 3 “Primary Care vs. Specialists

Attachment 4 “Primary Care Breakdown”

Attachment 5 “Specialist Breakdown”

Geographical Trends

Thirty four cities within 20 counties (Attachment 6, Attachment 7, and Attachment 8) have hired J-1 candidates. The counties with the most placements during the past three years are: Lane (15); Jackson (12); and Marion (11). The Administrative Rules encourage geographic diversity, while recognizing the importance of flexibility in order to meet statewide needs and encourage participation by interested employers and physicians. If and when we are able to use all 30 slots, we will be able to be more selective regarding distribution.

Hospitalists

When the DHS program started in 2002 the term “Hospitalist” was novel. Ten years later they play a very large role in treating inpatients, thereby relieving attending doctors from hospital rounds. Oregon classifies these family practitioners and general internists as primary care physicians. Please refer to the chart below for yearly numbers:

Physicians	2002-2005	2005	2006	2007	2008	2009	2010	2011	2012	Totals
Hospitalists	0	1	7	7	9	10	6	10	8	58
All Others	43	20	7	12	17	14	8	17	10	148
% of Total	N/A	5	50	37	35	42	43	37	44	28

Gender of Physicians

Of the 206 total placements 61 (approximately 30%) are females and 145 (approximately 70%) are males. Attachment 9 graphs these figures.

Countries of Origin

The program has recruited physicians from 43 countries (Attachment 10 and Attachment 11). Doctors from six new countries have been added during the past two years: Kenya and Venezuela in 2011; Botswana, El Salvador, Sudan and Trinidad/Tobago in 2012. Although most J-1 doctors grew up in urban areas of their home countries, nearly all have integrated remarkably well into their new, often more rural, Oregon communities.

Retention

Eighty seven percent of those who started work three or more years ago have completed their contractual obligations in Oregon. Eighty seven percent of those who finished their Oregon contracts stayed with the same employer after “graduation.” An additional 3% remained in the same community but worked for a different employer.

<u>Total Placements (started work Through 2009)</u>	<u>Completed Three-Year Contract Obligation in Oregon</u>	<u>Continued Practicing in Same Community (same or different employer)</u>	<u>Continued Practicing with same Employer</u>
145	126	114	110

The Oregon Medical Board indicates that approximately 50% of all 206 doctors placed during the past ten years retain active Oregon medical licenses and Oregon business addresses (Attachment 12).

Oregon Recruitment

Yearly placements have fluctuated between lows of 14 (2006 and 2010) and highs of 27 in 2011; 26 in 2008 and 24 in 2009. Following the best year ever in 2011 we expected equal or better results for 2012. However, only 18 physicians were placed. We continue to mail program information every year to all Family Practice Residencies throughout the country and to all medical clinics within Oregon.

It has always been difficult to place physicians in FQHCs, partially due to more lucrative salary and working conditions that hospitals and other clinics offer. We have also learned that many safety net clinics were not as well informed about the program as the coordinator believed. This coming year we are planning more outreach to this critical group. In order to do that, we must first remove OAR 409-035-020(1) from our administrative rules. This provision requires referral of all applications for FQHC’s with HPSA scores of 7 or above to the Health and Human Services J-1 Visa Program. Apparently in 2010 we misunderstood federal regulations, which allow, but do not mandate, such referrals.

Challenges

OAR 409-0035-0050(2) requires the employer and doctor to submit semiannual Verification of Employment forms (Attachment 13). These reports are crucial in tracking the number and types of patients the J-1 physicians serve, as well as work schedules. The Coordinator spends many hours each year tracking down late reports.

A few clinics have closed their doors due to employer illness, death, retirement or financial problems. Occasionally, as in any other work environment, the physician does not mesh with the clinic due to personality conflicts or a poor “fit” between the J-1 doctor’s skills and the specific needs of the employer. These problems are usually resolved so that the contract can be completed. If a transfer is necessary, the preference order is: a) a suitable job in the same community; b) another position in Oregon; c) an out-of-state transfer.

Program Legislation

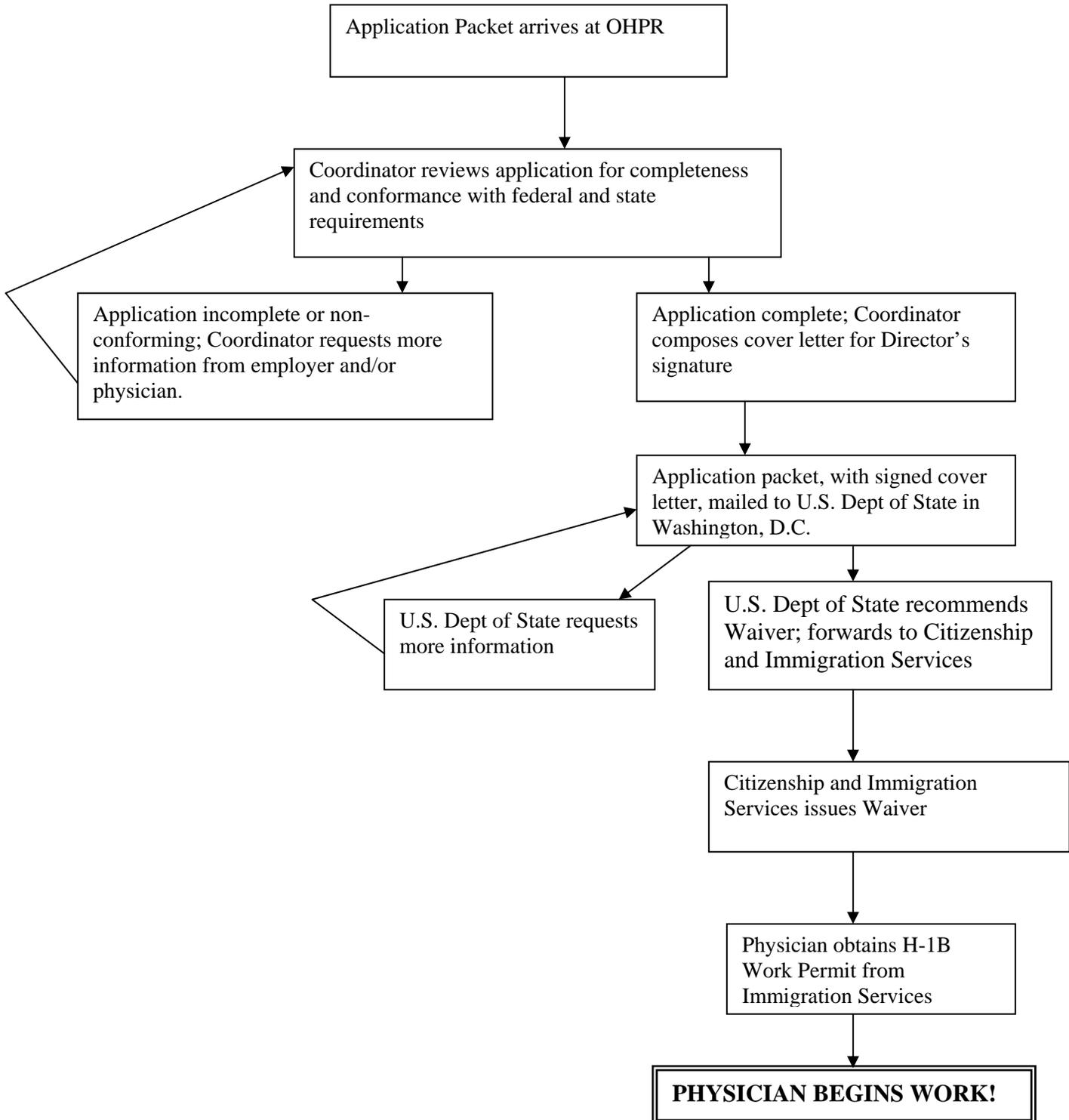
Congress has repeatedly extended the J-1 Visa Waiver Program for one or a few years at a time. It would be very helpful for the program to be permanent. The Conrad State 30 Improvement Act proposes the following:

- a) Delete the requirement to start work within 90 days of receiving the waiver, which has caused some technical problems;
- b) Include physicians who study in the U.S. on H-1B Visa status. Currently this visa has neither a three-year service requirement nor any restriction on where the physician may practice;
- c) Require the employment contract to specify work hours, on-call hours, and work locations;
- d) Make it easier for a doctor to transfer from an abusive employer/employee relationship to a suitable position in an underserved area;
- e) Expedite the process of obtaining a Green Card after completing the three-year J-1 contract obligation;
- f) Give additional slots to states that have used their allotment of 30.

Outlook for 2013

As of late-November, we have received one application. We have an additional 23 probable placements reported by employers and physicians. Although program activity is somewhat unpredictable, we are optimistic. We encourage employers who have been reluctant to hire a J-1 to reconsider; we hope those who have participated will continue utilizing the program. Given the shortage of doctors statewide, we believe the Physician Visa Waiver Program will continue to offer increased access to quality care for Oregonians.

PHYSICIAN VISA WAIVER APPLICATION PROCESS

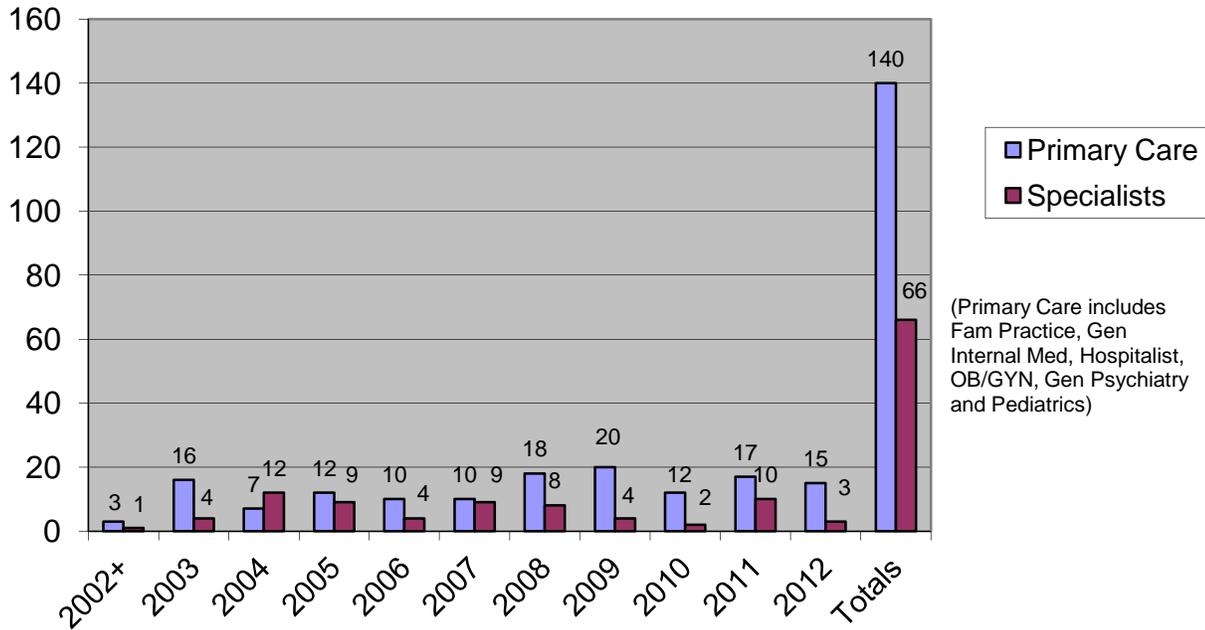


2013 FEDERAL POVERTY GUIDELINES
(48 Contiguous States and District of Columbia)

Persons in Family/Household	Poverty Guideline
1	\$11,490
2	15,510
3	19,530
4	23,550
5	27,570
6	31,590
7	35,610
8	39,630
For families/households with more than 8 persons, add \$4020 for each additional person	

A Notice by the [Health and Human Services Department](#) on January 24, 2013

J-1 VISA WAIVER PLACEMENTS*
(Primary Care vs Specialists)



	Primary Care	Specialists	Totals
2002+	3	1	4
2003	16	4	20
2004	7	12	19
2005	12	9	21
2006	10	4	14
2007	10	9	19
2008	18	8	26
2009	20	4	24
2010	12	2	14
2011	17	10	27
2012	15	3	18
Totals	140	66	206

PRIMARY CARE BREAKDOWN

Type of Practice	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Gen Internist (Outpatient)	1	12	7	6	2	2	4	6	3	2	1	46
Gen Internist (Hospitalist)				2	7	7	9	10	6	8	8	57
Pediatrics		1						1			1	1
Family Medicine (Outpatient)	2	1		2	1		5	2	3	4	5	25
Family Medicine (Hospitalist)										2		2
OB/GYN				1				1				1
General Psychiatrist		2		1		1				1		5
Totals	3	16	7	12	10	10	18	20	12	17	15	140

*Doctors who started work
+Partial Year (Aug - Sept)

SUBSPECIALIST BREAKDOWN*

Subspecialty	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Anesthesiology				2								2
Bariatric Surgeon								2				2
Cardiology				3			2			1		6
Critical Care						2				2		4
Dermatology							1			1		2
Endocrinology		1		1	1	1				1		5
Endovascular Neurosurgery									1			1
Gastroenterology			2									2
General Surgery			1			1	1			1	1	4
Geriatrics							1					1
Hematology/Oncology		1			1					1		3
Infectious Diseases										1		1
Laposcopic Surgeon (hepato pancreato biliary)										1		1
Neonatology				1								1
Nephrology			1		1		1	1				4
Neurological Surgeon											1	
Neurology			3	1			1					5
Orthopedics						1						1
Otolaryngology (ENT)									1			1
Pathology						1						1
Pediatric Surgery						1						1
Pulmonology	1		4	1	1	2	1					10
Radiology		1	1									2
Rheumatology		1						1			1	2
Vascular Surgery										1		1
Totals	1	4	12	9	4	9	8	4	2	10	3	66

*Doctors who started work
+Partial Year (Aug - Oct)

J-1 VISA WAIVER PLACEMENTS*
(By County)

COUNTY	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Benton						1						1
Clackamas											1	
Columbia		1								1		2
Clatsop								1		1	1	2
Coos			1	5	1			2	1	3	1	14
Deschutes				2								2
Douglas	1	5	4	3	1	2	7	2		1	1	27
Jackson		1	2	1	6	5	5	3	1	5	3	32
Josephine		1	2	1	2	6		2		2	1	17
Klamath		2	2	1			1	1	1	1		9
Lane		1	3		2	2	4	5	4	2	4	27
Lincoln		1			1							2
Malheur	3	4		2			1	1		1		12
Marion		2	1	2		2	2		4	6	1	20
Multnomah			1	1				1		2	2	5
Tillamook		1		1								2
Umatilla		1	3	1			3	1	1	1	2	13
Union							2	2			1	4
Wasco						1			1			2
Yamhill				1	1		1	3	1	1		8
TOTAL	4	20	19	21	14	19	26	24	14	27	18	206

*Doctors who started work
+Partial Year (Aug - Sept)

J-1 VISA WAIVER PLACEMENTS*
(By City)

CITY	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	TOTAL
Ashland			1									1
Astoria								1		1		2
Bend				2								2
Canyonville				1								1
Clackamas											1	1
Coos Bay				5				2	1	3	1	12
Coquille			1		1							2
Corvallis						1						1
Cottage Grove							1			1		2
Creswell							1					1
Eugene			1			2			2		1	6
Florence		1	2				1	1	1		2	8
Grants Pass		1	2	1	3	6		2		2	1	18
Hermiston			3	1			3	1		1	2	11
Klamath Falls		2	2	1			1	1	1	1		9
LaGrande							3	2			1	6
Lincoln City		1			1							2
McMinnville				1	1		1	3	1	1		8
Medford		1	1	1	6	5	4	3	1	5	2	29
Nyssa	1											1
Ontario	2	4		2			1	1		1		11
Pendleton		1							1			2
Phoenix											1	1
Portland			1	1				1		2	2	7
Reedsport							1					1
Roseburg	1	5	4	2		2	6	1		1	1	23
Salem		2	1	2		2	1		4	6	1	19
Seaside											1	1
Springfield					2		1	4	1	1	1	10
St Helens		1								1		2
Sutherlin								1				1
The Dalles						1			1			2
Tillamook		1		1								2
Woodburn							1					1
TOTAL	4	20	19	21	14	19	26	24	14	27	18	206

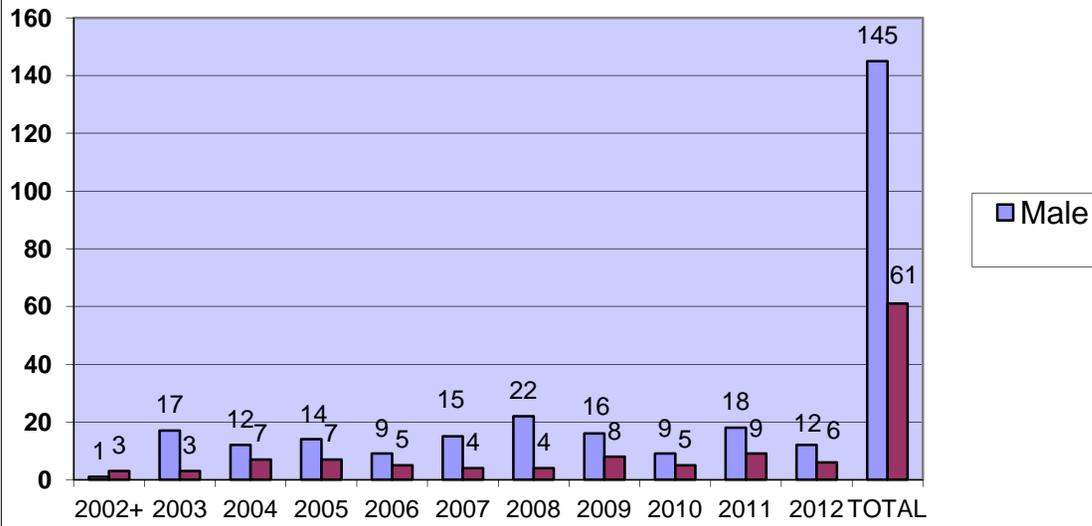
*Doctors who started work
+Partial year (Aug - Sept)

J-1 VISA WAIVER PLACEMENTS*
(By City within Each County)

COUNTY/CITY	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	TOTAL
Benton												
●●Corvallis						1						1
Clackamas												
Clackamas											1	1
Clatsop												
●●Astoria								1		1		1
●●Seaside											1	1
Columbia												
●●St Helens		1								1		1
Coos												
●●Coos Bay				5				1	1	3	1	7
●●Coquille			1		1			1				3
Deschutes												
●●Bend				2								2
Douglas												
●●Canyonville				1								1
●●Reedsport							1					1
●●Roseburg	1	5	4	2		2	5	2		1	1	23
Jackson												
●●Ashland			1									1
●●Medford		1	1	1	6	5	5	3	1	5	2	30
●●Phoenix											1	1
Josephine												
●●Grants Pass		1	2	1	3	6	1	2		2	1	19
Klamath												
●●Klamath Falls		2	2	1			1	1	1	1		9

*Doctors who started work
+Partial Year (Aug - Sept)

J-1 Visa Waiver Gender Breakdown*



2002+	1	3
2003	17	3
2004	12	7
2005	14	7
2006	9	5
2007	15	4
2008	22	4
2009	16	8
2010	9	5
2011	18	9
2012	12	6
TOTAL	145	61

*2002 was a partial year (Aug-Sept)

PHYSICIAN HOME COUNTRIES (NUMERICAL RANKING)*

COUNTRY	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
India		4	3	6	7	3	5	8	5	8	5	54
Philippines			4	2	1		7	3	2	8	3	30
Romania	2	4	2	2		1					1	12
Syria	1		2	1	1	3		1	1			10
Canada				1	1	2	4	1		1	2	12
Pakistan		3	1	1	1	1	1	1		2		11
Lebanon		2		1		1	1	1			1	7
United Kingdom		2	1		1		1		1			6
Bulgaria			2			2						4
Dominican Republic							2	2				4
Thailand			1	1				2				4
Germany		1		1		1			1			4
Mexico		1					1	1		1		4
Egypt			1			1					1	3
Ghana		1		1								2
Malaysia						1	1			2		4
Peru			1		1						1	3
South Korea		1						1				2
Turkey			1					1		1		3
Argentina		1							1	1		3
Bangladesh									1			1
Barbados									1			1
Botswana											1	1
Costa Rica				1								1
Iran				1								1
Jordan						1						1
Kenya										1		1
El Salvador											1	1
Maldives									1			1
Moldova							1					1
Nepal								1		1		2
New Zealand								1				1
Nigeria	1											1
Portugal				1								1
Russia				1								1
St. Vincent						1						1
Serbia/Montenegro							1					1
Slovak Republic							1					1
Sudan											1	1
Sweden					1							1
Trinidad and Tobago											1	1
Taiwan						1						1
Venezuela										1		1
Total	4	20	19	21	14	19	26	24	14	27	18	206

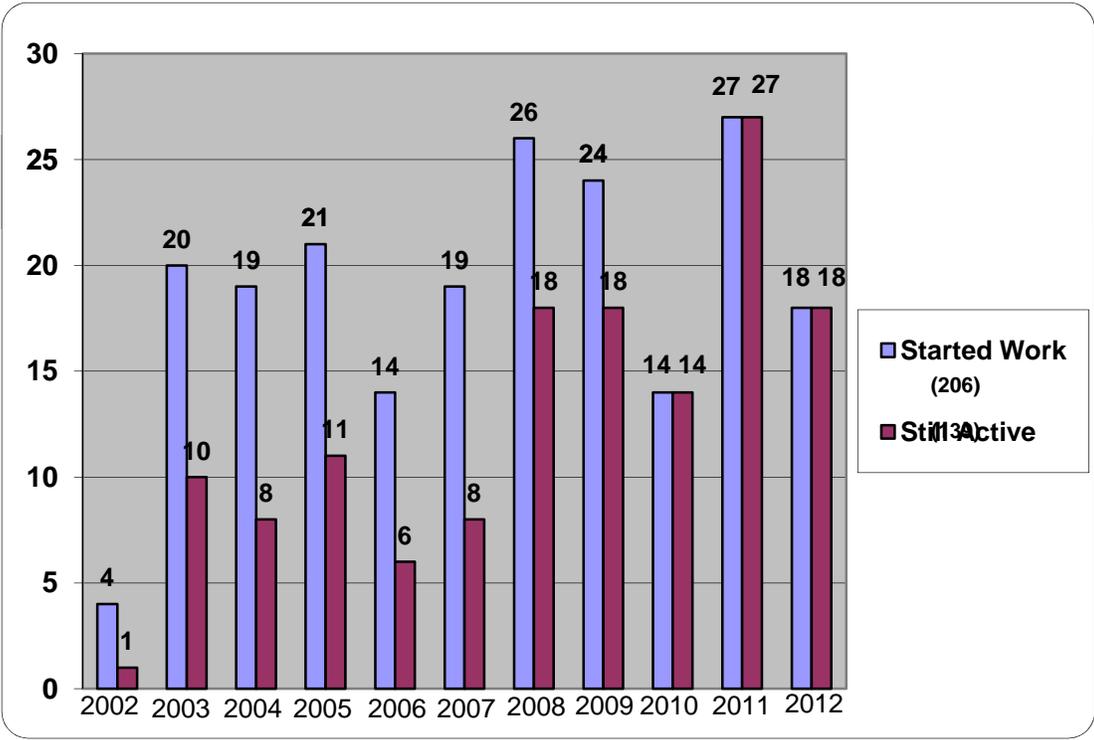
*Physicians who started work +Partial Year (Aug-Sept)

PHYSICIAN HOME COUNTRY (ALPHABETICAL)*

COUNTRY	2002+	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Argentina		1							1	1		2
Bangladesh									1			1
Barbados									1			1
Botswana											1	1
Bulgaria			2			2						4
Canada				1	1	2	4	1		1	2	12
Costa Rica				1								1
Dominican Republic							2	2				4
Egypt			1			1					1	2
El Salvador											1	1
Germany		1		1		1			1			4
Ghana		1		1								2
India		4	3	6	7	3	5	8	5	8	5	54
Iran				1								1
Jordan						1						1
Kenya										1		1
Lebanon		2		1		1	1	1			1	6
Malaysia						1	1			2		4
Maldives									1			1
Mexico		1					1	1		1		3
Moldova							1					1
Nepal								1		1		1
New Zealand								1				1
Nigeria	1											1
Pakistan		3	1	1	1	1	1	1		2		11
Peru			1		1						1	2
Philippines			4	2	1		7	3	2	8	3	30
Portugal				1								1
Romania	2	4	2	2		1					1	11
Russia				1								1
St. Vincent						1						1
Serbia/Montenegro							1					1
Slovak Republic							1					1
South Korea		1										1
Sudan											1	1
Sweden					1			1				2
Syria	1		2	1	1	3		1	1			10
Taiwan						1						1
Thailand			1	1				2				4
Trinidad and Tobago											1	1
Turkey			1					1		1		2
United Kingdom		2	1		1		1		1			6
Venezuela										1		1
Total	4	20	19	21	14	19	26	24	14	27	18	206

*Physicians who started work
+Partial Year (Aug -Sept)

Years	Started Work	Still Active
2002	4	1
2003	20	10
2004	19	8
2005	21	11
2006	14	6
2007	19	8
2008	26	18
2009	24	18
2010	14	14
2011	27	27
2012	18	18
Total	206	114



OREGON J-1 VISA WAIVER EMPLOYMENT STATUS FORM

Reporting period from _____ to _____

(Please report each six-month period separately during the first three years at the sponsoring facility)

Physician's Name: _____

Street Address _____

City _____

State _____

ZIP _____

Home Phone No: () _____ Employment Start Date _____

1. I maintain a full-time clinical practice at (If more than one address, please attach separate sheet):

Name of Medical Practice: _____

Street Address: _____

City/State/ZIP: _____

Telephone Number: () _____

2. During the reporting period, I maintained office hours (use "X" for day not usually practicing). DO NOT include "on call" status time.

	Sun	Mon	Tues	Wed	Thurs.	Fri	Sat
From:							
To:							

1. During the reporting period, approximately _____ hours/week were required to treat hospital patients of the practice at _____ Hospital.
2. During the reporting period, I was absent from the practice for _____ days due to illness, vacation, or for continuing professional education.
3. For this reporting period:
- a. Number of patient visits (do not include telephone consultations): _____
 - b. Number of total uninsured, low income patient visits (at or below 200% of the Federal Poverty Level) who received services at a rate less than usual customary fee _____
 - c. Number of patient visits\Medicaid claim submitted (Including Dual Eligibles) _____
 - d. Number of patient visits\Medicare claim submitted (Not including Dual Eligibles) _____
 - e. Source of data (verifiable by OHPPR audit) _____

CERTIFICATION

I CERTIFY THAT THE INFORMATION REPORTED ABOVE IS CORRECT TO THE BEST OF MY KNOWLEDGE AND ACURATELY REFLECTS ACTIVITIES RELATED TO THE PHYSICIAN VISA WAIVER PROGRAM.

Physician's Name (Print or Type)

Date

Physician's Signature

EMPLOYER ENDORSEMENT

I CERTIFY THAT THE INFORMATION REPORTED ABOVE IS CORRECT TO THE BEST OF MY KNOWLEDGE AND ACURATELY REFLECTS ACTIVITIES RELATED TO THE PHYSICIAN VISA WAIVER PROGRAM.

Signature: _____

Date: _____

Title: _____