



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

January 2025

	State J-1 Visa Waiver	Federal HHS J-1 Visa Waiver	Physician National Interest Waiver
Description	The J-1 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-1 visa allows holders to remain in the U.S. until they complete their Graduate Medical Education. Upon completion, J-1 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.		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.
Visa Type	Non-immigrant	Non-immigrant	Immigrant
Waiver Allotment	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).		Unlimited

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Qualifying Providers	<ul style="list-style-type: none"> ▶ Primary Care (Family Practice, General Internal Medicine, General Pediatrics, Geriatrics, Obstetrics-Gynecology) ▶ Mental Health (General Psychiatry, Child/adolescent Psychiatry, Geriatric Psychiatry, Substance Use Disorders) ▶ Specialty Care 	<ul style="list-style-type: none"> ▶ Primary Care (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 	<ul style="list-style-type: none"> ▶ Primary Care (Family Practice, General Internal Medicine, General Pediatrics, Geriatrics, Obstetrics-Gynecology, Psychiatry) ▶ Specialty Care (Dentists, Chiropractors, Podiatrists, and Optometrists are <u>NOT</u> eligible)
Service Obligation	<p>Three-year, Full-time</p> <ul style="list-style-type: none"> ▶ Physicians must submit a request to transfer based on extenuating circumstances to USCIS for a transfer to another facility or out of state. 		<p>Five-year, Full-time</p> <ul style="list-style-type: none"> ▶ Does not have to be served consecutively <p><u>Can transfer to another facility or out of state without penalty</u></p>

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Service Locations	Federally designated: <ul style="list-style-type: none"> ▶ Health Professional Shortage Area (HPSA) ▶ Medically Underserved Area (MUA) ▶ Medically Underserved Population (MUP) ▶ A health care facility which serves patients located in a HPSA, MUA, or MUP 	Federally designated: <ul style="list-style-type: none"> ▶ HPSA with a score of seven (7) or higher 	Federally designated: <ul style="list-style-type: none"> ▶ HPSA ▶ Mental Health Professional Shortage Area (Psychiatrists ONLY) ▶ Medically Underserved Area (MUA) ▶ Medically Underserved Population (MUP) ▶ Physicians Scarcity Area (PSA) ▶ Veteran Affairs Facility
Waiver Authorizing Agency	U.S. Citizens and Immigration Service (USCIS)		
Waiver Application Submission Steps	<ol style="list-style-type: none"> 1. Iowa Department of Health and Human Services (Iowa HHS) receives and reviews applications. 2. Iowa HHS submits its recommendation for waivers along with applications to the U.S. Department of 	<ol style="list-style-type: none"> 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). 	<ol style="list-style-type: none"> 1. Iowa HHS receives and reviews applications. 2. Iowa HHS provides a letter of attestation for waivers to the physician or their legal representative. 3. The physician or legal representative submits the waiver application to the USCIS.

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	<p>State (DOS) Waiver Division.</p> <p>3. DOS submits its recommendation for waivers to the USCIS.</p>	<p>2. HHS receives and reviews applications.</p> <p>3. HHS submits its recommendation for waivers to the DOS.</p> <p>4. DOS reviews and approves the recommendation for waivers.</p> <p>5. DOS submits the approved recommendation for waivers to the USCIS.</p>	
Application Cycle	J-1 visa waiver requests are accepted annually by the Iowa HHS starting the first Tuesday in September through the last Friday in October	Year-round	