

UTHSCSA Graduate Medical Education Policies

Section 2	General Policies & Procedures	Effective:	April 2004
		Revised:	August 2011 December 2012 December 2014 May 2017 June 2017 November 2017
Policy 2.14.a	Resident Visas	Responsibility:	Designated Institutional Official

Resident Visas

Policy

The University of Texas Health Science Center (UTHSCSA) accepts international medical graduates who meet UTHSCSA eligibility and selection requirements and Texas Medical Board licensure requirements into its graduate medical education programs. All international medical graduates (IMGs) except for those who graduated from an accredited (LCME or CACMS) medical school in the United States or Canada must have a current and valid ECFMG (Educational Commission for Foreign Medical Graduates) certificate at the time of application.

This policy applies to applicants to and enrolled residents in **GME residency programs**. For applicants to and enrolled fellows in **GME fellowship programs** please see GME Policy 2.14.b.

Individuals who are not United States citizens must have U.S. Lawful Permanent Resident status, asylee or refugee status, an Employment Authorization Document (EAD), or must obtain a J-1 visa sponsored by ECFMG except if applicants qualify for the following narrow exception for continued H-1B visa sponsorship. UTHSCSA only sponsors residents for H-1B visas when an applicant is currently on an H-1B visa engaged in graduate medical training at another institution in the U.S. and is eligible to have the H-1B status transferred and extended for the duration of the program.

If an applicant is unable to obtain the appropriate visa status (as described above – either ECFMG J-1 or H-1B status), or an Employment Authorization Document (EAD), regardless of the reason, participation in the residency program will not be permitted.

Foreign nationals applying for a J-1 exchange visitor visa must be eligible for visa sponsorship under the criteria set forth by the ECFMG. See the [Selected Federal Regulations for J-1 Physicians](#) for a list of key regulations for international medical graduates participating in clinical training programs on J-1 visas.

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To be eligible to be sponsored for a H-1B visa, international medical graduates who did not graduate from an accredited medical school in the U.S. must have passed Parts 1, 2, and 3 of the U.S. Medical Licensing Examination (USMLE) and have a license or other authorization required by the Texas Medical Board to practice medicine. The applicant must meet all other legal requirements for H-1B status which the Office of International Services (OIS) will determine upon reviewing the applicant's U.S. immigration documents and other relevant documents.

Administrative and financial costs associated with support of the H-1B visa are significant. The decision to financially support an H-1B visa will ultimately rest with the training program and the associated department. University Health System (UHS) will not serve as paymaster (provide salary or benefits) for an individual on an H-1B visa. Thus, the department will be responsible for paying the entire salary and benefits for fellows on H-1B visas in addition to the governmental filing and internal visa processing fees. Moreover, the U.S. Department of Labor determines the required wage for H-1B visas which may be more than the department initially intended to pay.

Requests for H-1B visa sponsorship of a prospective resident must be approved by the GME Office and the Office of International Services (OIS) prior to the program ranking the applicant on a match list or extending an offer for appointment to the applicant.

If an applicant's situation falls under the exception defined above and a program director agrees to comply with the financial obligations and compliance requirements associated with H-1B visa sponsorship, the program director must submit a written Request for H-1B Sponsorship for GME to the OIS for initial review to determine if the request falls within the exception detailed above. Upon completing the initial review, the OIS will forward the request to the GME Office. The written request must be signed by the program director, department chair, individual applicant, and OIS director and must be made at least ninety (90) days before the applicant's proposed date of appointment. The request will be reviewed by the Designated Institutional Official (DIO) or designee within ten (10) working days of its receipt by the GME Office and the DIO will communicate a decision to the program director. In the event of a negative decision by the DIO, the program director may appeal the decision to the GMEC at the next scheduled meeting. The GMEC shall be the final ruling body. Approval for the request will be for the duration of the proposed program only. The program director must await approval of the request before making a commitment to the applicant.

UTHSCSA will not provide sponsorship of permanent residence for international medical graduates in GME training programs under any circumstances.