

Title 15 - Mississippi Department of Health
Part IX – Office of Health Policy and Planning
Subpart 95 – MISSISSIPPI J-1 VISA WAIVER GUIDELINES

Proposed Effective Date: February 12, 2007

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Add requirements for National Interest Waiver Letter of Recommendations for physicians that may have completed J-1 obligation in another state or have H1-B status.	10, 15 16, 23 28, 29

NATIONAL INTEREST WAIVER (NIW) LETTER REQUESTS:

The following policies apply only to applications the Mississippi State Department of Health has reviewed and/or made recommendations in regards to Mississippi's State 30 and the Appalachian Regional Commission's J-1 Visa Waiver Programs. The following policies apply to foreign medical physicians applying for National Interest Waiver Letter Recommendations. The Office of the State Health Officer maintains the responsibility within the state of recommending and processing, through its Office of Primary Care Liaison, NIW requests.

1. The facility or geographical area in which the foreign physician's placement has occurred must be currently designated as a Mississippi health professional shortage area (HPSA) by the MDH Office of Primary Care Liaison.
2. A current letter of support from the health facility or medical provider who has sponsored the original J-1 or H1-B Visa Waiver must be provided which indicates that the foreign physician placement has resulted in an acceptable or satisfactory condition to support the delivery of primary care services.
3. A statement must be provided, dated and signed by the foreign physician, that he/she agrees to meet the original obligations of the employment contract entered as PL 106-95 does not change the foreign physician's obligation of the original contract terms.
4. In the event that the foreign physician requesting a NIW support letter has completed the original contract terms, the terms noted in items 1 and 2 must be met for consideration of a NIW support letter.
5. The NIW support letter will be addressed to the entity who requests the letter, either the individual foreign physician or the designated representative.
6. A NIW support letter will not be provided when circumstances present that a foreign physician has transferred to a work site other than the original placement without notification to the MDH.
7. In addition to items 1 through 5, if applicable, J-1 physicians that completed service obligations in another state or H1-B physicians must provide a letter of support from the interested government agency that sponsored the foreign medical graduate. The support letter should state that the foreign medical graduate's service was in the public interest and that his/her placement resulted in acceptable (or satisfactory) conditions to support the delivery of primary or specialty care.
8. In addition to items 1 through 5 and 7, J-1 physicians from another state or H1-B physicians seeking NIW letters must provide support letters from

the new sponsoring facility, as well as the local medical community for the placement.

9. Physicians from another state or H1-B physicians must receive approval for NIW recommendation through the Office of the State Health Officer.