

## **Recommendations for Young Physicians Visa Applicants Year 2019:** (APPNA YPC in conjunction with Attorney Shahzad Ahmed of NeJame Law)

### **Governing your B-1/B-2 status:**

- Be prepared to be inspected at the airport about the purpose of your visit; have the necessary support letters ready to show if necessary. Be prepared to explain your duties to be performed. For example, an observorships is permissible; meaning you may watch, discuss, and take notes. You may NOT: take part in hands-on patient care or physical examinations even on a volunteer non-paid basis. If the U.S. Customs officer feels that your intent is to work or to live in the U.S., then you will be refused admission.
- Only licensed doctors can do observorships in USA. The medical students are eligible for 'elective clerkships' as part of their interships.
- Avoid prolonged stay in USA on B1/B2 visa. Don't stay beyond what you had told the visa officer during the initial interview. Otherwise, it may be considered misuse of B1/B2 visa.
- If you have multiple visits (>2) in the last year and each stay was prolonged (>3 months), please consult us and prepare well for the J-1 visa interview. Keep a record of all your activities in USA, and have proof of financial support
- Don't involve yourself in activities that violate B1/B2 visa status.

### **Handling your J-1 visa interview:**

- Remember, getting matched into a residency program is no guarantee to get J-1 visa. So, ask others who have been interviewed before and prepare your case well
- Visa Interview tips: review and prepare your case, consult your colleagues who have been interviewed before, be honest, respectful, and stay confident
- For a J-1 visa, you must possess non-immigrant intent. Therefore, your ties and your long-term career goals should be in Pakistan, not in the USA.
- If you were previously revised a non-immigrant visa for failing to prove non-immigrant intent, then the embassy will require a reason for overturning its decision. Ask yourself: What has changed in my circumstances since my last refusal? Have I acquired new ties, i.e. new employment, new career goal, marriage, etc.? Be prepared.
- Do not sound rehearsed. Sound natural.
- Limit each answer to 2-3 sentences.

### **Dealing with a visa refusal:**

- If you get refused, please contact us immediately. We'll review your case, and advise accordingly. In some complicated cases, you may need to get assistance from an immigration attorney.
- If your case is placed in administrative process, please contact us as well. We'll help expedite the process. However, the State Department doesn't give any timeframe and/or specific details (classified).
- Please remain in touch with your program, keep them in confidence. If your program can't wait beyond July 1st, please inform us. With your permission, we'll try to contact

your program.

**Considering your alternatives:**

- It is possible to change status to J-1 in the USA. It may take little longer (4 months). We'll advise to contact any immigration attorney. Note: changing status to J-1 in the USA does not confer a visa. So upon departure from the USA after changing status to J-1, you will need to apply for a visa. Consult with an immigration attorney prior to applying for change of status.
- If you are eligible and your program can sponsor, H-1b visa is a much better option.

**Interview Tips for J-1 Visa Interview**

(By Dr. Muhammad Fateh Shahzad, MD Co-chair APPNA Advocacy & Legislative Committee)

- Go well prepared for the interview
- Stay calm and answer questions honestly.
- There should be no contradicting statements during interview.
- If you have been to USA, for research, observer-ship, and CS exam or for any reason, prepare a list of dates in chronological order, with entry and exit dates. Documental proof that you supported yourself financially, bank statements, proof of funds sent to you by family etc. If you carry cash with you, should not carry more than \$10000 and let the interview officer know you carried cash with custom copy of declaration.
- Please make sure you don't get a job and don't overstay if on visit visa. Try to go back as soon as your required assignment is completed.
- If you have done observer-ship, the interviewing office may ask, did you examine the patients or touched patient in anyway. Your answer should be, I was doing observer ship only and observed my supervising physician without touching any patient.
- Make sure there are no inflammatory statement pictures on your social media including Facebook. If you have any posts, remarks, comments, pictures that ridicule USA government USA policies, president Trump or any other official please remove.
- If you have been a part of any religious, political or any organization, be honest and don't hide any information. If you have been involved with any student organization, banned organization, be prepared to give explanation and let the officer know you are not a part of that organization anymore with date/year since you departed that organization.
- If you have any anti USA sticker on your vehicle, please remove and don't place on your vehicle after interview is done and or your case is in administrative process.
- Don't make any critical comments on social media if your visa is rejected or placed on administrative process.



## Medical Students/Doctors and B Class Visas: Frequently Asked Questions

**Question:** Can a medical doctor visit the United States for training on a B-1/B-2 visa?

**Answer:** Doctors who come to the United States to observe United States medical practices and consult with colleagues on the latest techniques, provided no compensation is provided from a U.S. source and no patient care is involved, may use a B-1/B-2 visa for these purposes. This is commonly referred to as a "medical observership."

**Question:** Which activities are prohibited during a medical observership while on a B-1/B-2 visa?

**Answer:** Any hands-on professional experience in the medical field is generally not permissible in B status because it involves working in the United States for a U.S. employer. Hands-on activity includes, but is not limited to: taking vital signs, taking patient histories, prescribing medication, treating patients, and other hands-on work.

**Question:** As a 4<sup>th</sup> year medical student, am I eligible to do a medical observership in the United States on a B-1/B-2?

**Answer:** No. Only licensed doctors can do medical observerships in the United States. Current medical students may apply for a B-1/B-2 visa in order to pursue their third or fourth year internship in a U.S. medical school as part of a foreign medical school degree. Such an "elective clerkship" affords practical experience and instructions in the various disciplines of medicine under the supervision and direction of faculty physicians at a U.S. medical school's hospital as an approved part of the alien's foreign medical school education. A clerkship on a B-1 visa is not available for graduate medical training.

**Question:** Can I use a B-1/B-2 visa to take the USMLE Clinical Skills exam?

**Answer:** A B-1/B-2 may be used to take the USMLE. Visa applicants should inform the consular officer that this is their intended purpose of travel to the United States. While a B1/B2 visa may be used to take the exam, students should be aware that activity outside the scope of what is permissible on a B-1/B-2 visa (such as participating in a medical observership as a medical student or practicing medicine) may adversely impact future visa applications, including for medical residencies.