

PREFACE

In his book, *The Greater Journey*,¹ renowned history writer David McCullough tells the story of how for much of the 19th century, Americans went to Paris to train in a number of fields in which America was underdeveloped—the fine arts, literature, architecture, and, yes, medicine. The author explains:

“And for medicine, forget it. The medical practice in America was pathetic, it was primitive. There were no schools of medicine. You became a doctor by being taught by another doctor.”

McCullough’s work traces how so many Americans brought back what they learned in France and transformed America—medicine included. Indeed, by the mid-20th century, the American medical education system not only developed, it became the envy of the world. Doctors from every corner of the globe began coming to this country to train. Many stayed, and for the past half-century, international medical graduates (IMGs) (also commonly referred to as “foreign medical graduates”) have been a critical part of the country’s supply of physicians. And those who have returned home have helped advanced the delivery of health care in their respective countries. American training is such a “gold standard” that hospitals around the world recruit doctors with U.S. academic credentials.²

In recent years, there has been no change in this trend. Nearly 10,000 physicians every year receive certification from the Educational Commission on Foreign Medical Graduates; in the last few years, nearly 7,500 foreign physicians were matched in the National Resident Matching Program.

¹ See <https://www.amazon.com/dp/1416571779>.

² The CBS news show, 60 Minutes, reported in 2009 that at one world-class hospital at the forefront of global medical tourism in Bangkok tourism, nearly every physician on staff had American medical training. See <http://cbsn.ws/1LHhmG2>.

How physicians jump through the necessary legal hoops to get to the United States and *how* they remain in the United States to pursue their careers are covered in this book. Despite overwhelming evidence of a long-term physician shortage facing the United States, physician immigration is perhaps the most complicated area of U.S. immigration law and has become its own subspecialty with its own bar organization.

The intention of this book is not to turn IMGs into immigration lawyers. A famous retailer was known for its use of a tag line in its advertisements: “An educated consumer is our best customer.” And that is just as true for the relationship between an IMG and the physician immigration lawyer. The better you understand how the physician immigration system works, the more likely you will make career choices that will work from an immigration standpoint, and the more likely you will provide your lawyer with the necessary information and documentation to get you the results you are seeking.

The Physician Immigration Handbook follows the typical American journey for the IMG. It opens with a general discussion of how the U.S. immigration system works and then applies the special rules for doctors within that framework.

The vast majority of IMGs come to the United States initially for graduate medical training. Indeed, most states require such American medical training to get a license. This book follows that path.

First, the book reviews how physicians get admitted to graduate medical training programs. Then it discusses the two major immigration pathways open to IMGs who want to come to the United States for graduate medical training—the J-1 visa and the H-1B visa.

We follow IMGs using both visa pathways from training to post-training work and then on to permanent residency—the so-called “green card” (which is now actually green again after being pink for decades)—and then to U.S. citizenship. We delve into employment issues such as layoffs and mergers and acquisitions, while also discussing special benefits available to physicians in the U.S. military, and more.

We are pleased to offer this seventh edition of *The Physician Immigration Handbook* and welcome your feedback. Please contact us at gsiskind@visalaw.com or etaub@visalaw.com.

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