



**LEWIS & KAPPES**

PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

2500 ONE AMERICAN SQUARE  
INDIANAPOLIS, IN 46282-0003

Tel: (317) 639-1210  
Fax: (317) 639-4882  
[www.Lewis-Kappes.com](http://www.Lewis-Kappes.com)

---

**COMMUNITY BASED HEALTH CARE**

Lewis & Kappes provides complete and comprehensive legal services to community based health care organizations, boards of directors, and medical and service providers.

---

**J-1 Visa Waiver Program for Foreign National Physicians**  
**Extended and Modified**

On December 3, 2004, President Bush signed legislation which extended and modified the J-1 Visa waiver program, also called the Conrad 30 program, for foreign national physicians. Generally, J-1 Visas are available to students participating in a foreign exchange program. To be eligible for a J-1 Visa, a foreign national must satisfy a two-year foreign residence requirement. The J-1 Visa waiver program provides a waiver from the two-year foreign residence requirement for foreign nationals who participate in a medical residency program in the United States via an exchange program and who agree to practice medicine for three years in an area designated by the Secretary of Health and Human Services as having a shortage of medical professionals.

Under the new legislation, physicians who are sponsored for the J-1 Visa waiver by either a federal or state agency will also be exempt from a cap recently placed on the number of available H-1B visas. Generally, H-1B visas are work authorizations for individuals with advanced educational degrees. The new legislation provides that physicians receiving the waiver who work in medically underserved areas can provide either primary or specialty care; however, only state agencies and the Veteran's Administration can sponsor a specialist for the waiver. Additionally, each state can grant five waivers to physicians who will not practice medicine in an area designated as having a shortage of health care professionals if the physician practices in a facility which serves patients from areas designated as having a shortage of health care professionals.

---

If we can provide you or your organization with additional information or assistance, please contact one of our community based health care attorneys directly at:

Tom Ruge  
Suzanne Gaidoo

[truge@lewis-kappes.com](mailto:truge@lewis-kappes.com)  
[sgaidoo@lewis-kappes.com](mailto:sgaidoo@lewis-kappes.com)