

WAC 246-562-080 Criteria for the physician. (1) The physician seeking a J-1 visa waiver from Washington state must not have a J-1 visa waiver application pending for any other employment offer. The physician must provide a letter attesting that no other applications are pending.

(2) The physician must have the qualifications described in recruitment efforts for a specific vacancy.

(3) The physician is considered eligible to apply for a waiver when:

(a) The physician has successfully completed a residency or fellowship program; or

(b) The physician is in the final year of a residency or fellowship program, and the physician provides a letter from their program that:

(i) Identifies the date the physician will complete the residency or fellowship program; and

(ii) Confirms the physician is in good standing with the program.

(4) The physician must provide direct patient care.

(5) The physician must comply with all provisions of the employment contract set out in WAC 246-562-060.

(6) The physician must:

(a) Accept medicaid assignment; post and implement a sliding fee discount schedule; serve the low-income population; serve the uninsured population; and serve the HPSA designation population; or

(b) Serve the population of a local, state, or federal governmental psychiatric or corrections facility as an employee of the institution.

(7) The physician must have an active license under chapter 18.71 or 18.57 RCW. The applicant may substitute a copy of the license application and request an exception if the application was submitted to the Washington state medical quality assurance commission or Washington state board of osteopathic medicine and surgery four or more weeks prior to submission of the visa waiver application.

(8) Physician must be an active candidate for board certification on or before the start date of employment.

(9) Physician must provide the following documentation:

(a) A current Curriculum Vitae;

(b) U.S. Department of State Data Sheet, Form DS-3035;

(c) All U.S. Department of State DS-2019 Forms (Certificate of Exchange visitor status);

(d) A physician attestation statement described in subsection (1) of this section;

(e) A no objection statement;

(f) A personal statement from the physician regarding the reason for requesting a waiver;

(g) U.S. Citizenship and Immigration Services (USCIS) I-94 Entry and Departure cards; and

(h) USCIS Form G-28 Notice of Entry of Appearance from an attorney, when applicable.

The statements required in (e) and (f) of this subsection may be on a form provided by the department or other format that provides substantially the same information as the department form.

[Statutory Authority: RCW 70.185.040 and P.L. 110-362. WSR 16-17-060, § 246-562-080, filed 8/12/16, effective 10/1/16. Statutory Authority: Chapter 70.185 RCW and Public Law 108-441. WSR 06-07-035, § 246-562-080, filed 3/8/06, effective 4/8/06. Statutory Authority:

Chapter 70.185 RCW. WSR 03-19-054, § 246-562-080, filed 9/11/03, effective 10/12/03; WSR 02-19-084, § 246-562-080, filed 9/16/02, effective 10/17/02; WSR 00-15-082, § 246-562-080, filed 7/19/00, effective 8/19/00; WSR 98-20-067, § 246-562-080, filed 10/2/98, effective 11/2/98.]