VDH VIRGINIA DEPARTMENT OF HEALTH

*Promoting & Protecting the Health of All Virginians*
*www.vdh.virginia.gov*

# CONRAD 30 WAIVER PROGRAM 2026 GUIDELINES

Developed by:

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Office of Health Equity

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## 1. PURPOSE

Improving access to primary health care, and needed specialty care, in medically underserved areas is an important goal of the Virginia Department of Health (VDH). The purpose of the Commonwealth of Virginia's (Commonwealth) Conrad 30 Waiver Program is to increase access by sponsoring J-1 Physicians who agree to serve in medically underserved areas of the Commonwealth to waive the "two-year home country physical presence requirement" (the "J-1 visa waiver") which would otherwise be required. The Commonwealth's participation in the Conrad 30 Waiver Program enables VDH to act on behalf of the Commonwealth and request waivers for eligible J-1 Physicians. VDH may act as an interested state agency to request up to 30 J-1 visa waivers per year.

## 2. BACKGROUND

Federal law requires that International Medical Graduates (IMGs), defined as individuals who are not United States (U.S.) citizens but are accepted to pursue graduate medical education or residency training in the U.S., obtain a J-1 exchange visitor visa or an H-1B visa. The J-1 visa allows the IMGs to remain in the U.S. until they complete their studies. Upon completion of their studies, the IMGs on J-1 visas (the "J-1 Physicians") must return to their home country for at least two years before they can return to the U.S.

Under certain circumstances, a J-1 Physician may request the U.S. Citizenship and Immigrations Service (USCIS) to waive the "two-year home country physical presence requirement." The waiver may be requested under any one of the following circumstances:

- Extreme hardship to his/her spouse or children who are citizens or permanent residents of the U.S.
- Persecution if forced to return to his/her home country
- A U.S. government agency makes a request for the waiver on the basis that the J-1 Physician's work is in the national and/or public interest
- A state department of health makes a request for the waiver on the condition that the physician agrees to practice for at least three years in an area having a shortage of health care professionals. This provision allows state departments of health to sponsor up to 30 J-1 Physicians per federal fiscal year (October 1-September 30) under the Conrad 30 Waiver Program

## 3. POLICY

Given the need for improving access to primary health care, preference for J-1 visa waivers is given to physicians trained in the specialties of Family Practice, Internal

Medicine, Pediatrics, Obstetrics and Gynecology and general Psychiatrists. Non-primary care physicians who fill a documented community health care need may also be considered for J-1 visa waivers with appropriate documentation. There is likewise, a preference given to J-1 Physicians being recruited for placement in Health Professional Shortage Areas (HPSAs) over
Medically Underserved Areas (MUAs) or Medically Underserved Populations (MUPs). The J-1 Physicians who wish to receive waivers must meet both the federal eligibility criteria and VDH qualifications for J-1 visa waivers and must provide required supporting documents. Prioritizing applications for waiver recommendations is done on a first come first serve basis; however, VDH may make waiver recommendations at its own discretion as appropriate.

The Commonwealth of Virginia's participation in the Conrad 30 Waiver Program is completely discretionary, voluntary and may be modified or terminated at any time. In all instances, VDH reserves the right to support or deny support for any request for a waiver. A total of 30 slots are allotted each year.

## 4. SLOT ALLOCATION

A total of 30 slots are allotted each year for the Conrad 30 Waiver Program. After the 30 available waiver slots have been filled, applications will be returned without being reviewed. Returned applications can be resubmitted during the next application cycle by the attorney or legal practice to be considered for the next program cycle. The federal fiscal year begins on October 1 and ends on September 30. Of the 30 slots, 20 are designated; up to five can be used for flex and up to five can be reserved for VDH's discretion considering unique current needs for specific health care professionals. (See definitions below)

- **DEFINITIONS**
  - **DESIGNATED**

    A primary care or specialty J-1 physician providing direct patient care services at a practice site located in a designated Health Professional Shortage Area (HPSA) and/or Medically Underserved Area/Population (MUA/P).
  - **FLEX**

    A primary care or specialty J-1 physician providing direct patient care services at a practice site that is located outside of a HPSA or MUA/P but serves patients from underserved or neighboring HPSA/MUA/P areas.
  - **DISCRETIONARY**

    A J-1 physician specializing in one of the published High-Priority Target Areas (HPTAs) specialties providing direct patient care services

at a practice site that is located outside of a HPSA or MUA/P but serves patients from underserved or neighboring HPSA/MUA/P areas.

- **HPSA**

  A federally designated geographic area, population group, or specific facility that lacks sufficient health care providers to meet the needs of the population.

- **MUA/MUP**

  A geographic area or population that lacks medical services as indicated by poverty, infant mortality, age of the population and lack of primary care providers.

### 4-1. GEOGRAPHICAL COMPONENTS

In efforts to increase the availability of medical care in underserved areas and improve access to Primary Care in Virginia, VDH acts as an interested government agency for the Conrad 30 Waiver Program to meet the needs of the community. The J-1 physician's proposed practice site must be located in a federally designated setting described below (See exception in Sec.4-4.). Designation status will be determined by the actual physical address of the practice site.

### 4-2. FEDERALLY DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREAS (HPSA)

HPSA is defined by the Federal Health Resources and Services Administration as a geographic area, population, or facility with a shortage of physicians, dentists, or mental health professionals that is designated by the Secretary of Health and Human Services. These include:

- Mental Health Professional Shortage Area
- Primary Care Health Professional Shortage Area
- Dental Care Health professional Shortage Area (Currently.not. considered)

Please visit the website to receive the most accurate designation information at: https://data.hrsa.gov/tools/shortage-area/by-address
Please enter:

1. Street address + city + state or Street address + ZIP code "Search"

### 4-3. MEDICALLY UNDERSERVED AREA (MUA)/MEDICALLY UNDERSERVED POPULATION (MUP)

MUA/MUP is defined by the Health Resources and Services Administration as a geographic area or population that lacks medical services as indicated by poverty, infant mortality, age of the population and lack of primary care providers and is designated by the Secretary of Health and Human Services.

Please visit the website to receive the most accurate designation information at: https://data.hrsa.gov/tools/shortage-area/mua-find

Please select the State, County and "Designated"

### 4-4. FLEX/DISCRETIONARY SLOTS

Up to 10 of the Commonwealth's 30 waiver slots each year may be used for J-1 physicians practicing at sites located outside of federally designated shortage areas. The Virginia Conrad 30 Waiver Program will begin accepting non-designated slots (Flex and Discretionary slots) February 1 of each year. Please see the VDH-OHE website for available slots.

For the 2026 application, up to five slots can be used for flex applicants and up to five slots can be reserved for VDH's discretion considering unique current needs for specific health care professionals (See definitions in section 4). Applications for Flex slots and Discretionary slots must include documentation to verify that the selected practice site serves patients from underserved or neighboring HPSA/MUA areas (See Section 7-2).

Discretionary slots are allocated at the discretion of VDH based on the prevailing critical needs for specific physician specialties. For the 2026 application cycle, up to five discretionary slots will be available to J-1 physicians who practice in one of the following specialties within a High-Priority Target Area (HPTA).

High-Priority Target Area Specialties:

- Oncology - Late-stage diagnosis of cancer and primary care provider availability.
- Cardiology - Heart conditions and primary care provider-to-patient ratio.
- Obstetrician/Gynecologist (OBGYN) - This includes high-risk obstetrics, low birth weight, prenatal care, pre-pregnancy, diabetes and hypertension, and the rate of OBGYN providers.

Please see the VDH-OHE website for the discretionary slot analysis.

## 5. EMPLOYER'S ELIGIBILITY AND REQUIREMENTS

An employer is limited to five applicants per practice site. (Employers with multiple practice sites are not limited to five per employer, but five per practice site.)

### EMPLOYERS MUST:

- Be licensed to do business in the Commonwealth of Virginia.
- Provide a practice site located in a federally designated Health Professional Shortage Area (HPSA) or a whole county designated

Medically Underserved Area (MUA) for designated applicants.

- Provide a practice site that serves patients who reside in a federally designated Health Professional Shortage Area (HPSA) or a whole county designated Medically Underserved for flex/discretionary applicants

- Serve both Medicare and Medicaid patients, with at least 10% of the total patient visits in the 12 months prior to application coming from Medicaid and/or other low-income patients (such as subsidized basic health plan enrollees, sliding fee discount, no pay, etc.)
- Have a sliding fee scale schedule posted and available for patient use
- Have signed a three-year employment contract with the J-1 physician
    - Contracts containing non-compete language will not be approved
- Pay the physician prevailing wage and provide benefits
- Have a "for cause" or "just cause" termination policy
- Submit the Health Care Facility letter requesting that VDH act as an "interested government agency" and recommend a waiver on behalf of the J-1 Physician
- Employers cannot be a relative of the J-1 Physicians
- Employers cannot be under investigation, indictment or conviction for violations of federal, state, or local laws, J-1 visa waiver requirements, or ordinances related to the medical practice. In addition, the statement should identify that the employer is not the subject of any financial legal or regulatory proceedings that could reasonably result in the practice site's inability to function as an employer.

## 6. J-1 PHYSICIAN'S ELIGIBILITY AND REQUIREMENTS

### J-1 PHYSICIAN MUST:

- Have completed or be in the final year of an Accreditation Council for Graduate Medical Education (ACGME) approved residency program.
  ***Note: If the program does not possess official accreditation, we strongly advise you to contact the program staff, who will provide you with guidance tailored to your specific circumstances and clarify your program participation eligibility.***

- Begin medical practice within 90 days of receiving the waiver and employment authorization from the USCIS (Department of State (DOS) letter)
- Have an Educational Commission for Foreign Medical Graduates (ECFMG) certificate
- Have passed all three steps of the United States Medical Licensing Examination (USMLE) or equivalent and show proof of all three scores.

- Have a Virginia license to practice medicine or have applied for one
- Provide a Curriculum Vitae (CV), which must reflect current contact information
- Practice for a period of not less than three years in a federally designated shortage area (HPSA, MUA/P, or MHPSA)
- Flex/discretionary applicants must practice for a period of no less than three years at a practice site that serves clients from a designated shortage area (HPSA, MUA/P, or MHPSA)

## 7. APPLICATION PROCESS

Applications must be completed and submitted by an attorney or legal practice. VDH does not assist or recommend any attorneys for this process. Applications are reviewed on a first come-first served basis; however, VDH may make waiver recommendations at its own discretion as appropriate. Please allow at least 3 weeks to process all Conrad 30 Waiver Program applications at VDH. Only complete and correctly organized applications will be reviewed. Applications identified as incomplete due to missing or inaccurate documentation will be rejected and will not be reviewed. If slots remain available during the application cycle, a new, complete application with updated documentation may be submitted for review. After the 30 available waiver slots have been filled, applications will be returned without being reviewed. These returned applications must be resubmitted during the 2027-2028 application cycle by the attorney or legal practice to be considered during the next federal fiscal year.

### 7-1. FIVE STEPS TO OBTAIN A J-1 VISA WAIVER:

***STEP 1***: Obtain a J-1 visa waiver case number from the U.S. DOS (See descriptions below)

***STEP 2:*** Identify practice sites in Virginia eligible to employ J-1 Physicians and agree to follow the J-1 visa waiver requirements

***STEP 3:*** Seek employment at an eligible practice site located in federally designated areas. (Please see section 4-1 and 4-2)

***STEP 4:*** Obtain an employment contract. This is contingent on securing the J-1 visa waiver

***STEP 5:*** Submit application to VDH

### 7-2. REQUIRED DOCUMENTS

#### J-1 Physician must provide the following to VDH:

- State Health Cover Letter
- Form G-28/Letter of Representation
- DS-3035 and Supplementary Applicant Information Pages

- Third Party Barcode Page
- Waiver Division Barcode Page
- Statement of Reason
- Letter from Employer
- Employment Contract*
- Exchange Visitor Attestation/Foreign Medical Graduate Statement
- DS-2019's/I-94
- HPSA/MUA Evidence Documents (for Designated Slots)
- Flex Eligibility Evidence Documents (For Flex/Discretionary Slots)
- Curriculum Vitae and Diplomas/ECFMG Certificate/Certificates
- Tri-Party Agreement
- Guidelines Signature Page
- Completed Application Checklist

**Please refer to the application checklist for guidance**.

### *STEP 1: OBTAINING A J-1 VISA WAIVER CASE NUMBER*

The first step in the application process involves the J-1 Physician obtaining a J-1 visa waiver case number from the U.S. DOS. This step must be completed before submission of the application to VDH. VDH will not process any application without a J-1 visa waiver case number. To obtain the information needed to apply for the case number, the J-1 Physician can go to: http://travel.state.gov/. (Click on Visas) or request the application packet by writing to:

U.S. Department of State Waiver Review Division

P.O. Box 952137

St. Louis, MO 63195-2137

To obtain a J-1 visa waiver case number, the J-1 Physician should send a completed Waiver Review Application Data Sheet to the Waiver Review Division of the U.S. DOS with the required fee and two self-addressed stamped legal-size envelopes (see instructions posted on the above web site).

Once the Waiver Review Division of the U.S. DOS has received the Application Data Sheet, it will send the J-1 Physician a J-1 visa waiver case number and instructions on how to proceed with the application. The instructions will include a list of documents that must be submitted to complete the waiver review application. After the case number is received, it must be affixed to all documents included in waiver-related correspondence with the Waiver Review

Division and VDH. If the case number is not affixed to all documents when communicating to VDH, the application will be considered incomplete and will not be reviewed.

### *STEP 2: IDENTIFYING PRACTICE SITES ELIGIBLE TO EMPLOY J-1 PHYSICIANS*

**For Designated Slots:**

The practice site must be physically located in a currently designated federal Health Professional Shortage Area (HPSA), Medically Underserved Area (MUA) or Medically Underserved Population (MUP). If a facility has its own unique designation, the facility specific designation status will apply. The practice site for general psychiatry must be physically located in a current federal Mental Health Professional Shortage Area (MHPSA). The practice site for primary care must be physically located in a current federal Health Professional Shortage Area (HPSA). If the practice site is in a special population HPSA, additional information about the patients served by the practice is required in the application, unless the site is Community Health Center or a Federally Qualified Health Center (See Section 7-2, Step 5.).

A list of all currently designated Primary Health Care and Mental Health HPSAs and Medically Underserved Areas/Populations (MUA/Ps) designation can be found at the U.S. Dept. of Health and Human Services, Health Resources and Services Administration (HRSA) Shortage Designation.

The practice site must be an approved HPSA or MUA/P site, on the date VDH reviews the application. If the designation expires after eligibility has been determined, the J-1 Physician will continue to be eligible for the remainder of the obligation.

**For Flex Slots:**

The practice site must serve patients from underserved or neighboring HPSA/MUAs. Flex slot applicants must provide a copy of the facilities official Employee Identification Number (EIN) and a notarized affidavit supporting documentation that at least 30% of the patients served in the most recent year reside in a primary care HPSA/MUA/MUP.

The Virginia Conrad 30 Waiver Program will begin accepting applications for Flex slots February 1, 2027.

**For Discretionary Slots:**

Discretionary slots will be allotted to eligible applicants based on VDH's discretion and the prevailing critical needs for specific physician specialties. For the 2026-2027 application cycle, the practice site for a discretionary slot must be located within a High-Priority Target Area (HPTA) for one of the following specialties that the J-1 Physician must practice in.

**High-Priority Target Area Specialties and Indicators:**

- Oncology
- Cardiology
- Obstetrician/Gynecologist (OBGYN)

Please see the VDH-OHE website for VDH's discretionary slot analysis. Discretionary slot applicants must provide a copy of the facilities official Employee Identification Number (EIN) and a notarized affidavit supporting documentation that at least 30% of the patients served in the most recent year reside in a primary care HPSA/MUA/MUP.

The Virginia Conrad 30 Waiver Program will begin accepting applications for discretionary slots February 1, 2027.

### *STEP 3: SEEKING EMPLOYMENT AT ELIGIBLE PRACTICE SITES*

The J-1 Physician is responsible for finding practice sites that would be willing to offer employment. J-1 Physician applicants who have completed a residency program within the Commonwealth are encouraged to contact their residency program coordinator or utilize the National Rural Recruitment and Retention Network recruitment website for placement assistance, www.3RNet.org. During the recruitment phase, the J-1 Physician and the potential employer should become familiar with the obligations and responsibilities outlined in the Conrad 30 Waiver Program Guidelines.

### *STEP 4: OBTAINING AN EMPLOYMENT CONTRACT*

It is the responsibility of the J-1 Physician to obtain an employment contract with the hiring employer to practice in approved site(s). VDH assumes no responsibility for negotiations, content of, or termination of the employment contracts.
**The contract must:**

- Be for a period of three years or longer

- Include the employer/sponsor and practice site's physical address, phone number and email address for the contact at the employer **and** practice site (include for **each** eligible practice site).
- Contain a statement by the J-1 Physician agreeing to meet the requirements set forth in Section 214(l) of the Immigration and Nationality Act
- Indicate the schedule and the number of hours per week that the J-1 Physician will practice providing direct patient care
    - Minimum of four days and 40 hours per week
        - For surgical specialists and hospitalists – a minimum of 160 hours per month
    - Excluding administrative, travel and/or on-call time
    - Other cases will be reviewed on case-by-case basis
- State the type and amount of leave
- List the discipline
- State that the termination can only be for cause or just cause, not mutual agreement
- List of benefits and insurance to be provided to J-1 Physicians
- State that employment will start within 90 days of receiving waiver, and employment authorization from the USCIS (DOS letter)
- Include the fixed salary
- Not include a non-compete clause or restrictive covenant preventing or discouraging the J-1 Physician from continuing to practice in the Commonwealth after the period of obligation has expired
- Not include an at-will policy

### *STEP 5: SUBMITTING AN APPLICATION TO VDH*

The Department of State has transitioned to an electronic submission process. VDH will submit the complete application packet on your behalf as in previous years.

The J-1 Visa Waiver application submitted to VDH must meet all the requirements mentioned in this guideline. The attorney or a legal practice must submit an electronic application using alphabetical placement headers to identify each section clearly. The application checklist and placement header examples are available on the VDH-OHE website. Incomplete applications will be rejected and will not be reviewed. Please refer to the homepage for the most recent version of the database portal and for details on how to apply.

Note: To avoid possible conflicts of interest, VDH recommends that applicants work with their own attorney or legal practice, not an employer's attorney or legal practice.

**<u>Information to request from the employer prior to submitting the application (Please see checklist)</u>:**

Please include all the documents below in the application package.

- An original and one hard copy of the employment contract signed by both the employer and the J-1 Physician;
- A letter requesting that VDH act as an "interested government agency" and recommend a waiver on behalf of the J-1 Physician. The letter must also include:
    - The full name and medical specialty of the J-1 Physician
    - Qualifications of the J-1 Physician and medical specialty
    - A work schedule for the J-1 Physician and a statement that the J-1 Physician will provide direct patient care for at least 40 hours per week during normal office hours at least four days per week (on-call and travel times and administrative duties) do not count toward the 40-hour minimum), 160 hours for hospitalists or 40% of the 160 hours in an outpatient setting for surgical specialists
    - A description providing justification for the physician based on the community needs and the effect on the community if a J-1 Physician waiver is approved
- A statement from the employer indicating that the staff and its principals, such as owners, administrators, or medical directors are not under investigation, indictment or conviction for violations of federal, state, or local laws, J-1 visa waiver requirements, or ordinances related to the medical practice. In addition, the statement should identify that the employer is not the subject of any financial legal or regulatory proceedings that could reasonably result in the practice site's inability to function as an employer.

The employer cannot charge patients more than the usual and customary rate prevailing in the federally designated shortage area in which services are provided including a copy of the facility's charity care policy.

If the practice site is in a special population HPSA, the employer must also provide the following information on the patients served by the practice, unless the practice is a Community Health Center or a Federally Qualified Health Center:

- The percentage of patients who receive health services at a reduced rate
- The percentage of Medicare patients
- The percentage of Medicaid patients

### 7-3. APPLICATION FEE

There is no application fee for the 2026 – 2027 Conrad 30 Waiver Program.

### 7-4. VDH PROCEDURAL GUIDELINES

- All submitted documents must be submitted electronically via the application portal. Incomplete applications will be returned and will not be reviewed. The application status in the online application portal will indicate the reason for rejection; however, no follow-up will be conducted by VDH to request corrections once an application has been submitted. If slots remain available during the application cycle, a new, complete application with updated documentation may be submitted for review.
- VDH will forward complete electronic applications receiving favorable recommendations to the U.S. DOS and VDH will notify the practice site in writing (via attorney or a legal practice) that the application has been submitted to the USCIS for approval.
- Once waiver is approved, the USCIS will send notification directly to the J-1 Physician.
  - Once this approval has been received, the J-1 Physician or the attorney/legal practice should notify VDH by submitting a copy of the USCIS approval to: incentiveprograms@vdh.virginia.gov.

### 7-5. VDH APPLICATION EVALUATION STANDARDS

When reviewing each J-1 visa waiver application, VDH will make an effort to ensure that the proposed placement of the J-1 Physician will not adversely affect or compromise the delivery of health care in the medically underserved area.

When reviewing applications, VDH will:

- Negatively view any past or current disciplinary actions or proceedings taken by the Virginia Board of Health Professions (or comparable professional medical review boards in other states) against the employer in cases where the employer is a medical professional.
- Negatively view the J-1 visa waiver applications from any employer whose principals such as owners, administrators, or medical directors are under

investigation, indictment, or conviction for violations of federal, state, or local laws, J-1 visa waiver requirements, or ordinances related to medical practice.

When considering J-1 Physicians for employment, employers may choose to impose additional requirements than provided for in these guidelines to ensure that the delivery of healthcare services is consistent with their practices' policies. During the contractual period, failure to meet any of the criteria requirements will result in a retraction of the Commonwealth's support. Such action will affect the physician's visa status and the employer's eligibility to participate in the program in the future.

### 7-6. TIME FRAMES

Please allow at least 3 weeks to process all Conrad 30 Waiver Program applications at VDH. We are currently unsure of the DOS & USCIS processing times.

### 7-7. EMAIL ADDRESS

Questions or inquiries regarding the Conrad 30 Waiver program should be sent to: incentiveprograms@vdh.virginia.gov

## 8. ONCE YOU BECOME A J-1 PHYSCIAN

There are specific requirements associated with being a J-1 physician (see 8-1 to 8-7).

### 8-1. J-1 PHYSICIAN REQUIREMENTS

- Three years of service obligation in approved practice site(s).
- Submitting Verification of Employment (VOE) form to VDH.
    - After initial 30 days of employment.
    - Every six months from the employment contract execution date until the completion of the three-year service commitment.
- Notification to VDH of contact information changes must be made within 10 business days of change.

### 8-2. PRIMARY CARE PHYSICIANS

1. J- -1 Physicians must provide direct patient care for a minimum of 4 days and 40 hours per week not including travel and/or on-call and administrative duties. To be considered a primary care physician for the Virginia Conrad 30 Waiver Program a Hospitalist must undergo residency training in Internal Medicine or Family Medicine and is required to work full-time providing

primary care services for the obligated time. The definition of full-time as defined by the USCIS is 40 hours per week providing direct patient care.

2. Hospitalists must provide direct patient care for at least 160 hours per month not including travel and/or on-call and administrative duties. If this requirement is met along with the other eligibility requirements, the hospitalist will be classified as Primary Care for the Virginia Conrad 30 Waiver Program.

### 8-3. SPECIALIST PHYSICIANS

Surgical specialists must provide 160 hours per month of direct patient care; at least 40% of the time should be provided in an approved outpatient setting. Inpatient and surgical duties may account for the remainder of the time.

All other specialists must provide direct patient care for a minimum of 4 days and 40 hours per week, not including travel and/or on-call and administrative duties.

### 8-4. MOONLIGHTING

Please discuss moonlighting with your employer. If you decide to take a moonlighting position, you must fulfill your 40 hour per week requirement for Primary Care Physicians or (at least 160 hours per month for Surgical Specialists and Hospitalists) service obligation at your approved practice site. However, you are not allowed to moonlight outside the Commonwealth of Virginia.

### 8-5. AMENDED CONTRACT

If the contract is amended, it must still reflect the J-1 waiver requirements and J-1 Physician must complete the full three years of service obligation to reflect the new employment contract.

- An addendum to the original employment contract must reflect any approved leave taken, such as short-term disability, parental leave, etc. and the J-1 Physician, attorney or legal practice must submit the amended contract to VDH.

### 8-6. VERIFICATION OF EMPLOYMENT (VOE)

- J-1 physicians are required to submit Verification of Employment form to VDH:
    - After initial 30 days of employment.
    - Every six months from the employment contract execution date until the completion of the three-year service commitment.

- The employer of a J-1 Physician that transfers to another medical facility within Virginia must submit a final VOE form upon the termination of the contract to show proof of their last date of service.

**Failure on the part of the J-1 Physician to submit accurate and truthful VOE forms will result in a report of non-compliance to the USCIS.**

**Failure on the part of the Chief Executive Officer or Administrator of the employing entity to submit accurate and truthful semi-annual reports will jeopardize future eligibility for J-1 placement at the practice site and may result in an out-of-compliance report for the J-1 Physician in the Commonwealth of Virginia.**

### 8-7. SITE VISITS

The J-1 Physician and his employer may be subject to at least one unscheduled oversight phone call, email or site visit during the three years in the Conrad 30 Waiver Program by VDH.

## 9. EARLY EMPLOYMENT TERMINATION

If the employment contract is terminated prior to its scheduled end date, the J-1 Physician and Employer must provide written notification within 30 days of termination. Notification should include an explanation to VDH as well as the VOE form indicating the last date of the employment.

### J-1 Physician Requirements

- Notify VDH, in writing, of the intent to leave the position and the reasons for the early termination of the three-year service commitment at least 30 days in advance
- Affix the U.S. DOS J-1 visa waiver case number to all documents included in waiver-related correspondence with VDH
- Assume the sole responsibility for notifying the employer of the intent to terminate contract
- Assume all legal and/or financial obligations that may accrue from a breach of contract or the establishment of “reasonable cause” for the termination of the employment contract.

### Original Employer Requirements

- Affix the U.S. DOS assigned J-1 visa waiver case number to all documents included in waiver-related correspondence with VDH;

- Provide a letter to VDH releasing the J-1 Physician from the employment contract and explanation for the release (early termination).
- Complete VDH Reporting Requirements as set forth in Section 9-6 of the
- Conrad 30 Waiver Program Guidelines.
- Provide VDH with the VOE form indicating the last date of the employment.

## 10. TRANSFERS

Under no circumstance should a relocation of a J-1 physician occur without prior written authorization by VDH. The same review criteria used in VDH Conrad 30 Waiver Program Guidelines for new applicants will be applied in recommending a transfer request.

### 10-1. TRANSFER TO VIRGINIA FROM ANOTHER STATE

The new employer of a J-1 Physician who has transferred from within Virginia or another state must file the first VOE form within 30 days of the transfer. Subsequent reports must be submitted every six months from the employment contract execution date with a final report due upon completion of the three-year commitment.

### 10-2. TRANSFER FROM VIRGINIA TO ANOTHER STATE

#### Original Employer Requirements

Please provide all transfer documents sent to USCIS (transfer petition) and

- The employer of a J-1 Physician that transfers from Virginia to another state must submit a final VOE form upon termination of the contract.
- Provide a letter to VDH releasing the J-1 Physician from the employment contract and explanation for the release.

#### New Employer Requirements

Please provide all transfer documents sent to USCIS (transfer petition) and the J-1 Physician's attorney or legal practice must contact VDH that he/she is transferring to obtain the most current reporting requirements.

#### J-1 Physician Requirements

Please provide all transfer documents sent to USCIS (transfer petition) and

- Transfer Notification Form signed by the new employer

- Information about New Employer and the practice sites (Address and Phone number)
- Employment Offer Letter signed by Employer and Physician, which include the work sites, HPSA designations and proof that the J-1 Physician will:
    - Work for at least 40 hours per week for the remainder of the contract
    - Follow VDH Reporting Requirements as set forth in Conrad 30 Waiver Program
- Guidelines signed by the employer and physician. (Complete VOE form)
- An employment contract from the employer that meets J-1 waiver requirements

## 10-3. TRANSFER WITHIN VIRGINIA

### Original Employer Requirements

- The employer of a J-1 Physician that transfers from one practice site to another within Virginia must submit a final VOE form upon termination of the contract.
- Provide a letter to VDH releasing the J-1 Physician from the employment contract and explanation for the release.

### New Employer Requirements

- The J-1 Physician must contact VDH that he/she is transferring to obtain the most current reporting requirements.

### J-1 Physician Requirements

- Transfer Notification Form signed by the new employer
- Information of New Employer and the practice sites.
- Employment Offer letter signed by the Employer and Physician, which includes the practice site(s), HPSA designations and proof that the J-1 Physician will work for a minimum of 4 days and 40 hours per week for remainder of the contract.
- VDH Reporting Requirements as set forth in Conrad 30 Waiver Program Guidelines signed by the employer and physician. (Complete VOE form)
- An employment contract from the employer that meets the Conrad 30 Waiver Program requirements.

### 10-4. TRANSFER WITHIN VIRGINIA – SAME EMPLOYER

#### Employer Requirements

- Provide a letter to VDH releasing the J-1 Physician from the employment contract and explanation for the release/ change.
- Provide proof of practice site eligibility.
- Please submit the last VOE form.

#### J-1 Physician Requirements

- Transfer Notification Form.
- Information on New practice site(s).
- Employment Offer letter signed by the Employer and Physician, which includes the practice site(s), HPSA designations and proof that the J-1 Physician will work for a minimum of 4 days and 40 hours per week for remainder of the contract.
- VDH Reporting Requirements as set forth in Conrad 30 Waiver Program Guidelines signed by the employer and physician. (Complete VOE form)
- An employment contract from the employer that meets the Conrad 30 Waiver Program requirements.

## 11. J-1 PHYSICIAN/EMPLOYER ORIENTATION

VDH will provide orientation information to ALL J-1 Physicians and their employers on specific program requirements in one of these three formats:

- PowerPoint Presentation
- Email
- Web link

## 12. APPALACHIAN REGIONAL COMMISSION (ARC)

In addition to its participation in the Conrad 30 Waiver Program, the Commonwealth also participates in the Appalachian Regional Commission's (ARC) J-1 Visa Waiver Program. ARC is a federal entity partnered with state governments that considers J-1 visa waiver requests by state governors on behalf of medical facilities located in Health Professional Shortage Areas (HPSAs) in the respective state's Appalachian Region. If the employer is in an Appalachian region of the Commonwealth, VDH will forward the application for processing by the ARC as an interested government agency.

To maximize available resources and improve access to health care for residents of underserved areas, applicants that are eligible for the Appalachian Regional Commission (ARC) J-1 Waiver program should utilize the ARC J-1 Waiver program.

In Virginia, there are 25 counties and eight independent cities that are eligible for the ARC J-1 Waiver program. Below is a detailed map of the Appalachian Region counties and cities. For more information on the ARC J-1 Waiver program, please contact:

ARC J-1 Visa Waiver:

Virginia Department of Housing and Community Development Main Street Center
600 East Main Street, Suite 300
Richmond, VA 23219

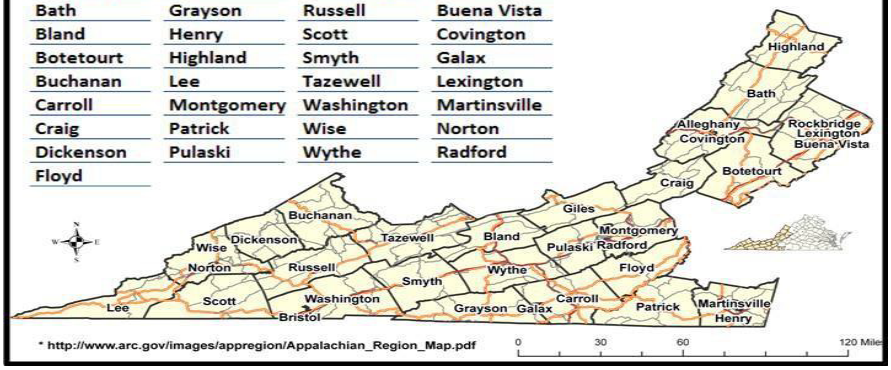
Email: Tamarah.Holmes@dhcd.virginia.gov Website:
http://www.arc.gov/j1visawaiver
Phone: (804) 592-8681

Both primary care and specialist physicians are eligible for the ARC J-1 Waiver program. Please see Table 1 for a list of the Cities and counties located within the Appalachia.

**Table 1**

**Virginia Counties & Cities within Appalachia**
**Source: Appalachian Regional Commission ***

| County | | | City |
|---|---|---|---|
| Alleghany | Giles | Rockbridge | Bristol |
| Bath | Grayson | Russell | Buena Vista |
| Bland | Henry | Scott | Covington |
| Botetourt | Highland | Smyth | Galax |
| Buchanan | Lee | Tazewell | Lexington |
| Carroll | Montgomery | Washington | Martinsville |
| Craig | Patrick | Wise | Norton |
| Dickenson | Pulaski | Wythe | Radford |
| Floyd | | | |




## 13. CONTACT US

**Address:**
Virginia Department of Health
Office of Health Equity
ATTN: Conrad 30 Waiver Program
109 Governor Street
Richmond, Virginia 23219

**Email:** incentiveprograms@vdh.virginia.gov

VDH VIRGINIA DEPARTMENT OF HEALTH

## Virginia Conrad 30 Waiver Program Guidelines Signature Page

VDH's request for a J-1 visa waiver on the behalf of an eligible physician applicant is contingent upon the completion of all required and necessary national and international educational, employment, criminal, and national security background checks of the applicant by U.S. Citizenship and Immigration Services (USCIS) and by any other federal agency or program charged with conducting security checks on foreign nationals and/or resident aliens in the United States.

A request by VDH as a Designated State Public Health Department should not be construed as a certification, endorsement, or waiver by VDH of any security procedures and background investigations that are required or necessary and that may have been conducted by the USCIS or any other federal agency responsible for authorizing the applicant to enter, reside, and work in the United States on any basis.

I have read, understand, and agree to the terms established in the 2026 Virginia Conrad 30 Waiver Program guidelines. I further understand that failure to comply with these requirements may result in denial or loss of J-1 visa waiver recommendation or status.

**J-1 Physician Applicant**

_____ _____

J-1 Physician Applicant Signature Date

_____

J-1 Physician Applicant Name

**Medical Practice Employer**

_____

Employer Name

_____ _____

Employer Representative Signature Date

_____

Employer Representative Name