

## PERM:

### New RN & PT Licensing Evidence in Green Card Process

While the final rule does not change the general requirements for **Schedule A Nurse** pre-certification, it does alter some of the documentation requirements. The main change affecting **Schedule A Nurses** requires employers to file, as part of its labor certification application, documentation that the foreign national nurse (1) has a CGFNS Certificate, (2) has passed the NCLEX-RN exam, or (3) holds a full and unrestricted (permanent) license to practice nursing in the state of intended employment.

**Physical Therapists** may file an immigrant petition with evidence that they have the necessary qualifications to take the physical therapists' licensing exam in the state of intended employment.

### Proposed Bill May Help Nurses From China, India & the Philippines

The US government is no longer issuing new employment-based third category visas for workers in countries that have exceeded their annual limits such as China, India and the Philippines. Consequently, petitions filed after January 1, 2002 have been put on hold. Foreign nurses who depend on this type of petition may have to wait for years to work in the U.S. thereby worsening the already critical nursing shortage. In response to this crisis situation, the Health Improvement and Professionals Act (H.R. 139) has been introduced in the House of Representatives to recapture unused visa numbers from 2001 to 2004. To encourage passage of this bill go to our "Write Your Congressman" section at [www.tindallfoster.com/resources\\_congress](http://www.tindallfoster.com/resources_congress) where you can voice your support for this measure.

### Physician J-Waivers: National

On December 3, 2004, the President signed a law that both extended and expanded the J waiver programs for physicians. The law extends the Conrad 30 programs until 2006 and allows each Conrad state to sponsor up to five physicians who practice medicine outside of a HPSA/MUA but whose patients are primarily located in HPSAs and MUAs. The law also provides that physicians in H-1B status, who have received J waivers, are not subject to the H-1B numerical cap, and that federal agencies are now free to sponsor physicians who are specialists for J waivers.

### Physician J-Waivers: Local

- The Texas Conrad 30 Program is **full** for fiscal year 2005.
- **Texas** will begin accepting applications again on September 1, 2005.
- **Plan now for your September filings** - The first 30 complete and eligible applications will be considered for recommendation.

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