VISA PRESENTATION TOPIC:
J-1 AND H-1B UPDATES
J-1 EXCHANGE VISITOR PROGRAM
J-1 EXCHANGE VISITOR PROGRAM AT KUMC

• J-1 VISAS OVERVIEW:
  – U.S. Department of State oversees the program
  – EMPHASIS ON CULTURAL EXCHANGE
  – Status allows work and study
    • However, activity of J-1 must be defined
  – NO PATIENT CARE OR INCIDENTAL PATIENT CONTACT PERMITTED
    • Unless sponsored by the ECFMG under J-1 Alien Physician
## EXCHANGE VISITOR CATEGORIES

<table>
<thead>
<tr>
<th>J-1 CATEGORY</th>
<th>MINIMUM DURATION OF PARTICIPATION</th>
<th>MAXIMUM DURATION OF PARTICIPATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESEARCH SCHOLAR</td>
<td>3 WEEKS</td>
<td>5 YEARS</td>
</tr>
<tr>
<td>PROFESSOR</td>
<td>3 WEEKS</td>
<td>5 YEARS</td>
</tr>
<tr>
<td>SHORT-TERM SCHOLAR</td>
<td>N/A</td>
<td>6 MONTHS</td>
</tr>
<tr>
<td>STUDENT</td>
<td>3 WEEKS</td>
<td>DURATION OF STATUS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(UNTIL THE COMPLETION OF PROGRAM/STUDIES)</td>
</tr>
<tr>
<td>INTERN</td>
<td>3 WEEKS</td>
<td>1 YEAR</td>
</tr>
</tbody>
</table>
J-1 EXCHANGE VISITOR PROGRAM
CHANGES

1. OIP STAFF
2. HEALTH INSURANCE REQUIREMENTS
3. ENGLISH PROFICIENCY REQUIREMENTS
4. OIP PROCESSING FEE
5. IMMUNIZATIONS
6. DEEMED EXPORT
7. CULTURE HOUR REQUIREMENTS AND OTHER CULTURAL EXCHANGE ACTIVITIES
8. OIP INDIVIDUAL FOLLOW UP APPOINTMENTS
OIP STAFF

• For J-1 Questions, Requests, or Inquiries, please contact both Alexandria Harkins and Irina Aris.

Alexandria Harkins
International Student and Exchange Visitor Adviser, ARO, DSO
Email: aharkins2@kumc.edu
Phone: 913-588-1460

Irina Aris
International Exchange Visitor and Employee Advisor, RO, DSO
Email: iaris@kumc.edu
Phone: 913-588-1485
HEALTH INSURANCE REQUIREMENTS

- Effective May 15, 2015
- Regulations published October 6, 2014 by U.S. Department of State

<table>
<thead>
<tr>
<th>ITEM</th>
<th>CURRENT 62.14 REG Minimum Requirements</th>
<th>FINAL RULE Minimum Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Benefits</td>
<td>$50,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>Repatriation of Remains</td>
<td>$7,500</td>
<td>$25,000</td>
</tr>
<tr>
<td>Medical Evacuation</td>
<td>$10,000</td>
<td>$50,000</td>
</tr>
<tr>
<td>Deductible Per Accident</td>
<td>$500</td>
<td>$500</td>
</tr>
</tbody>
</table>
ENGLISH PROFICIENCY REQUIREMENTS

- Effective January 1, 2015
- Regulations published October 6, 2014 by U.S. Department of State

<table>
<thead>
<tr>
<th>CURRENT 62.14 REG</th>
<th>NEW RULE</th>
</tr>
</thead>
<tbody>
<tr>
<td>“The current rule requires sponsors to determine that a prospective exchange visitor &quot;possesses sufficient proficiency in the English language to participate in his or her program,” without specifying how that should be accomplished.”**</td>
<td>&quot;sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis.&quot; [22 CFR 62.11(a)(2)]</td>
</tr>
</tbody>
</table>
# ENGLISH PROFICIENCY REQUIREMENTS

## ATTESTATION OF ENGLISH PROFICIENCY

The U.S. Department of State Subpart A regulations require that "The exchange visitor possesses sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, successfully to participate in his or her program and to function on a day-to-day basis." [22 CFR 62.11(a)(2)]

Effective January 1, 2015, an incoming Exchange Visitor is responsible for providing documented proof of English proficiency that meets the regulations in [22 CFR 62.11(a)(2)]. Please indicate below which of the following documented proof is being included with this request to show the Exchange Visitor’s English Proficiency.

- [ ] A recognized English language test.
  - [ ] TOEFL
  - [ ] IELTS
  - [ ] Cambridge English Language Assessment

  *Minimum test scores have to meet intermediate levels.*

  **If teaching or lecturing is involved, language test results should meet the University of Kansas Medical Center’s TOEFL and IELTS minimum requirements. Please visit OIP’s website for more information on the minimum requirements at [http://www.kumc.edu/international-programs/academic-english-requirements.html](http://www.kumc.edu/international-programs/academic-english-requirements.html).

- [ ] Signed documentation from an academic institution or English language school.

- [ ] A documented interview conducted either in-person, videoconferencing, or telephone by the sponsoring department and the Director of International Programs, Kimberly Connelly.

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**English proficiency requirements can only be waived in the following situations:**

- [ ] Incoming exchange visitor provides documented proof that he or she previously earned a degree from a U.S. college or university.

- [ ] Incoming exchange visitor provides documented proof that he or she previously earned a degree or is from a country listed on the Exemption List ([http://www.kumc.edu/international-programs/academic-english-requirements.html](http://www.kumc.edu/international-programs/academic-english-requirements.html)).
OIP PROCESSING FEE

- Effective January 1, 2015, OIP will charge an initial DS-2019 processing fee of $75.

- Fee should be paid by the hiring/sponsoring department or the PI.
IMMUNIZATIONS

• Effective February 1, 2015, OIP will start requiring that each Exchange Visitor provide proof of the following immunizations:
  – Tdap (Tetanus/Diptheria/Pertussis
  – MMR: Measles, Mumps, Rubella
  – Varicella
  – Hepatitis B Surface Antigen (HBsAg)
  – Annual Influenza Vaccine
  – Quantiferon TB Test

• Approvals will be obtained through Occupational Health
What are export controls?

- U.S. laws that regulate the distribution to foreign persons and foreign countries of strategically important technology, services and information for reasons of foreign policy and national security

- Export control laws apply to all activities — not just sponsored research projects
Export Controls: Potential Impact on KUMC Research

If a KUMC research project involves controlled material or technologies, the researcher may be required to obtain a government license before:

Equipment, chemicals or technologies subject to EAR or ITAR may be sent or taken outside the U.S.

Foreign researchers or students – even if located in the U.S. on KUMC’s campus – may participate in research involving equipment, chemicals or technologies subject to EAR or ITAR (known as a “deemed export”)

PPT Slide courtesy of Larry Dodson, Export Controls Officer
CULTURAL EXCHANGE

• 22 C.F.R. § 62.8(d)
  “Cross-cultural activities. Sponsors shall:
  (1) Offer or make available to exchange visitors a variety of appropriate cross-cultural activities. The extent and types of the cross-cultural activities shall be determined by the needs and interests of the particular category of exchange visitor. Sponsors will be responsible to determine the appropriate type and number of cross-cultural programs for their exchange visitors. The Department of State encourages sponsors to give their exchange visitors the broadest exposure to American society, culture and institutions…”

• OIP will be requiring that KUMC’s exchange visitors attend four Culture Hour activities upon arrival and then at least one cultural exchange event every month.

CULTURAL EXCHANGE

Cross-cultural Friendships and experiences!
Social events, trips and fun!
Practical help for your life in the USA!
ISI is here to love and serve International Students and Scholars!

International Students, Inc.
www.isikansascity.org

The Culture Hour

A CASUAL FORUM FOR STUDENTS, FACULTY, AND STAFF INSIGHTS, QUESTIONS, AND CONCERNS ABOUT CULTURE

Every Thursday
Noon–12:45 p.m.
Calkins Conference Room, Goody Oll Mayor
Bring a lunch/Lite Refreshments served.

Please feel free to come late or leave early as your schedule allows.
This is an informal discussion group.

For more information
Kimberly Connelly 584-1467 or kconnelly@kumc.edu

Global Connections
Application

Global Connections is a service offered by the Office of International Programs that connects you with a partner on campus or in the community who shares an interest in developing multi-cultural awareness. Sharing information and experiences about culture and language, history, values and lifestyles through Global Connections will help you meet new people, grow as an individual, prepare for and adapt to international experiences and increase your understanding of the world.

Name:
Phone:
Email:
Status: □ Student □ Faculty □ Staff □ Researcher □ Other
Department:
Country of Citizenship:
Countries Visited/Resided in:
Country of Interest:

KU MEDICAL CENTER
The University of Kansas
OIP FOLLOW UP APPOINTMENTS

• Effective January 1, 2015, OIP will schedule follow up appointments with each Exchange Visitor.
  – 1-month follow up appointment after arrival
  – Follow up appointment every 6 months

• Designed to ensure that Exchange Visitors are in compliance with program requirements and regulations as well as to help Exchange Visitors with any issues that they may be experiencing while adjusting to KUMC and the United States.
H-1B TEMPORARY EMPLOYEE VISA
OVERVIEW OF H-1B PROCESS

1. Prevailing Wage Determination (PWD), 1-3 months
2. Labor Condition Application (LCA), 7 days
3. LCA Public Posting, 10 business days
4. Review and approval of H-1B petition by the USCIS, 2-3 months
H-1B VISA

1. NEW QUESTIONNAIRES
2. OIP PROCESSING FEES
QUESTIONNAIRES

Available on the OIP Website: http://www.kumc.edu/international-programs/h-1b-employees.html
OIP PROCESSING FEES

OFFICE OF INTERNATIONAL PROGRAMS PROCESSING FEES

Effective January 1, 2015, the Office of International Programs (OIP) will implement the following processing fees for H-1B visa requests. Once OIP starts processing H-1B request, OIP fees will not be returned or refunded.

<table>
<thead>
<tr>
<th>OIP PROCESSING FEES</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>OIP Processing Fee</td>
<td>$800</td>
</tr>
<tr>
<td>OIP Premium Processing Request Fee</td>
<td>$250</td>
</tr>
<tr>
<td>Applies to H-1B requests submitted to OIP 45 days or less from the prospective H-1B employee’s start date.</td>
<td></td>
</tr>
<tr>
<td>Guarantees H-1B petition processing by OIP and submission to USCIS within 30 days of request receipt.</td>
<td></td>
</tr>
</tbody>
</table>

The OIP fees are in addition to the H-1B filing fees required by the U.S. Department of Homeland Security.

The OIP processing fees will apply to H-1B requests that have a start date after January 1, 2015. For extension cases, the fees will apply to H-1B requests that have an H-1B end date after January 1, 2015.

Please contact the Office of International Programs for any questions or concerns.