

**TRANSFER OF STATE 30 J-1 VISA WAIVER RECIPIENT:
STATE LETTER OF CONCURRENCE GUIDELINES**

It is expected that recipients of State 30 J-1 Visa Waivers will complete their minimum 3 year obligation to provide medical care in the Health Profession Shortage Area (HPSA) or Medically Underserved Area (MUA) for which they were initially approved. However, in unusual circumstances, it may be necessary for a physician to change employers or practice locations. When this happens, a letter of concurrence from the Kentucky Department for Public Health is needed to obtain INS approval of the transfer. The following items are required to obtain a State of Kentucky letter of concurrence for a State 30 J-1 Visa Waiver recipient physician who desires to transfer to another location in Kentucky:

1. A letter from the J-1 physician requesting such transfer stating the reason for leaving the previous employer and/or location and requesting the Department for Public Health to provide a letter of concurrence.

2. A letter from the new employer which includes;
 - a. A description of the facility, identifies the HPSA or MUA in which the facility is located, and describes the unmet needs of the community that approval of the transfer will address.
 - b. A statement that the facility accepts assignment for Medicare and Medicaid and continues to accept new patients up to any limits established by those programs.
 - c. A statement that the facility provides services to all without regard to method of payment or ability to pay and that the facility will utilize a mechanism to reduce fees for individuals without health insurance and mechanism to reduce fees for individuals without health insurance and whose family incomes fall below 200% of the federal poverty level.
 - d. A brief description of recent attempts to recruit an American physician to the facility or area.
 - e. A description of how the approval of the transfer is in the national interest.

3. Copy of employment contract which includes;
 - a. A statement that the J-1 physician will provide medical care in the HPSA or MUA for a minimum of 40 hours per week.
 - b. A time period equivalent to the remaining period of the J-1 physician's initial 3 year commitment to practice in an approved HPSA or MUA.
 - c. A description of services that physician will provide.
(N.B.: The contract must not include a non-compete clause.)