

International Medical Graduates and the Surgical Fellowship

A Guide for Program Directors and Prospective Fellows

by Geoffrey P Kohn, MBBS



A surgical fellowship in the United States is an increasingly sought-after position for surgeons at the end of their residency. The skills gained from fellowship programs are often quite difficult to obtain through any other means. The United States has departments of surgery that rank among the best in the world in terms of patient care, facilities and innovation, and many of these hospitals participate in specialty matches managed by the National Resident Matching Program.

It is not surprising that graduates of foreign medical schools are applying in large numbers for these matches and are now competing for positions with U.S.-trained residents. In fact, in the most recent abdominal transplant surgery match, 51% of all registered applicants were foreigners, as were 31% of those in the minimally invasive surgery match.

Although a foreign fellow can be a great asset to a medical organization, significant logistical issues arise, both for the prospective fellow as well as the program director, when they apply for a fellowship program. The fellow is required to obtain a state medical board license and to complete a visa application. This can actually be quite challenging to accomplish between match day and the employment start date, which is usually about six months. For the program director, it is imperative that enough information is received to assess the likelihood that a potential foreign fellow will be eligible for the required visa and license. If this is not checked, the program runs the risk for matching a candidate who will not be

General Advice on Negotiating the Bureaucracy

The prospective fellow must commence planning well in advance, even before match day.

Both fellow and program director must be very clear as to which license will be required. Will the fellow be expected to work unsupervised? Must USMLE step 3 be completed?

The visa type for which the fellow will apply must be very clear to both parties. Appropriate resources will need to be mobilized early to ensure all requirements of the chosen visa type are fulfilled.

It has been demonstrated that the road to filling a match position with a foreign applicant is arduous for fellow and program director alike. However, it often

able to attend, leaving an unfilled position.

State Medical Boards Licensure

All foreign fellows need to obtain an Educational Commission for Foreign Medical Graduates (ECFMG) certificate, which is awarded after achieving passing grades in United States Medical Licensing Examination (USMLE) steps 1, 2CK and 2CS. This is usually adequate for the applicant to obtain a “Resident Training” medical license or similar entity from the state’s medical board. Note that the ECFMG certificate does not require the completion of step 3; however, this step is usually required to obtain a license allowing the fellow to practice unsupervised (e.g., to participate in the on-call roster). Many foreign applicants will not have taken step 3 and may need to make plans to do so prior to applying for the appropriate license. Prospective fellows should note that each state medical board has its own regulations relating to the timing of these step tests, particularly the maximum time allowable in which to take all the steps of the USMLE.

Rules also relate to the minimum postgraduate training required by a foreign applicant for license eligibility—this often differs from the rules applicable to U.S. applicants. The Federation of State Medical Boards’ Web site is a useful source of information, available at www.fsmb.org/usmle_eliinitial.html.

The licensing process for foreign applicants can take many months, even if no further USMLE examinations are required. Some state boards specify that this can take up to nine months. Some visa types will not be issued until a license has been awarded. Thus, medical licensure may be the rate-limiting step to starting employment on time. To decrease this time, foreign fellows should register early with the Federation Credential Verification Service (<http://www.fsmb.org/fcvs.html>), well before match day. This service offers primary source verification of medical education and training, and is acceptable to most state medical boards. Visas

Generally, foreign fellows will be required to obtain one of three different visa types: J-1, H1B or E-3.

J-1:

Under the auspices of the U.S. Department of State, an Exchange Visitor Program has been established. A temporary nonimmigrant visa known as a J-1 visa has been reserved for participants in this program. It is valid for up to seven years. Eligibility criteria and requirements for the applicant are that he or she:

- Must hold an ECFMG certificate. There is no requirement for step 3 to have been completed.
- Must hold a contract or an official Letter of Offer for a position in a medical school–affiliated program.

may be well worth the trouble—if programs are interested in attracting the very best candidate for the position, there is great benefit in expanding the applicant pool to include physicians both home-grown and foreign.

- Must provide a Statement of Need from the Ministry of Health in the country of most recent permanent residence (regardless of country of citizenship), stating that the country needs physicians trained in the particular fellowship area.
- Must return home at the completion of the training program for at least two full years (or obtain a waiver) before being able to change visa status to an H1B visa or apply for permanent residency in the United States.
- Must obtain sponsorship by the ECFMG. The American Board of Medical Specialties (ABMS) has designated all laparoscopic, advanced gastrointestinal (GI) surgery and abdominal transplant surgery fellowship positions as being “Non-Standard Subspecialty” disciplines. It has been determined that the duration of these fellowships is one year⁴ (except those for multivisceral and general transplant, which are designated as one to two years). Therefore, for laparoscopic, advanced GI and some of the abdominal transplant programs, the ECFMG only will sponsor J-1 applicants for no more than one year, regardless of the intended duration of the fellowship, unless the applicant secures written endorsement from the American Board of Surgery for a longer program. Additionally, the program must be in good standing with the ACGME, with a favorable action on its most recent institutional review.⁵ ECFMG will not sponsor applicants to programs with probationary accreditation or to programs whose accreditation has been withdrawn.

Dependents (i.e., a spouse and/or unmarried children) may accompany the J-1 physician (after more paperwork is completed) and may apply for employment authorization. **H1B6:**

The H1B allows foreign physicians to work in the United States for up to six years. A maximum of 65,000 new H1B visas are issued per year. The eligibility criteria and requirements for the applicant are that he or she:

- Must have passed all USMLE steps, including step 3.
- Must have a license from the state medical board where the fellowship is located.
- Must have documentation of competency in English. The Test of English as a Foreign Language (TOEFL) will suffice for this requirement.
- The program will have to sponsor the fellow and file the application on the fellow’s behalf. This is called “petitioning” the U.S. government. Many institutions, particularly those associated with universities, have an Office for International Students that may be able to provide advice to the program director regarding this paperwork.
- Dependents (i.e., a spouse and/or unmarried children) of an H1B visa holder are not permitted to work.

A subtype of H1B visa exists, the H1B1. This is available only to Singaporean or Chilean nationals. Programs do not need to petition the U.S. government on behalf of these applicants. However, these applicants must demonstrate that they only intend to temporarily

visit the United States. H1B applicants do not have this requirement.

E-37:

The E-3 visa is a new visa solely accessible to Australian citizens. A maximum of 10,500 E-3 visas will be issued each fiscal year. The requirements are:

- Medical licensure by the state medical board where the program is located.
- A contract or an official offer letter for a position in a program affiliated with a U.S. medical school.
- Proof that the applicant has graduated from an Australian medical school.
- The program institution must complete a Labor Condition Application and forward it to the E-3 applicant.
- Evidence that the stay will be temporary. Allowable supporting documents for this requirement are not explicitly mentioned in the regulations, but may include documents showing ownership of a house in Australia, a job offer in Australia at completion of the fellowship or perhaps close family ties remaining in Australia. 

References

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