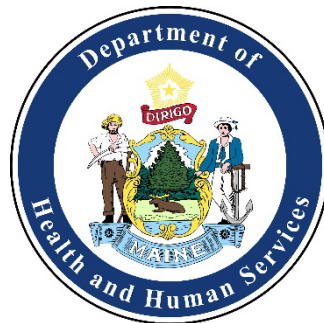


# Northern Border Regional Commission J-1 Waiver Program - Maine

What You Need to Know, and How To Apply  
January 4, 2024



# Agenda

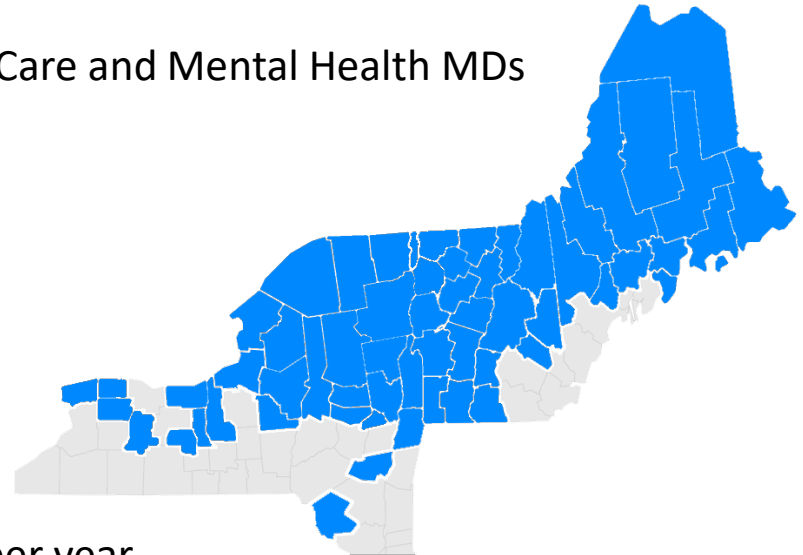
- Background
- NBRC's Requirements
- Additional Maine CDC Requirements
- How to Apply
- Q&A

# Background

- The J-1 Program
- Traditional J-1 Program – facilitated by the Maine CDC Rural Health and Primary Care Program
  - 30 available slots on October 1 each year.
  - 10 Flex slots available
  - Available to the whole state
  - Available to all specialties
- Northern Border Regional Commission J-1 Program expands the Maine CDC Program.
  - Additional 5 Slots Per Facility Per Year
  - Some additional required documents
  - Only available in the NBRC Service Area
  - Currently, only for Primary Care, and Mental Health Specialty Physicians
  - There are no Flex Slots – All applicants must work in either a Primary Care HPSA or MUA or a Mental Health HPSA (depending on their specialty)

# The NBRC Program

- NBRC Service Area
  - For a list of counties see the NBRC J-1 Guide
- Requests must be Sponsored by the State – Maine CDC Reviews and Provides State Sponsorship Letter signed by the DHHS Commissioner and Forwards the full application onto the NBRC
- Must be requested by the employing health care facility or an acting attorney on their behalf
- The NBRC guidelines are minimum requirements, and the State can add additional requirements as they wish.
- Currently, the program is only open to Primary Care and Mental Health MDs or DOs.
- Primary Care Specialties include:
  - Family Medicine
  - General Practice
  - Internal Medicine
  - Pediatrics
  - OBGYN
  - Hospitalist
- Each facility is limited to 5 waiver applications per year.



# NBRC Application Requirements

See the Guidelines for All Requirements

- **Signed Employment Letter – Full Guidelines in the NBRC Guide**
  - Special Population HPSA/MUA – Must document the sponsor’s record and intent to continue serving that population.
  - Federal Information Processing Standards County Code and Census Tract or Blocked Numbering Area Number
    - Assigned by the Bureau of Census
  - OR – the 9-digit zip code of the area(s) in which the provider will be practicing
- **Signed Employment Contract –**
  - Must Contain/Incorporate
    - NBRC J-1 Visa Waiver Liquidated Damages Clause
  - Cannot Contain
    - Restrictive Covenant or Non-Compete Clause
    - A non-solicitation Clause longer than the three year term
    - A no cause termination clause
- **Evidence of 6 Months Unsuccessful US Doctor Recruitment**
  - Must include the dates posted
  - Include copies of the postings
- **Signed and Notarized J-1 Visa Waiver Affidavit and Agreement**
- **Copy of the Sliding Fee Scale up to 200% FPL**

# NBRC Requirements Continued

- A Current CV
- Copy of the Physician's Work Schedule – If there is more than one Site.
- Evidence that the facility(ies) are located in a Primary Care HPSA/MUA or a Mental Health HPSA.
- A Signed Statement saying that the facility will cooperate with all reporting requests from the NBRC and/or the RHPCP and that all material changes will be reported to the NBRC and the RHPCP within 10 days of the change.
  - May include:
    - Proposed Contract Changes
    - Proposed Employment Location Changes
- Immigration Documents including:
  - DS-2019s for all years in training
  - DS-3035 including the waiver review division bar code page, the third-party bar code and IGA
- G-28 Notice of Appearance of Attorney

# RHPCP Requirements

## See the Guidelines for Full Requirements

- Signed Letter from the Facility
  - Physician's employment will satisfy unmet needs
  - Affect on Community if not Approved
- Brief Description of the Health Care Facility (10-page limit)
- Community Letter of Support
  - Not how the Community will benefit from the physician
  - How will the Community Help the physician acclimate
    - I.e. Tours of the area, showing them the local schools, grocery stores, and churches.
    - Assistance finding suitable housing
- Detailed Recruitment and Retention Strategy
- Addendum to the Physician's Contract
- Proof that the Physician passed all parts of the USMLE or the Federation Licensing Examination

# RHPCP Requirements Continued

- Evidence of Current Status or Completion of a Residency Program
- Evidence of Pending or Active Maine Licensure
  - Must be printed from the Office of Professional or Occupational Regulation's Official Database
    - <https://www.pfr.maine.gov/almsonline/almquery/welcome.aspx>
- No Objection Letter or Signed Statement from Physician
- Copies of the Physician's I-94 Arrival and Departure Records
  - Family Members (if applicable)
- Three Different Signed Letters of Recommendation
  - Dated within 1 year of the request



# Submission Requirements

- Format
  - 8.5” x 11” paper
  - Do not use Staples, paperclips, tabs, or Two-sided documents
  - Sections can be separated by a piece of colored paper
  - Should be submitted in checklist order (see the guide for the complete checklist)
  - Do not include extra documents that are not requested by the NBRC or RHPCP
- Selection Order
  - First-come, First-served basis
  - Pre-selection form on Smart-Sheets (link included in the Guide)
  - The RHPCP will request two copies of the application once the pre-selection has been reviewed.
  - If required documents are not included or does not meet guidelines, the application will be returned to the applicant.

# Application Instructions

- Once requested, the application will be sent to the RHPCP for review
- If the RHPCP approves your request, they will send a request to the DHHS Commissioner to provide a State Letter.
- Once the State Letter is procured, the RHPCP will send your request to the NBRC.
- The NBRC will notify you of their receipt.
- If all information requested is received, the applicant can expect a determination within 60 days.
- If approved, a recommendation will be sent from the NBRC Federal Co-Chair to the US Department of State (DOS) for consideration.
- NBRC and the applicant will be notified by the US DOS if the waiver recommendation is approved and being sent to USCIS.
- The Applicant will receive notice from USCIS of the final determination.
- Applicants must notify the NBRC and the RHPCP once they receive their official determination from USCIS.

# Resources

- NBRC Maine J-1 Guide
  - Specific Language Areas
    - Appendix A – J-1 Visa Waiver Affidavit & Agreement
    - Appendix D – NBRC Liquidated Damages Clause
  - Appendix B – Combined NBRC and RHPCP Requirements Checklist
  - Appendix C – NBRC Sample Employer Letter
  - Appendix E – Elements for Successful Recruitment and Retention
  - Appendix F – Addendum to J-1 Physician Employment Agreement
  - Appendix G – Example Designation Status Document
  - Appendix H – Example J-1 Pre-Selection Form from SmartSheets
  - Appendix I – Example J-1 Placement Verification Form
    - Will be used for periodic reporting to the NBRC, and they are required to be completed
- NBRC Website: <https://www.nbrc.gov/content/J1Visa>
- RHPCP Website: <https://www.maine.gov/dhhs/mecdc/public-health-systems/rhpc/j1-visa-waiver-program.shtml>
- 3RNET (Recruitment and Retention Resources): <https://3rnet.org/>

# Questions?

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