

**U.S. DEPARTMENT OF HOMELAND SECURITY**  
**Bureau of Immigration and Customs Enforcement (ICE)**

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**DHS Announces New Requirement for Health Care Workers**

WASHINGTON, D.C. — The Department of Homeland Security (DHS) announced today that foreign health care workers who seek temporary admission to the United States will be required to comply with new certification requirements. Under the terms of the final rule, on or after September 23, 2003, certain nonimmigrant foreign health care workers, other than physicians, who are coming to work in the United States, will be required to present a certificate granted by an approved independent credentialing organization before they will be allowed to enter the United States. This ensures that all foreign nurses, physical therapists, occupational therapists, speech-language pathologists and audiologists, medical technologists, medical technicians and physician assistants seeking to work in our nation's health care system have met certain statutory standards.

The certification requirement was mandated by section 343 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Although the final rule takes effect 60 days from today, the DHS will continue to exercise its discretion under the Act to allow affected nonimmigrant health care workers sufficient time to obtain the requisite certification. For one year after publication of the final rule, the DHS will admit and approve applications for change of status and/or extension of stay for nonimmigrant health care workers. The admission, extension of stay, or change of status may not be for a period longer than one year, and the nonimmigrant foreign health care workers must obtain their certification within that time.

“This certification requirement will help to ensure that implementation of the final rule does not disrupt the nation's health care system,” remarked Eduardo Aguirre, Director of the Bureau of Citizenship and Immigration Services. “At the same time, it will afford the affected health care workers sufficient time to meet all testing requirements and obtain the required certification,” he added.

The specifics of the new requirement are outlined in a rule published in today's *Federal Register*. The rule states that the current certification requirements for immigrant health care workers will remain in place and that certain non-immigrant health care workers will be subject to certification requirements as well. The classifications most likely affected are the H, J, O, and TN visa classifications. The rule also details how organizations may apply for authorization to issue health care worker certification, and explains the type of information that must be included on each health care worker certification issued by an authorized organization.