Requests for Consideration of H-1B Visa Sponsorship
UW ACGME Residents and Fellows

Effective 10/17/11
(Updated 9/9/16)

The H-1B, or Temporary Professional Worker visa, is a non-immigrant visa intended for employment purposes. In very rare circumstances, and only with advanced approval by the GME Office and UW International Scholars Operations (ISO)/Academic HR, may prospective trainees be considered for H-1B sponsorship by the UW while participating in a UW residency or clinical fellowship program.

Requests for H-1B visa sponsorship of a prospective resident or fellow are reviewed on a case-by-case basis and must be approved by the GME Office and ISO/Academic HR prior to ranking of the applicant in a national matching program or extending an offer for appointment to the applicant. UW H-1B visa sponsorship is not guaranteed for applicants who have already been accepted into a program without prior approval by the institution. Refer to the UW GME Visa Policy for eligibility criteria.

I. Work Eligibility: As part of the application/interview process, programs must determine work eligibility of prospective foreign nationals. This includes:
   1. Current visa status (J-1 clinical, J-1 research, H-1B, F-1)
   2. Visa required (J-1 clinical, H-1B)
   3. No visa required (e.g., permanent resident)

II. Conditions for H-1B Sponsorship: Programs considering H-1B sponsorship for prospective trainees must be aware of and agree to several H-1B terms and conditions. These include:
   - Payment by the department of all H-1B petition fees, including premium processing if required;
   - Prevailing wage requirements, and payment of applicable stipend supplements (reductions in salary or FTE below the rate reported to US Citizenship and Immigration Services (USCIS) on the H-1B petition are not permissible);
   - Payment of the required wage for participation in orientation activities that occur prior to the start of the training program;
   - Accurate identification of inclusion of all work/training sites in the H-1B petition; and
   - Notifications of change of worksite to ISO.

For more information, visit the Information for Residency and Fellowship Program Directors page on the ISO website.

III. Request for Sponsorship of a Resident/Fellow New to UW: If the above conditions have been met, the program must obtain verification of current immigration status and visa requirements from the applicant, either before or during the time of interview (and these should be considered as documents required for determining eligibility for participation in the training program), and a request for consideration of H-1B sponsorship must be submitted to the GME Office for review by ISO prior to ranking the applicant. The following information is required as part of the review process:
   - Applicant name
   - Department and program
   - R-level (at time of initial UW sponsorship)
   - Stipend rate (at time of initial UW sponsorship)
   - Dates of requested H-1B status
   - City and country of birth
   - Whether the applicant is or is not currently in the U.S.
     — If in the U.S., current nonimmigrant status and date current status expires
   - Whether or not the applicant ever held H-1B status (and dates)
   - Whether or not the applicant has ever held J-1 status (and dates)
   - Date MD degree awarded
   - School that awarded MD degree
   - Scanned copies of the beneficiary’s current immigration documents
- Confirmation of completion of USMLE Step 3 (required for graduates of foreign medical schools, including Canadian medical schools)
- Confirmation by the program that applicant will be able to complete the UW training program within the 6-year limit for H-1B sponsorship

All documentation requested for review by ISO in determining H-1B eligibility must be made available at the time of request. Please allow ISO three weeks to review the exception request.

IV. Request for Sponsorship of a Resident/Fellow Who Currently Holds a UW-sponsored H-1B: ISO must review and approve all requests for continued H-1B sponsorship of current residents and fellows. This includes extensions in sponsorship for trainees continuing in the same UW program or transitioning to another program (e.g., fellowship). The following information must be submitted to the GME Office for review by ISO:
- Applicant name
- Department and program
- R-level (for requested H-1B sponsorship period)
- Stipend rate (for requested H-1B sponsorship period)
- Dates of requested H-1B status
- Confirmation that applicant will be able to complete the UW training program within the 6-year limit for H-1B sponsorship

All documentation requested for review by ISO in determining H-1B eligibility must be made available at the time of request. Please allow ISO three weeks to review the exception request.

V. Submitting a Visa Request for an H-1B Petition: If H-1B sponsorship is approved, the program must submit all H-1B petition documentation to the GME Office for review, Dean’s signature, and routing to ISO. It is the responsibility of the program to ensure timely submission of all required documentation. For information on the petition process and required documents, visit the H-1B page on the ISO website at https://ap.washington.edu/iso/h1beligibility.html
- H-1B Checklist for New and Extension Petitions
- H-1B Visa Request Instructions and H-1B Visa Request Intake Form

Processing Times:
Due to processing delays at USCIS, ISO must receive the completed H-1B Visa Request Form and all supporting documentation at least:
- 8 months in advance: Initial/Change of Employer Petitions
- 2 months in advance: Extension Petitions

Payment of Premium Processing fee recommended for (1) Initial petitions submitted within 7 months of sponsorship start date, and for (2) Extension/Change of Employer petitions submitted within 7 months of sponsorship start date, where approval notice will be necessary for practice site credentials (e.g. VA)

Verification of medical licensure: A medical license or letter from the Department of Health stating pending status of license from the state in which the UW training will occur must be included with the petition paperwork.

Approvals: H-1B status may be requested in increments of up to 3 years; however, where the trainee has a renewable medical license, USCIS limits H-1B approvals to one year or the duration of the trainee’s license, whichever is longer.

Moonlighting: H-1B visas are employer-specific. Foreign nationals on an H-1B at UW may engage in external moonlighting activities only if:
- Approval to engage in external moonlighting is granted by the program director and GME Office through the Outside Professional Activity (Moonlighting) request process.
- The foreign national maintains their full time appointment with UW.
- The foreign national is able to obtain an appropriate – secondary – H-1B for the outside entity.

Foreign nationals on an H-1B may not engage in any internal moonlighting activities.