

AMERICAN ACADEMY OF
CHILD & ADOLESCENT
PSYCHIATRY

W W W . A A C A P . O R G

October 16, 2020

Chad R. Mizelle
Senior Official Performing the Duties of the General Counsel
Immigration and Customs Enforcement
U.S. Department of Homeland Security
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Attn: Desk Officer, U.S. Immigration and Customs Enforcement

Re: Establishing a Fixed Time Period of Admission and Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media, Proposed Rule [DHS Docket No. ICEB-2019-0006]

Submitted Electronically

Dear Mr. Mizelle:

On behalf of the American Academy of Child and Adolescent Psychiatry (AACAP) and our 9,800 members, I am writing today to provide comments on the Department of Homeland Security's proposed rule that would eliminate "duration of status" as an authorized period of stay for physicians who hold J-1 visas.

AACAP is the professional home to child and adolescent psychiatrists, some of whom also treat adults and transitional age youth (age 18 years and above). Our mission includes promoting the healthy development of children, adolescents, and families. We therefore have a strong interest in the regulatory issues that affect the child and adolescent psychiatry workforce. We offer the following comments against the backdrop of urgent shortfalls in, and an increasing need for, mental and behavioral health services for both children and adults pre-dating the Covid-19 Public Health Emergency (PHE), but growing even worse as the PHE wears on.

The abovementioned proposed rule eliminating the "duration of status" as an authorized period of stay would have an immediate and disastrous impact on more than 12,000 highly qualified foreign national physicians, including child and adolescent psychiatrists, who are providing critically needed health and mental health care services as they train in teaching

hospitals in every state across the nation. This regulatory change would disrupt the training of these physicians and the care they provide to American patients at a time when the nation is reeling from the PHE, and the urgent need for a stable health and mental health care workforce could not be more evident.

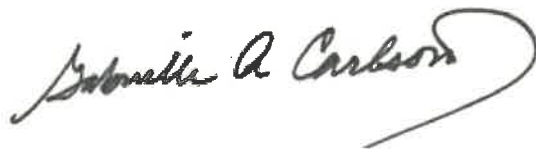
Most medical specialty training programs last from one to seven years, depending on the medical specialty or subspecialty. The current “duration of status” provision allows J-1 physicians to extend their authorized stay in the U.S. for subsequent years of training at the same time that they renew their visa sponsorship annually with the Educational Commission for Foreign Medical Graduates/Foundation for Advancement of International Medical Education, a rigorous review process that confirms their continuing eligibility.

The change being proposed would replace “duration of status” with a specific end date and the additional requirement to apply through the U.S. government each year to extend this end date. We understand that the current processing time for an extension application ranges from five to 19 months. With most residency/fellowship contracts issued only three to five months in advance of the July 1 start of each new academic year, the proposed change would create a timeline that would be impossible to meet, and would do so on a recurring, annual basis. Consequently, thousands of J-1 physicians would be unable to continue in their U.S. training programs on July 1 each year.

AACAP stands with the Accreditation Council for Graduation Medical Education, the American Medical Association, the American Psychiatric Association, and many other leading organizations in medical education and health care in opposition to the proposed elimination of “duration of status” as an authorized period of stay for the thousands of highly qualified foreign national physicians who are helping meet the health and mental health care needs of American citizens each day.

Should you have questions or need additional information, please do not hesitate to contact Karen Ferguson, Deputy Director of Clinical Practice, at kferguson@aacap.org.

Sincerely,

A handwritten signature in black ink that reads "Gabrielle A. Carlson". The signature is written in a cursive style and is followed by a long, sweeping horizontal line that extends to the right.

Gabrielle A. Carlson, MD
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