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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3161

02/07/2022 Authored by Wolgamott and Feist The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; directing the commissioner of health to modify a requirement
1.3 to obtain a Department of Health recommendation for the J-1 visa waiver program.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. DIRECTION TO COMMISSIONER OF HEALTH; J-1 VISA WAIVER
1.6 PROGRAM RECOMMENDATION.

1.7 (a) For purposes of this section:

1.8 (1) "Department of Health recommendation" means a recommendation from the state
1.9 Department of Health that a foreign medical graduate should be considered for a J-1 visa
1.10 waiver under the J-1 visa waiver program; and

1.11 (2) "J-1 visa waiver program" means a program administered by the United States
1.12 Department of State under United States Code, title 8, section 1184(l), in which a waiver
1.13 is sought for the requirement that a foreign medical graduate with a J-1 visa must return to
1.14 the graduate's home country for two years at the conclusion of the graduate's medical study
1.15 before applying for employment authorization in the United States.

1.16 (b) In administering the program to issue Department of Health recommendations for
1.17 purposes of the J-1 visa waiver program, the commissioner of health shall allow an applicant
1.18 to submit to the commissioner evidence that the foreign medical graduate for whom the
1.19 waiver is sought holds a current H-1B visa in place of evidence that the foreign medical
1.20 graduate has passed steps 1, 2, and 3 of the United States Medical Licensing Examination.