

108TH CONGRESS
2D SESSION

S. 2302

AN ACT

To improve access to physicians in medically underserved
areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MODIFICATION OF VISA REQUIREMENTS WITH**
2 **RESPECT TO INTERNATIONAL MEDICAL**
3 **GRADUATES.**

4 (a) **EXTENSION OF DEADLINE.**—

5 (1) **IN GENERAL.**—Section 220(c) of the Immi-
6 gration and Nationality Technical Corrections Act of
7 1994 (8 U.S.C. 1182 note) (as amended by section
8 11018 of Public Law 107–273) is amended by strik-
9 ing “2004.” and inserting “2006.”.

10 (2) **EFFECTIVE DATE.**—The amendment made
11 by paragraph (1) shall take effect as if enacted on
12 May 31, 2004.

13 (b) **EXEMPTION FROM H–1B NUMERICAL LIMITA-**
14 **TIONS.**—Section 214(l)(2)(A) of the Immigration and Na-
15 tionality Act (8 U.S.C. 1184(l)(2)(A)) is amended by add-
16 ing at the end the following: “The numerical limitations
17 contained in subsection (g)(1)(A) shall not apply to any
18 alien whose status is changed under the preceding sen-
19 tence, if the alien obtained a waiver of the 2-year foreign
20 residence requirement upon a request by an interested
21 Federal agency or an interested State agency.”.

22 (c) **LIMITATION ON MEDICAL PRACTICE AREAS.**—
23 Section 214(l)(1)(D) of the Immigration and Nationality
24 Act (8 U.S.C. 1184(l)(1)(D)) is amended by striking
25 “agrees to practice medicine” and inserting “agrees to
26 practice primary care or specialty medicine”.

1 (d) EXEMPTIONS.—Section 214(l)(1)(D) of the Im-
2 migration and Nationality Act (8 U.S.C. 1184(l)(1)(D))
3 is further amended—

4 (1) by striking “except that,” and all that fol-
5 lows and inserting “except that—”; and

6 (2) by adding at the end the following:

7 “(i) in the case of a request by the Depart-
8 ment of Veterans Affairs, the alien shall not be
9 required to practice medicine in a geographic
10 area designated by the Secretary;

11 “(ii) in the case of a request by an inter-
12 ested State agency, the head of such State
13 agency determines that the alien is to practice
14 medicine under such agreement in a facility
15 that serves patients who reside in one or more
16 geographic areas so designated by the Secretary
17 of Health and Human Services (without regard
18 to whether such facility is located within such
19 a designated geographic area), and the grant of
20 such waiver would not cause the number of the
21 waivers granted on behalf of aliens for such
22 State for a fiscal year (within the limitation in
23 subparagraph (B)) in accordance with the con-
24 ditions of this clause to exceed 5; and

1 “(iii) in the case of a request by an inter-
2 ested Federal agency or by an interested State
3 agency for a waiver for an alien who agrees to
4 practice specialty medicine in a facility located
5 in a geographic area so designated by the Sec-
6 retary of Health and Human Services, the re-
7 quest shall demonstrate, based on criteria es-
8 tablished by such agency, that there is a short-
9 age of health care professionals able to provide
10 services in the appropriate medical specialty to
11 the patients who will be served by the alien.”.

Passed the Senate October 11, 2004.

Attest:

Secretary.

108TH CONGRESS
2^D SESSION

S. 2302

AN ACT

To improve access to physicians in medically underserved areas.