

111TH CONGRESS  
1ST SESSION

# H. R. 1033

To amend the Immigration and Nationality Act with respect to temporary admission of nonimmigrant aliens to the United States for the purpose of receiving medical treatment, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2009

Mr. COHEN (for himself and Mr. ISSA) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act with respect to temporary admission of nonimmigrant aliens to the United States for the purpose of receiving medical treatment, and for other purposes.

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

3       **SECTION 1. NONIMMIGRANT CLASSES FOR ALIENS SEEK-**  
4                               **ING MEDICAL TREATMENT AND IMMEDIATE**  
5                               **FAMILY MEMBERS.**

6       Section 101(a)(15)(B) of the Immigration and Na-  
7       tionality Act (8 U.S.C. 1101(a)(15)(B)) is amended—

1 (1) by striking “(B)” and inserting “(B)(i)”;

2 and

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

4 “(ii) an alien having a residence in a foreign country  
5 which the alien has no intention of abandoning who seeks  
6 to enter the United States temporarily and solely for the  
7 purpose of receiving medical treatment (including partici-  
8 pation in a research study) for a disease or condition that,  
9 if left untreated, threatens to undermine the alien’s sur-  
10 vival or day-to-day functioning with an increased likeli-  
11 hood of a progression from a less severe to a more severe  
12 disease or condition; or

13 “(iii) a son, daughter, spouse, or parent of an alien  
14 described in clause (ii) if accompanying or following to join  
15 such alien;”.

16 **SEC. 2. CONDITIONS ON NONIMMIGRANTS RECEIVING MED-**  
17 **ICAL TREATMENT IN THE UNITED STATES**  
18 **AND FAMILY MEMBERS.**

19 Section 212(q) of the Immigration and Nationality  
20 Act (8 U.S.C. 1182(q)) is amended—

21 (1) by striking “(q)” and inserting “(q)(1)”;

22 and

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

24 “(2) For each principal alien admitted under clause  
25 (ii) of section 101(a)(15)(B), not more than two family

1 members may be admitted under clause (iii) of such sec-  
2 tion.

3 “(3) The initial period of authorized admission for  
4 a nonimmigrant described in clause (ii) or (iii) of section  
5 101(a)(15)(B) may not exceed 6 months. Such initial pe-  
6 riod may be extended in increments of up to 1 year by  
7 the Secretary of Homeland Security based on documented  
8 need for the principal alien described in section  
9 101(a)(15)(B)(ii) to continue to receive medical treatment  
10 in the United States.

11 “(4) In the case of a parent admitted as a non-  
12 immigrant under clause (iii) of section 101(a)(15)(B) in  
13 order to accompany or follow to join a child admitted  
14 under clause (ii) of such section, if the parent’s initial pe-  
15 riod of authorized admission is extended under paragraph  
16 (3), the Secretary of Homeland Security shall authorize  
17 the parent to engage in employment in the United States  
18 during the remainder of the parent’s period of authorized  
19 admission as such a nonimmigrant, and shall provide the  
20 parent with an ‘employment authorized’ endorsement or  
21 other appropriate document signifying authorization of  
22 employment.”.

23 **SEC. 3. CONSTRUCTION.**

24 The amendments made by this Act shall not be con-  
25 strued to permit an alien admitted to the United States

1 under the provisions of such amendments to adjust status  
2 to that of an alien lawfully admitted for permanent resi-  
3 dence.

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