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How Do I Apply for Health Care Worker Certification?

What is a Health Care Worker Certification?

A health care worker certification identifies and documents that a foreign health care worker has met minimum requirements for training, licensure, and English proficiency in order to be able to fulfill their professional role as a(n):

- Licensed practical nurse, licensed vocational nurse, or registered nurse
- Occupational therapist
- Physical therapist
- Speech language pathologist and audiologist
- Medical technologist (clinical laboratory scientist)
- Physician assistant
- Medical technician (clinical laboratory technician)

Who Must Obtain a Health Care Worker Certification?

Any non-U.S. citizen coming to the United States for employment as a health care worker (other than a physician) cannot be admitted unless he or she presents a certificate from either the Commission on Graduates of Foreign Nursing Schools (CGFNS) or a certificate of equal standing from an organization with equivalent credentials. These requirements apply to both immigrant and nonimmigrant applicants. Regarding visa classification, nonimmigrant health care workers will most likely be in H-1C, H-1B, J, O, or TN non-immigrant categories. Any non-immigrants coming to receive training in a health care occupation will not be required to obtain certification. Such health care workers will most likely be in F-1, J-1 (aliens coming to undertake a training program in a medical field) and H-3 nonimmigrant classifications. Please note that each of these visa classifications has additional requirements. Please go to our Nonimmigrant Visa or our Immigrant Visa Classification pages for more information on visa categories.

Are Nonimmigrants Subject to the Health Care Worker Certification Requirements?

Yes, as of July 26, 2004, if a nonimmigrant is seeking to be admitted to the United States, is changing status, and/or is requesting an extension of stay, he or she must provide evidence of health care worker certification if the primary purpose for coming to or remaining in the United States is employment in one of the affected health care occupations. Previously, under section 212(d)(3) of the Act, the CIS and the Department of State waived Health Care Worker certification requirements for nonimmigrants, while requiring it for immigrants. After careful consideration of the statute and legislative history, it has been determined that nonimmigrants are also subject to the certification requirements.

Which Organizations Are Currently Authorized to Issue Health Care Worker Certificates?

The following organizations are authorized to issue certificates for the following health care occupations:

- The Commission on Graduates of Foreign Nursing Schools (CGFNS) is authorized to issue certificates to all 7 health care occupations.
- The National Board for Certification in Occupational Therapy is authorized to issue certificates for occupational therapists.
- The Foreign Credentialing Commission on Physical Therapy is authorized to issue certificates for physical therapists.

Which English Language Testing Organizations Are Approved for Purposes of Health Care Worker Certification?

Every alien must meet certain English language requirements in order to obtain a certificate unless otherwise exempted. The following testing services had been approved:

1. Educational Testing Service (ETS)
2. Test of English in International Communication (TOEIC)

3. International English Language Testing System (IELTS)

What are the Acceptable English Language Test Scores for Health Care Worker Certification?

The statute gives the Secretary of Health and Human Services the sole discretion to determine the minimum scores required for a Health Care Worker Certification.

- **Occupational and physical therapists.** An alien seeking to perform labor in the United States as an occupational or physical therapist must obtain the following scores on the English tests:
ETS: Test Of English as a Foreign Language (TOEFL): Paper-Based 560, Computer-Based 220; Test of Written English (TWE): 4.5; Test of Spoken English (TSE): 50.
Important: The certifying organizations shall not accept the results of the TOEIC, or the IELTS for the occupations of occupational therapy or physical therapy.
- **Registered nurses and other health care workers requiring the attainment of a baccalaureate degree.** An alien coming to the United States to perform labor as a registered nurse (other than a nurse presenting a certified statement under section 212(r) of the Act) or to perform labor in another health care occupation requiring a baccalaureate degree (other than occupational or physical therapy) must obtain one of the following combinations of scores to obtain a certificate:
ETS: TOEFL: Paper-Based 540, Computer-Based 207; TWE: 4.0; TSE: 50;
TOEIC Service International: TOEIC: 725; plus TWE: 4.0 and TSE: 50; or
IELTS: 6.5 overall with a spoken band score of 7.0. This would require the Academic module.
- **Occupations requiring less than a baccalaureate degree.** An alien coming to the United States to perform labor in a health care occupation that does not require a baccalaureate degree must obtain one of the following combinations of scores to obtain a certificate:
ETS: TOEFL: Paper-Based 530, Computer-Based 197; TWE: 4.0; TSE: 50;
TOEIC Service International: TOEIC: 700; plus TWE 4.0 and TSE: 50; or
IELTS: 6.0 overall with a spoken band score of 7.0. This would allow either the Academic or the General module.

Questions and Answers about Exemptions for Certain Health Care Workers

Q: Are foreign health care workers - trained in the United States or in possession of a valid state license - subject to the health care certification requirement?

A: Yes. While Congress provided certain nurses with a less rigorous, alternative certification process, it did not provide a less rigorous alternative certification option to state-licensed foreign health care workers. Possession of a state license does not exempt a foreign health care worker from compliance with the certification requirement. Similarly, health care workers who have been trained in the United States are not exempt from the certification requirement.

Q: Are there any accommodations for foreign health care workers who have been trained in the United States?

A: Yes. Foreign health care workers may be automatically deemed to have met the English language and/or educational comparability requirements if they have graduated from certain programs or from programs in certain countries. The following groups may be deemed to have met the **English language requirements**:

- Graduates of health professional programs in Australia, Canada (except Quebec), Ireland, New Zealand, the United Kingdom, and the United States.
- Alien nurses who are presenting the alternate certified statement under section 212(r) of the Act.
- For nurses, graduation from an entry-level program accredited by the National League for Nursing Accreditation Commission (NLNAC) or the Commission on Collegiate Nursing Education (CCNE);
- For occupational therapists, graduation from a program accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) of the American Occupational Therapy Association (AOTA);
- For physical therapists, graduation from a program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) of the American Physical Therapy Association (APTA); and
- For speech language pathologists and audiologists, graduation from a program accredited by the Council on Academic Accreditation in Audiology and Speech Language Pathology (CAA) of the American Speech-Language-Hearing Association (ASHA).

The following groups may be deemed to have met the **educational comparability requirements**:

- For nurses, graduation from an entry-level program accredited by the National League for Nursing Accreditation Commission (NLNAC) or the Commission on Collegiate Nursing Education (CCNE);
- For occupational therapists, graduation from a program accredited by the Accreditation Council for Occupational Therapy Education (ACOTE) of the American Occupational Therapy Association (AOTA);
- For physical therapists, graduation from a program accredited by the Commission on Accreditation in Physical Therapy Education (CAPTE) of the American Physical Therapy Association (APTA); and
- For speech language pathologists and audiologists, graduation from a program accredited by the Council on Academic Accreditation in Audiology and Speech Language Pathology (CAA) of the American Speech-Language-Hearing Association (ASHA).

Association (ASHA).

Q: Are dependents subject to the health care worker certification requirement?

A: No. For example, if you are here as an L-2 nonimmigrant, your primary purpose for entering the United States is to join your spouse. Since an L-2 nonimmigrant spouse is authorized employment, you may engage in employment as a health care worker without obtaining the certification. This will also apply to other dependents who are accompanying a principal alien and who are employment authorized within their dependent status.

Issuing Health Care Worker Certificates

How does an organization apply for authorization to issue health care worker certificates? As of September 23, 2003, organizations must apply for authorization to issue health care worker certificates by filing CIS Form I-905 (Application for Authorization to Issue Health Care Worker Certificates). Form I-905 is available online and at your local Field Office.

What kind of information does an organization need to provide to the CIS in order to obtain authorization to issue the certificates? The instructions to the Form I-905 list the kind of information that must be provided in support of the Form I-905. That information is also contained at 8 CFR 212.15(k). In general, the organization must demonstrate that it meets four guiding principles:

1. The organization is independent and free of material conflicts of interest regarding whether an alien receives a visa;
2. The organization has an ability to evaluate both the foreign credentials appropriate for the profession, and the results of examinations for proficiency in the English language appropriate for the health care field in which the alien will be engaged;
3. The organization can maintain comprehensive and current information on foreign educational institutions, ministries of health, and foreign health care licensing jurisdictions; and
4. If the health care field is one for which a majority of the states require a predictor examination (currently, this is done only for nursing), the organization should demonstrate an ability to conduct the examination outside the United States.

How long may an organization be authorized to issue health care worker certificates?

Authorization to issue health care worker certificates will be good for a period of 5 years from the date of approval. An organization must renew its authorization to issue certificates by filing a new application, with fee, for Form I-905.

Can an organization appeal?

If your petition is denied, the denial letter will tell you how to appeal. Generally, you may file a Notice of Appeal along with the required fee with the office that issued the denial letter within 33 days of receiving the denial. Once the fee is collected and the form is processed, the appeal will be referred to the Administrative Appeals Office (AAO) in Washington, D.C. Sending the appeal directly to the AAO will delay the process and may result in an untimely filing of the appeal. For more information, see [How Do I Appeal?](#). Please see CIS offices for more information..

Where Can an Employer File a Petition?

An employer who is seeking authorization to employ a health care worker should file Form I-129, Petition for Nonimmigrant Worker, or Form I-140, Petition for Immigrant Worker, with the USCIS service center that serves the area where they are located. Please see our USCIS field office home page for more information on USCIS office locations. Forms and USCIS' guide to nonimmigrant and immigrant worker petitions are available by calling 1-800-870-3676, or by submitting a request through our forms by mail system.

How Does an Employer Find out the Status of a Petition?

If you are the petitioning employer, contact the USCIS Service Center that received your Form I-129 or Form I-140. You should be prepared to provide the USCIS staff with specific information about the petition. Please see [finding the status of your application](#) for additional information.

Where Can I Find the Law?

The complete requirements for health care worker certification can be found in the Immigration and Nationality Act (Act) at section 212 (a)(5)(C). The alternative requirements for nurses are at section 212 (r) of the Act. The specific eligibility requirements and procedures for applying for health care worker certification are included in the Code of Federal Regulations [CFR] at 8 CFR §212.15.

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