

Delays in Visa Program Threaten Placement of Hundreds of Doctors in Underserved Areas

The waiver program allows non-citizen physicians to stay in the country if they work in underserved areas for at least three years.

May 4, 2026 By Arielle Zionts and KFF Health News

Hundreds of foreign doctors about to complete training in the U.S. will have to leave the country if the federal government doesn't rapidly process their visa waiver applications, which have been languishing since the fall and winter, immigration attorneys say.

The waiver program, run by the Department of Health and Human Services, allows physicians who aren't U.S. citizens to stay in the country while transitioning from the visa they used during their training to temporary worker status. In exchange, the doctors agree to work in underserved areas for at least three years.

"It will be the patients that suffer the most because in about three months, there's going to be hundreds of places that are not going to have a physician that should have," said a psychiatrist caught in the delay.

The doctor — whom KFF Health News agreed not to identify because they fear government reprisal — was among hundreds who applied this year for a J-1 visa waiver through the HHS Exchange Visitor Program.

If they receive one, the psychiatrist — who attended medical school in their home country in Europe before coming to the U.S. for their residency and fellowship — would work with vulnerable and disadvantaged patients in New York.

In recent years, the HHS program reviewed waiver applications in one to three weeks, according to two immigration attorneys.

But it currently has a backlog of hundreds of applications, which still need to be reviewed by the State Department and approved by U.S. Citizenship and Immigration Services, according to four attorneys interviewed by KFF Health News.

They said the foreign physicians will likely have to return to their home countries if their applications don't advance to USCIS by July 30.

For them to reenter the U.S., their employers would have to pay a new \$100,000 fee associated with the H-1B work visa. It's a cost that many hospitals and clinics in rural and underserved areas say they can't afford. "That's the cliff that this train is headed for," said Charles Wintersteen, a Chicago-based attorney who specializes in health workforce-related immigration.

HHS spokesperson Emily Hilliard didn't answer questions about the number of pending applications or explain what caused the delays. But she said the Exchange Visitor Program has reviewed all fiscal year 2025 clinical J-1 waiver applications, as well as some from fiscal 2026.

The department is "implementing key process improvements to prevent future delays" and "working diligently" to evaluate remaining applications ahead of the July 30 deadline, she said.

The psychiatrist in limbo said employers hiring J-1 waiver physicians have to show they were unable to fill positions with American workers. If the doctors they planned to hire can't arrive on time — or at all — patients will have to wait even longer for those vacancies to be filled, they said.

Wintersteen said postgraduate medical education positions are largely funded through Medicare and that "the taxpayers who pay for that training will not get the benefit of it."

Physicians and immigration attorneys said HHS hasn't explained the delays or let them know what to expect from their applications.

"Why would HHS want to take a program that is working — a program that places hundreds of U.S. trained international physicians in highly underserved parts of the country every year — and slow-walk it into non-existence," Jennifer Minear, a Virginia-based health workforce immigration lawyer, said in an email. "How does that serve the public health? It is baffling."

Waylaid Waivers

The U.S. healthcare system depends on foreign-born professionals to fill its ranks of doctors, nurses, technicians, and other health providers, particularly in chronically understaffed facilities in rural and low-income urban communities.

Nearly a quarter of physicians in the U.S. went to medical school outside the U.S. or Canada, according to [2025 licensing data](#).

Once noncitizens complete postgraduate education in the U.S., which typically ends on June 30, they must return to their home country and wait two years before applying for an H-1B work visa. Or, they can seek [a J-1 waiver](#), which lets them remain in the U.S. on H-1B status in exchange for working for three years in a provider shortage area.

The attorneys said they're seeing delays only in the Exchange Visitor Program, not in the other

federal or state J-1 waiver programs.

The HHS clinical care program received 750 waiver applications last year, Minear and Wintersteen said, and is reserved for doctors working in pediatrics, psychiatry, family and internal medicine, or obstetrics and gynecology.

The program typically needs to forward recommendations to the State Department by mid-March, [according to a letter](#) from John Whyte, CEO of the American Medical Association.

Minear said HHS stopped processing applications in late September or early October before it started forwarding them again a few months ago.

“But the pace is dramatically slower” than usual, she said.

Minear said the State Department usually takes two or three months to review HHS recommendations and must send them to USCIS before July 30 for most of the doctors to stay in the country.

If they don’t make that deadline, Wintersteen said, doctors will have to leave the country unless they obtain another kind of visa, get a J-1 waiver through another program, or extend their current visa by taking board exams or doing additional training.

The psychiatrist, who is supposed to start work on July 1, said they applied for a waiver in order to stay in the U.S with their partner, and because it would let them help the most vulnerable mental health patients. They said their future clients would likely include trafficking survivors, homeless people, and prison or jail inmates. “That’s the population I want to work with,” they said.

Waiver Delay Meets H-1B Dilemma

President Donald Trump issued a [September proclamation](#) that railed against the tech industry’s use of H-1B work visas. The order created the \$100,000 fee that applies to workers in all fields — not only tech — living outside the U.S. The payment doesn’t apply to those already in the country.

As of February 15, employers had paid the fee for 85 workers, [according to a court filing](#) from USCIS. It’s unclear if any of those payments were for physicians or other medical providers.

The psychiatrist said officials at the hospital that plans to hire them said they can’t afford to pay to bring them back to the U.S. if they must go home.

“A lot of hospitals who hire J-1 waiver physicians are in underserved areas, and so they treat Medicare and Medicaid patients,” they said. “By definition, for the most part, they’re not rich hospitals.”

Barry Walker, an attorney in Tupelo, Mississippi, focused on health workforce-related immigration, said employers have already spent money on recruiters and attorneys like him to help with the

waiver process.

Adding the H-1B fee is “just a deal killer, especially for the small, rural hospitals,” he said.

Attorneys said most employers will sponsor physicians in need of an H-1B visa only if they’re in lucrative specialties, such as cardiology or orthopedics, in which they can recover the cost of the fee.

They said healthcare facilities are much less likely to pay the fee to hire foreign nurses, lab technicians, and other healthcare professionals who are more likely than physicians to complete their training outside the U.S.

Employers [can request fee exemptions](#), but attorneys said they haven’t heard of a hospital or clinic being granted one.

Fighting on Two Fronts

Physicians, hospital leaders, lawmakers, and immigration experts are trying to draw attention to the J-1 waiver delays at HHS while hoping to overturn or limit the new H-1B fee.

The Trump administration hasn’t acted on letters from [hospitals](#), [medical societies](#), and [rural health organizations](#) that requested an exception to the \$100,000 fee for physicians or all healthcare workers.

In March, a bipartisan group of lawmakers [introduced a bill](#) that would create a healthcare exemption. It has not yet had a hearing.

At least three lawsuits — from the [U.S. Chamber of Commerce](#), a [group of 20 states](#), and a [coalition of plaintiffs](#) that includes a company that recruits foreign nurses and a union that represents medical graduates — are seeking to end the fee entirely.

As for the J-1 waiver delays, the American Medical Association CEO asked the Exchange Visitor Program to use “emergency batch processing” for physicians with contracts to start work this summer.

Efrén Manjarrez, president of the Society of Hospital Medicine, which represents doctors who work in inpatient units, also called for emergency measures.

“Every day this backlog persists is a day that hospitalized patients in these communities face greater risk,” [he wrote in a letter](#) to the program.

Meanwhile, Canadian hospitals have been recruiting foreign physicians completing their training in the U.S, the psychiatrist said. They said one of their friends accepted an offer, withdrawing their HHS waiver application to head north.

The psychiatrist said if they must leave the U.S., they’ll be separated from their partner and out of

a job for months as they work to get licensed in their home country.

Even if their employer were able to afford the H-1B fee, they're not sure they'd want to return.

"This entire process has been so incredibly painful and just soul-crushing," they said. "I would rather go to a country that would appreciate my motivation to work with patients."

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