



GREEN CARDS FOR NURSES

PEACE OF MIND AND SECURITY FOR ESSENTIAL HEALTH CARE PROFESSIONALS

Maiona Ward Immigration Law is a boutique law firm headquartered in the Financial District of Boston, Massachusetts. Our lawyers have over 25 years of experience in quickly obtaining non-immigrant visas and legal permanent residency for registered nurses and other *Schedule A* allied health care professionals. Maiona Ward represents hospitals, physician/medical organizations and medical professionals across the United States to assist with non-immigrant visas and green card processing on behalf of essential medical personnel.

The attorneys at Maiona Ward are members of the American Immigration Lawyers Association, frequent lecturers on the topic of immigration law and have been recognized by *Boston Magazine* as well as others for their knowledge of immigration law. Maiona Ward will provide your organization and employees with the peace of mind needed while quickly and professionally obtaining the immigration status required to maintain your high standard of patient care into the future.

All of our legal services are available on a fixed fee basis. This allows non-profits as well as other institutions to budget the expenses associate with retaining the best and brightest health care professionals.

For more information please call Attorney Matthew Maiona at 617-695-2220.

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*Immigration
Attorneys
Representing
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and Families
Around the
World.*



*Assisting Health Care
Professionals Since 1996.*

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Non-Immigrant Visas:

It can be difficult for registered nurses (RN) to find a non-immigrant status to maintain their legal status while awaiting their legal permanent residency/green card approval. This is especially true for those with bachelors degrees or those who are seeking to fill employment-based third (EB-3) positions where the queue for a green card can be several years. While H-1B visas can be the solution for those positions such as certified registered nurse anesthetists, RNs in supervisory or administrative positions or nurse practitioners, H-1B visas are often not the solution for many RN positions. Therefore, other avenues must be determined if the RN is going to remain in the United States during the green card process.

The TN (NAFTA) classification for RNs who are Canadian nationals is also an option. A TN can be a quick solution to maintaining non-immigrant status. However, the Canadian national RN should obtain a visa screen certificate should it be needed. When hiring a foreign-born RN, make certain that state licensure requirements have been met and that the RN has a relevant educational background that is equal to a US bachelors or masters degree. Securing this information as soon as possible will make the non-immigrant visa process move more quickly.

A short-term solution for recent graduates of a US university can be obtaining an employment authorization document (EAD) for the optional practical training (OPT) period after graduation and then immediately commencing the green card process. If none of these solutions are possible, the RN can still process for the position at a US consulate overseas.

Maiona Ward can assist in obtaining the non-immigrant visa so that the process is not time consuming and burdensome for the employer and employee.

Green Card/Immigrant Visas:

An RN is designated as a Schedule A position by the US Department of Labor (DOL) and as such is pre-certified by DOL as a position of which there are not enough qualified US workers in the United States to fill the number of available positions. Therefore, the RN position is not required to file DOL Form 9089 (PERM application) as the position is pre-certified. This can save a great deal of time in adjudication of the green card.

The RN however does need to provide evidence of qualification for the position sought. Some of the required evidence that is required may include: a full nursing license for the state of employment or evidence of passing the National Council of Licensure Examination for RNs (NCLEX-RN) or a Certificate by the Commission on Graduates of Foreign Nursing Schools (CGFNS); a valid nursing license from the country of nationality of the RN; a nursing school diploma; a VisaScreen Certificate issued by the International Commission for Healthcare Professionals (ICHP); and translations into English of any and all necessary documents.

Once all of the documentation is submitted to the attorney, the immigrant visa process can commence. Should the position be one which requires a master's degree or is determined to be an EB-2 position, or if the position is EB-3 and the category is "current" at the time of submission to US Citizenship and Immigration Services (USCIS), the adjustment of status application (green card application) can be filed concurrently with the immigrant visa application. In such scenarios, a green card can be issued relatively quickly. When there is a backlog or queue for filing the green card application with USCIS, the adjudication can take years and this should be considered prior to filing the application for planning purposes.

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