

Hiring a Physical Therapist

by John R. Wilson, Esq. Goff and Wilson, P.A.

Question: How do we hire a physical therapist from another country?

Answer: A foreign physical therapist is required to pass certain exams administered by the FCCPT and must be fully licensed when an application for immigrant visa is filed. The two methods under immigration regulations allowing this to occur are the temporary H visa classification and the permanent green card certification. Since the H application is much faster, most healthcare facilities have the PT commence employment in the temporary H classification and then after working, start the green card process.

While the H visa is not generally available to an RN, it is allowed for the PT position because a PT must have a bachelor's degree, which is a requirement of H status. The procedure for obtaining H status is for the healthcare facility to file an application – including proof of passing exams and license – with the immigration service that has geographic jurisdiction of the state where the health facility is located. For all of the northeast, this would be in Vermont. The standard application fee is \$1,130 and the processing time is about three to four months.

However, the Immigration Service does offer a premium processing application which will result in a decision in 15 calendar days. The cost for this is an additional \$1,000. If the foreign PT is in the US in some other proper status, he or she may begin work upon approval. If outside the US, the PT must process through a US consulate, which usually takes an extra 30 to 60 days.

The other method is to petition for a green card. The application for a green card for a PT follows the same procedure as that of an RN, except for different exam requirements if the PT is outside the US. An application is filed with the Immigration Service. Upon approval, it will notify the Department of State, followed by the PT processing at a US consulate abroad. This can take six to 10 months to complete.

However, if the PT is already in the US, then he or she will receive work authorization within three months of filing and will be allowed to remain working in the US while the Immigration Service processes the application. For this reason it is always preferable for a PT to be in the US when the application for a green card is filed. ■

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