



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

29 HAZEN DRIVE, CONCORD, NH 03301-6527  
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**National Interest Waiver (NIW) Program**

**Request for a Letter of Attestation**

**Application Process:**

The Division of Public Health Services (DPHS), Rural Health and Primary Care Section (RHPC), has the responsibility within the State of New Hampshire to provide a Letter of Attestation in support of a foreign physician's request for a National Interest Waiver from the US Citizenship and Immigration Services (USCIS). The foreign physicians' work must be in an area that has been designated as having a shortage of health care providers by the Secretary of Health and Human Services, and must be deemed by the Division of Public Health Services to be in the public interest.

The request for a NIW recommendation from New Hampshire Department of Health & Human Services must contain all of the following information, documentation and must be submitted in a single package with the documents presented in the order they are listed in paragraphs 1-10. NIW requests for a Letter of Attestation, which do not comply with these requirements, will not be considered.

The process of reviewing documentation and providing a Letter of Attestation to the U.S. Citizenship & Immigration Services (USCIS) may take 3 to 5 weeks, based on the level of accuracy and completion of documentation provided for review. To speed up the review process we recommend the application to be assembled as follows, also a list of documents that will need to be included in the application packet.

- Do not include documents that are not required by USCIS or the State of New Hampshire.
- Please do not use staples, binders, two sided copies or pages larger or smaller than 8.5 x 11.
- The package needs to include a Table of Contents
- Documents should be placed in the following order, separated by a colored divider page, appropriately labeled with the number in reference to the document being submitted.

**Documents Required:**

All correspondence should go through: NHDHHS, DPHS, RHPC, Workforce Coordinator, 29 Hazen Drive, 2E, Concord, NH 03301-6504

- 1) A written request from the employer or immigration law firm requesting a letter in support of the NIW physician. Please include the following
  - a) Employer requesting the NIW, full address, employer representative contact information
  - b) J-1 Visa Waiver Start Date & End Date of his/her three year commitment and the employer who the J-1 physician was originally employed for under his/her three year waiver.
  - c) Physician Name, address, contact information, and specialty
  - d) The DOS Waiver Case File # of the J-1 Visa Waiver
  - e) Law firm name, address and contact person.
- 2) Table of Contents
- 3) Signed & dated NIW physician affidavit & agreement.
- 4) Letter from Employer with description of service area, facility & population for which the physician will work.

- a) Copy of Sliding-Fee-Schedule
- b) Copy of HRSA Shortage Area in which the practice site is located.
- c) Describe the payor mix in the last six months as of revenue, where the J-1 physician will be working. (Medicaid, Medicare, State's Children Health Care, Underinsured, Bad/debit charity, other)
- 5) Physician's Information
  - a) Curriculum of Vitae
  - b) NH Medical License
  - c) Letter of Good Standing from NH Board of Medicine
  - d) Copy of current visa with picture or visa approval notice if no visa
  - e) Copy of Medical Degree
  - f) Appropriate Letters of Recommendations stating Physician's services are required and in the interest of the community
- 6) Written statement from Physician's Malpractice Insurance Carrier
- 7) Letter from Medical Director of each hospital at which Physician has privileges
- 8) Copy of Physicians J-1 Visa Waiver initial three-year contract.
- 9) Copy of Physicians new employment contract of no less than five years.
- 10) Signed & dated Physician & Employer Information Fact Sheet.

#### Application Review Process:

New Hampshire accepts NIW Waiver requests year-round and reserves the right to recommend or decline any request for a waiver. In order to facilitate a waiver requests by the DPHS, RHPC, the request for waiver needs to come from the health care facility or immigration attorney on behalf of the J-1 physician, and not directly from a J-1 physician. Each application will be reviewed by the DPHS, RHPC to determine whether the application is complete and meets the NIW requirements of the federal and state guidelines. The amount of time necessary to completely process an application varies based on level of accuracy in the initial application. If all materials are in order, the initial review process should take approximately three to five weeks. The sponsoring legal representative will be notified by e-mail regarding the status of the application when the decision has been made by the DPHS, RHPC. All application materials for state recommendations must be submitted directly to Attn: NH DHHS, DPHS, RHPC, Workforce Coordinator, 29 Hazen Drive, 2E, Concord, NH 03301-6504

The Workforce Coordinator will contact the legal representative that DPHS, RHPC has received the NIW waiver application. Within 15 working days after receipt, RHPC Workforce Coordinator will notify his/her legal counsel in writing regarding the application's incompleteness, and provide a written list of deficiencies.

- When reviewing each NIW application, the State of New Hampshire intends that the proposed placement of the J-1 Physician will not adversely affect or compromise the delivery of health care in the medically underserved area.
- The J-1 physician and employer meet all guidelines under the federal & state National Interest Waiver Program.
- When reviewing applications, New Hampshire DPHS, RHPC will view negatively any past or current disciplinary actions or proceedings taken by the New Hampshire Board of Medical Examiners (or comparable professional medical review boards in other states) against the employer in cases where the employer is a medical professional.
- New Hampshire DPHS, RHPC will view negatively the NIW applications from any employer whose principals such as owners, administrators, or medical directors are under investigation, indictment, or conviction for violations of federal, state, or local laws, regulations, or ordinances related to medical practice.

DPHS, RHPC reserves the right to deny a “Letter of Attestation” in support for a National Interest Waiver. If support is denied, DPHS, RHPC will not forward the Letter of Attestation to USCIS. DPHS, RHPC does not bear any liability for the denial of support for a National Interest Waiver, which includes, but is not limited to, the consequences arising from any practice arrangements or contracts entered into by the foreign physician or proposed employer before or after requesting a Letter of Attestation from the New Hampshire Division of Public Health Services.

If you have any questions or concerns, please e-mail RHPC, Workforce Coordinator at [droberts@dhhs.state.nh.us](mailto:droberts@dhhs.state.nh.us)