

## **MAINTAINING J-1 STATUS**

The United States has various laws governing foreign nationals residing within its borders. Being aware of and having a clear understanding of those laws is essential to remaining lawfully in the U.S. Due to recent changes in immigration law, being in violation of status may carry severe penalties and have a negative effect on your ability to complete your program objectives in the U.S. Therefore, it is essential for all Exchange Visitor's to comply with such laws and regulations and to consult with International Services whenever a question arises. In order to maintain your status legal, you should:

- Keep your passport valid at all times.
- Make sure you understand exactly how long you are allowed to stay in the U.S. based on your visa documents, or if you need an extension, to apply in a timely manner.
- Notify International Services of any changes in your local address; name or work location
- Notify International Services if you terminate your employment or your affiliation with RBHS earlier than the date indicated on your DS-2019
- Consult with International Services before you travel to make sure your documents are in order
- Do not work at other institutions unless authorized by the OIS or the USCIS as required
- File annual income tax returns.
- Consult with International Services, not your friends, department, or colleagues for immigration advice

## **YOUR ACTIVITIES AS A J-1 EXCHANGE VISITOR**

### **Category**

The U. S. State Department expects you to stay with your original objective for coming to the United States. As an exchange visitor, you are normally not allowed to change your category and you are expected to carry out the activity described in Section 4 of your DS-2019. All changes in category must be formally approved by the Department of State. For more information on changes in category, you must contact an RO/ARO in International Services.

It is sometimes possible to change to a different sponsoring department if there is little or no change in the job description. The International Services office would have to approve such a change. Please consult with International Services if you are considering any change in your original program activity.

### **Health Insurance**

The DOS regulations mandate health insurance coverage for all J-1 Exchange Visitors and their dependents (J-2 Exchange Visitors). This federal regulation allows for no exception and requires termination of program participation for all J visa holders who do not obtain and maintain the specified coverage outlined below

### **Federal Regulation Requirements:**

**A. Minimum Coverage** – At a minimum, insurance shall cover:

- (1) medical benefits of at least \$50,000 per person per accident or illness;
- (2) repatriation of remains in the amount of \$7,500; and
- (3) expenses associated with medical evacuation in the amount of \$10,000.

**B. Additional Terms** – A policy secured to fulfill the insurance requirements shall not have a deductible that exceeds \$500 per accident or illness, and must meet other standards specified in the regulations.

**C. Maintenance of Insurance** – Exchange Visitors must maintain the required insurance for the duration of the program.

**D. Acceptable Insurance Broker Ratings** – In addition to coverage standards, the regulations also set forth rating requirements for acceptable policies. Such policies must be underwritten by a company rated A by Best or ISI; AA by S&P; or B+ by Weiss. Coverage backed up by the Exchange Visitor's home country government, public institution wishing to self-insure, and private programs approved by the DOS for self-insurance are exempt from the rating requirement.

In some cases, funding for such coverage for the J-1 Exchange Visitor may be provided by the home government/affiliation or by the current institution/employer. In other cases, it may be provided by the RBHS sponsoring department/supervisor or purchased directly by the exchange visitor.

### **Work Location**

You are expected to conduct your exchange activity at the location(s) listed in your form DS-2019. Exceptions to this rule are only allowed if the activity performed constitutes an occasional lecture or consultation and you have obtained prior authorization from the OIS.

### **Length of Stay**

Each Exchange Visitor category has its own guidelines regarding the minimum and maximum period of time a J-1 visitor is allowed to remain in the U.S. under that status. The minimum period of stay for professors and research scholars is three weeks with a maximum stay of 5 years, including any previous continuous time spent at other institutions. All exchange visitors are allowed to stay 30 days longer than the DS-2019 indicates. This is called a "grace period" and is to allow you to prepare to return home, sightsee, etc. You may not be employed during this period.

### **Overstay Penalties**

Staying in the U.S. for even one day longer than you are authorized can carry serious consequences. Be sure to leave before your status expires, unless you have another application pending with the USCIS which allows you remain legally in the United States.