

Instructions for I-905, Application for Authorization to Issue Certification for Health Care Workers

Department of Homeland Security
U.S. Citizenship and Immigration Services

Instructions

Read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet of paper. Write your name and Alien Registration Number (A-number), if any, at the top of each sheet of paper and indicate the section and number of the item to which the answer refers.

What Is the Purpose of This Application?

For an organization to apply for authorization to issue certificates to health care workers.

Who May File This Form?

An organization wishing to obtain authorization to issue certificates to health workers under section 212(a)(5)(C) or section 212(r) of the Immigration and Nationality Act must file this application.

1. Which Occupations Require Certification?

The occupations requiring health care worker certification are:

- A. Licensed practical nurses, licensed vocational nurses, and registered nurses;
- B. Occupational therapists;
- C. Physical therapists;
- D. Speech language pathologists and audiologists;
- E. Medical technologists (clinical laboratory scientists);
- F. Physician assistants; and
- G. Medical technicians (clinical laboratory technicians).

2. What Documents Do You Need to File With This Application?

You must submit a statement addressing how your organization meets the standards provided in **Item 8** of these instructions. In addition, by filing this application you agree to submit any information that U.S. Citizenship and Immigration Services (USCIS) may request in order to determine your eligibility to issue certificates.

General Instructions

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, write your name, A-Number, if any, at top of each sheet of paper, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "None."

Where to File?

The application must be filed in duplicate. Mail this application to:

**Nebraska Service Center
P.O. Box 87140
Lincoln, NE 68501-7140**

What Is the Filing Fee?

The filing fee for Form I-905 is **\$230**.

You may submit a check or money order.

Use the following guidelines when you prepare your check or money order for Form I-905:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
2. Make the check or money order payable to **U.S. Department of Homeland Security**.
NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."
3. If you live outside the United States, Guam, or the U.S. Virgin Islands, contact the nearest U.S. Embassy or consulate for instructions on the method of payment.

How to Check If the Fees Are Correct

The form fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our Web site at www.uscis.gov, select "FORMS" and check the appropriate fee; or
2. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

How Will USCIS Process This Application?

After the application is filed, USCIS will review the application for completeness. If the application is complete, USCIS will forward a copy of the application to the Secretary of Health and Human Services (HHS) for an opinion.

After HHS provides an opinion, USCIS will render a decision on the application. You will be notified in writing of the decision. If the application is denied, you will be provided with information on how the decision can be appealed.

If the application is approved, it will be approved for 5 years. You must apply for reauthorization to issue certificates before your authorized period of time expires. Your continued eligibility to issue certificates will be reviewed periodically by USCIS.

What Are the Standards to Obtain Authorization to Issue Certificates?

Structure of the Organization

1. The organization must be incorporated as a legal entity.
 - A. The organization must be independent of any organization that functions as a representative of the occupation or profession in question or serves as or is related to a recruitment/placement organization.
 - B. USCIS must not approve an organization that is unable to render impartial advice regarding an individual's qualifications regarding training experience and licensure.
 - C. The organization must also be independent in all decision making matters pertaining to evaluations and/or examinations that it develops including, but not limited to:

- i. Policies and procedures; eligibility requirements and application processing; standards for granting certificates and their renewal; examination content, development, and administration; examination cut-off scores, excluding those pertaining to English language requirements; grievance and disciplinary processes; governing body and committee meeting rules; publications about qualifying for a certificate and its renewal; setting fees for application and all other services provided as part of the screening process; funding spending and budget authority related to the operation of the certification organization; ability to enter into contracts and grant arrangements; ability to demonstrate adequate staffing and management resources to conduct the program(s) including the authority to approve selection of, evaluate and initiate dismissal of the chief staff member.

- ii. An organization whose fees are based on whether an applicant receives a visa may not be approved.

2. The organization must include the following representation in the portion of its organization responsible for overseeing certification and, where applicable, examinations:
 - A. Individuals from the same health care discipline as the alien health care worker being evaluated who are eligible to practice in the United States; and
 - B. At least one voting public member to represent the interests of consumers and protect the interests of the public at large. The public member must not be a member of the discipline or derive significant income from the discipline, its related organizations, or the organization issuing the certificate.
3. The organization must have a balanced representation such that the individuals from the same health care discipline, the voting public members, and any other appointed individuals have an equal say in matters relating to credentialing and/or examinations.
4. The organization must select representatives of the discipline using one of the following recommended methods, or demonstrate that it has a selection process that meets the intent of these methods:
 - A. Be selected directly by members of the discipline eligible to practice in the United States;

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- B. Be selected by members of a membership organization representing the discipline or by duly elected representatives of a membership; or
 - C. Be selected by a membership organization representing the discipline from a list of acceptable candidates supplied by the credentialing body.
5. The organization must use formal procedures for the selection of members of the governing body which prohibit the governing body from selecting a majority of its successors. Not-for-profit corporations which have difficulty meeting this requirement may provide in their applications evidence that the organization is independent and free of material conflicts of interest regarding whether an alien receives a visa.
 6. The organization must be separate from the accreditation and educational functions of the discipline, except for those entities recognized by the U. S. Department of Education as having satisfied the requirement of independence.
 7. The organization must publish and make available a document that clearly defines the responsibilities of the organization and outlines any other activities arrangements or agreements of the organization that are not directly related to the certification of health care workers.

Resources of the Organization

1. The organization must demonstrate that its staff has the knowledge and skills necessary to accurately assess the education, work experience, licensure of health care workers, and the equivalence of foreign educational institutions comparable to those of U.S. trained health care workers and institutions.
2. The organization must demonstrate the availability of financial and material resources to effectively and thoroughly conduct regular and ongoing evaluations on an international basis.
3. If the health care field is one for which a majority of the States require a predictor test, the organization must demonstrate the ability to conduct examinations in those countries with educational and evaluation systems comparable to the majority of States.

4. The organization must have the resources to publish and make available general descriptive materials on the procedures used to evaluate and validate credentials including eligibility requirements, determination procedures, examination schedules, locations, fees, reporting of results, and disciplinary and grievance procedures.

Candidate Evaluation and Testing Mechanisms

1. The organization must publish and make available a comprehensive outline of the information, knowledge, or functions covered by the evaluation/examination process including information regarding testing for English language competency.
2. The organization must use reliable evaluation examination mechanisms to evaluate individual credentials and competence that is objective, fair to all candidates, job related, and based on knowledge and skills needed in the discipline.
3. The organization must conduct ongoing studies to substantiate the reliability and validity of the evaluation/examination mechanisms.
4. The organization must implement a formal policy of periodic review of the evaluation/examination mechanism to ensure ongoing relevance of the mechanism with the respect to knowledge and skills needed in the discipline.
5. The organization must use policies and procedures to ensure that all aspects of the evaluation/examination procedures, as well as the development and administration of any tests, are secure.
6. The organization must institute procedures to protect against falsification of documents and misrepresentation including a policy to request each applicant's transcript(s) and degree(s) directly from the educational licensing authorities.
7. The organization must establish policies and procedures that govern the length of time the applicant's records must be kept in their original format.
8. The organization must publish and make available, at least annually, a summary of all screening activities for each discipline including at least the number of applications received, number of applicants evaluated, number receiving certificates, number who failed, and the number receiving renewals.

Responsibilities to Applicants Applying for an Initial Certificate or Renewal

1. The organization must not discriminate among applicants as to age, sex, race, religion, national origin, disability, or marital status and must include a statement of nondiscrimination in announcements of the evaluation examination procedures and renewal certification process.
2. The organization must provide all applicants with copies of formalized application procedures for evaluation examination and must uniformly follow and enforce such procedures for all applicants. Instructions must include standards regarding English language requirements.
3. The organization must implement a formal policy for the periodic review of eligibility criteria and application procedures to ensure that they are fair and equitable.
4. Where examinations are used, the organization must provide competently proctored examination sites at least once annually.
5. The organization must report examination results to applicants in a uniform and timely fashion.
6. The organization must provide applicants who failed either the evaluation or examination with information on general areas of deficiency.
7. The organization must implement policies and procedures to ensure that each applicant's examination results are held confidential and delineate the circumstances under which the applicant's certification status may be made public.
8. The organization must have a formal policy for renewing the certification if an individual's original certification has expired before the individual first seeks admission to the United States or applies for adjustment of status. Such procedures must be restricted to updating information on licensure to determine the existence of any adverse action and the need to re-establish English competency.
9. The organization must publish due process policies and procedures for applicants to question eligibility determinations, examination or evaluation results, and eligibility status.
10. The organization must provide all qualified applicants with a certificate in a timely manner.

Maintenance of Comprehensive and Current Information

1. The organization must maintain comprehensive and current information of the type necessary to evaluate foreign educational institutions and accrediting bodies for purposes of ensuring that the quality of foreign educational programs is equivalent to those training the same occupation in the United States. The organization must examine, evaluate, and validate the academic and clinical requirements applied to each country's accrediting body or bodies, or in countries not having such bodies, of the educational institution itself.
2. The organization must also evaluate the licensing and credentialing system(s) of each country or licensing jurisdiction to determine which systems are equivalent to that of the majority of the licensing jurisdiction in the United States.

Ability to Conduct Examinations Fairly and Impartially

An organization undertaking the administration of a predictor examination, or a licensing or certification examination, must demonstrate the ability to conduct such examination fairly and impartially.

Criteria for Awarding and Governing Certificate Holders

1. The organization must issue a certificate after the education, experience, license, and English language competency have been evaluated and determined to be equivalent to their U. S. counterparts. In situations where a U. S. nationally recognized licensure or certification examination, or a test predicting the success on the licensure or certification examination, is offered overseas the applicant must pass the examination or predictor test prior to receiving certification.

Passage of a test predicting the success on the licensure or certification examination may be accepted only if a majority of the states (and Washington, D.C.) licensing the profession in which the alien intends to work recognize such a test.

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2. The organization must have policies and procedures for the revocation of certificates at any time if it is determined that the certificate holder was not eligible to receive the certificate at the time it was issued. If the organization revokes an individual's certificate, it must notify USCIS, via the Nebraska Service Center, and the appropriate state regulatory authority with jurisdiction over the individual's health care profession. The organization may not re-issue a certificate to an individual whose certificate has been revoked.

Criteria for Maintaining Accreditation

1. The organization must advise USCIS of any changes in purpose, structure, or activities of the organization or its program(s).
2. The organization must advise USCIS of any major changes in the evaluation of credentials and examination techniques, if any, or in the scope or objectives of such examinations.
3. The organization must, upon request, submit to USCIS, or any organization designated by USCIS, information requested of the organization and its programs for use in investigating allegations of noncompliance with standards and for general purposes of determining continued approval as an independent credentialing organization.
4. The organization must establish performance outcome measures that track the ability of the certificate holders to pass U. S. licensure or certification examinations.

The purpose of the process is to ensure that certificate holders pass U. S. licensure or certification examinations at the same pass rate as graduates of the U. S. programs. Failure to establish such measures, or having a record showing an inability of persons granted certificates to pass U. S. licensure examinations at the same rate as graduates of U. S. programs, may result in a ground for termination of approval.

Information regarding the passage rates of certificate holders must be maintained by the organization and provided to HHS on an annual basis, to USCIS as part of the 5-year reauthorization application, and at any other time upon request by HHS or USCIS.

5. The organization must be in ongoing compliance with other policies specified by USCIS.

Are There Any Limitations If This Application Is Approved?

If your application is approved, it will be approved for a period of 5 years. USCIS will conduct a review of your organization every 5 years to ensure continued compliance with the standards described. The review will occur concurrent with the adjudication of your request for reauthorization to issue health care worker certificates. If USCIS determines that you are not complying with the terms of authorization, or if other adverse information is brought to USCIS's attention, USCIS may proceed to terminate your authorization to issue health care worker certificates.

What Is Our Authority for Collecting This Information?

We request the information on this form to carry out the immigration laws contained in Title 8, U.S. Code, Section 1186.

We need this information to determine whether a person is eligible for immigration benefits. The information the organization or individuals on behalf of the organization provides may also be disclosed to other Federal, State, local, and foreign law enforcement and regulatory agencies.

The organization, or individuals on behalf of the organization, do not have to give this information. However, refusal to give some or all of it may result in denial of the application.

Address Changes

If you changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the National Customer Service Center at **1-800-375-5283**.

Processing Information

Any form that is not signed or accompanied by the correct fee will be rejected with a notice that the form is deficient. You may correct the deficiency and resubmit the form. An application or petition is not considered properly filed until accepted by USCIS.

Initial processing. Once a form has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without the required initial evidence, you will not establish a basis for eligibility and we may deny your form.

Requests for more information or interview. We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

Decision. The decision on a form involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

USCIS Forms and Information

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our Internet Web site at **www.uscis.gov**.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, **InfoPass**. To access the system, visit our Web site. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this form, we will deny the form and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-905.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 4 hours per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Products Division, Office of the Executive Secretariat, 20 Massachusetts Avenue, N.W., Washington, DC 20529-2020, OMB No. 1615-0086. This form expires August 31, 2011. **Do not mail your application to this address.**