

**Responses to 30-day FRN Public Comments
Form I-910 Revision**

Comment #	Public Comments	USCIS Response
Comment 1.	<p>Commenter: American Association of Nurse Practitioners</p>	
	<p>...</p> <p>The USCIS and Department of Health and Human Services (HHS) have co-jurisdiction over the promulgation of rules and regulations related to the designation of a civil surgeon and the performance of physical and mental examinations of applicants for immigration status. 1 These regulations state that a civil surgeon must be a physician (M.D. or D.O.) with at least four years of professional experience. 2 The focus of this agency information collection is Form I-910, Application for Civil Surgeon Designation, which is the form used to apply for a position as a civil surgeon. Currently only physicians are authorized to complete this form. 3 However, civil surgeons are not defined in statute as physicians, and the Secretary of Homeland Security (as exercised by USCIS) has the authority to draft the administrative regulations for civil surgeons. 4 We would like to take the opportunity of this information collection to request that USCIS update its regulations/guidelines, and any required forms, to include nurse practitioners as civil surgeons who perform physical and mental examinations for applicants for immigration status.</p> <p>Nurse practitioners have the education and clinical training to perform these examinations. Performing medical histories and physical examinations; screening for sexually transmitted diseases, tuberculosis and Hansen’s disease; evaluating the patient for physical or mental disorders related to substance abuse; ensuring the patient is properly vaccinated; and evaluating for other diseases or</p>	<p>Response: Thank you for your comment. The change that you suggest is outside of the scope of this form revision. Additionally, USCIS does not have the authority to make a regulatory change to appoint non-physicians as civil surgeons to perform immigration medical examinations. See 42 USC 252 (authorizing the Surgeon General to make regulations pertaining to medical examination of aliens), 42 CFR § 34.2(j) (defining medical examiners who perform immigration medical examinations as “panel physician, civil surgeon, or other physician designated by the Director to perform medical examinations of aliens”) and INA § 232(b) (examination of arriving aliens by medical officers).</p>

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	<p>abnormalities are all well within the scope of practice for nurse practitioners. Nurse practitioners have served as Federal Motor Carrier Safety Administration medical examiners since 1992, authorized to perform medical examinations for interstate truckers, and have full practice authority within the Veteran's Administration and Indian Health Service. NPs are also reimbursed for the components of these examinations in the Medicare and Medicaid programs, demonstrating that other agencies have long recognized that NPs are qualified to perform these types of examinations. Authorizing NPs to serve as civil surgeons will strengthen USCIS's ability to evaluate the medical conditions of applicants for immigration status.</p>	
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