

**SUPPORTING STATEMENT FOR  
PAPERWORK REDUCTION ACT SUBMISSION**

**Electronic Medical Examination for Visa Applicant  
OMB Number 1405-0230  
DS-7794**

**A. JUSTIFICATION**

*1. Why is this collection necessary and what are the legal statutes that allow this?*

This collection is necessary for panel physicians to input information from medical examinations into the eMedical portal so it can be transmitted to the Department and other agencies for visa or follow-to-join refugee and asylum adjudication and processing of certain parole applications and retained in the Department's and other agencies' systems.

Visa Applicants: INA § 221(d), 8 U.S.C. § 1201(d), requires that prior to issuance of an immigrant visa to any noncitizen, the consular officer shall require such noncitizen to submit to a physical and mental examination in accordance with such regulations as may be prescribed. Consular officers may require medical exams to determine whether a noncitizen is eligible for a nonimmigrant visa pursuant to INA § 221(d), 8 U.S.C. § 1201(d). The results of medical examination are used to determine the noncitizen's eligibility for such a visa under the INA, including the health-related visa ineligibility grounds in INA § 212(a)(1), 8 U.S.C. § 1182(a)(1).

Follow-to-Join Refugee and Asylum Applicants: INA § 412(b)(4)(B), 8 U.S.C. § 1522(b)(4)(B), requires the United States government to "provide for the identification of refugees who have been determined to have medical conditions affecting the public health and requiring treatment." Additionally, INA 207 and 208, 8 U.S.C. 1157 and 1158, require medical screening of follow-to-join refugee and asylum applicants.

Parole Applicants with Boarding Foils: Under INA section 212(d)(5) [8 U.S.C. 1182(d)(5)], the Secretary of Homeland Security may, in his discretion, parole into the United States temporarily under certain conditions for urgent humanitarian reasons or significant public benefit any noncitizen applying for admission to the United States. Consular officers aid the Department of Homeland Security in carrying out this function on a case-by-case basis by issuing boarding foils to Significant Public Benefit Parole (SPBP) or Humanitarian Parole (HP) beneficiaries, after such beneficiaries receive an authorization memo from USCIS and complete required processing steps, including completion of a medical examination.

Parole Applicants Without Boarding Foils: As a result of the Afghan evacuation and Operation Allies Welcome, some Afghan nationals paroled into the United States or who are seeking permission to apply for parole into the United States but who are not issued a boarding foil by the Department are required to undergo a medical examination under DHS authority and the Secretary of Health and Human Services (HHS) authority to prevent the introduction, transmission, and spread of communicable diseases into the United States (42 U.S.C. § 264). Medical exams for these individuals are processed through eMedical, although the Department is not directly involved in these cases.

*2. What business purpose is the information gathered going to be used for?*

The purpose of the medical examination report is to determine whether the applicant for a visa or an individual seeking parole has a medical condition that renders the applicant ineligible to receive a visa or inadmissible into the United States or has a medical condition which, although not constituting a specific excludable condition, represents a departure from the normal health or well-being that is significant enough to interfere with the applicant's ability to care for himself, prevent attendance at school or work, or requires extensive medical treatment or institutionalization in the future.

**Visas Applicant/Parole Applicants with a Boarding Foil/Follow-to-Join Refugees/Asylum Applicants:** A panel physician, selected by the consular post in accordance with instructions issued by the Centers for Disease Control and Prevention ("CDC"), performs the medical examination of the applicant and submits the electronic medical report via the eMedical system. For the purposes of this submission, the "respondent" may be the panel physician, who fills in the eMedical forms, or the noncitizen, who is the source of the medical information recorded in the collection. The medical finding by the panel physician (or, on occasion, by the CDC, if a medical issue is referred to that agency) is binding on the consular officer in adjudicating or otherwise confirming the noncitizen's eligibility for the travel document that the noncitizen is seeking. The information requested on the forms is limited to the result of any diagnostic tests required for the diagnosis of the diseases identified as communicable diseases of public health significance and other evaluations identified as necessary to confirm a medical ineligibility under INA § 212(a)(1), 8 U.S.C. § 1182(a)(1) or to comply with other requirements.

**Parole Applicants Without Boarding Foils:** Collecting parolee health and contact information through eMedical allows for the transfer of health information to CDC's Electronic Disease Notification (EDN) system, a system that actively notifies U.S. public health departments and/or other authorized healthcare providers serving noncitizens who arrive in their jurisdictions to reduce the risk of transmission and spread of communicable diseases in U.S. communities. The information is shared with relevant state health departments so they can share with local health departments to facilitate any needed medical care to reduce risk of communicable disease spread. It also helps reduce duplication in vaccination of these populations and costs if state health departments know which vaccines have already been provided.

*3. Is this collection able to be completed electronically (e.g., through a website or application)?*

The eMedical system is completed electronically. The eMedical system serves as a conduit for panel physicians to submit medical exam information to the Department and CDC electronically. CDC does not have a separate information collection request (ICR) for this collection. There is an information sharing agreement between CDC and the Department governing access to medical information. Approved panel physicians will be granted access to the eMedical system by the Department. The panel physician inputs the exam information into the eMedical portal and it is electronically transmitted to the Department for visa adjudication. Immigrant visa applicants with a completed and submitted DS-260, Electronic Application for Immigrant Visa and Alien Registration, will have their medical exam results submitted to the Department via eMedical and considered during adjudication. For Afghan parole applicants that do not require a boarding foil, approved panel physicians, DOD full time staff, contractors, and International Organization for Migration (IOM) staff will be granted access to the eMedical system by the CDC. The parole applicant's health and contact information will be input into the eMedical portal and electronically sent to CDC's EDN system that will notify the relevant U.S. public health department and/or other authorized healthcare provider that a parolee has entered their

jurisdiction and may need medical care. Using electronic notifications is preferred since it allows for more rapid notification to states. Some parole applicants who require a boarding foil may also be processed through eMedical. If such individual is processed through eMedical, the system will operate in the same manner as it does for visa applicants. The manner in which the noncitizen parole applicant is processed through eMedical will depend on the nature of parole as determined by the Department of Homeland Security.

*4. Does this collection duplicate any other collection of information?*

The information collected is not maintained elsewhere or otherwise available. To the extent the information collected is duplicative of information collected under OMB Control Number 1405-0113, the paper medical forms, the Department intends to collect information from individual applicants under only one collection. The electronic medical examination form (DS-7794) was initiated in a pilot program in 2018 at three posts. The pilot program was followed by the rollout in six waves; the final wave rolled out on May 11, 2020. There is an ongoing transition period during which some cases are available for use with the DS-7794 and others still require the paper medical forms. Until the full transition to the electronic medical examination, the collection may appear duplicative, but is not in practice.

*5. Describe any impacts on small business.*

The information collection does not involve U.S. small business or other small entities in the United States.

*6. What are the consequences if this collection is not done?*

**Visa Applicants/Follow-to-Join Refugee/Asylum Applicants:** This information collection is essential for determining the eligibility of noncitizens seeking immigrant or nonimmigrant visas to enter the United States. Panel physicians fill out the medical examination report, via eMedical, for each medical examination of an applicant.

**Parole Applicants Who Need a Boarding Foil:** This information collection is essential for processing boarding foils for certain individuals seeking parole to enter the United States. Panel physicians fill out the medical examination report, via eMedical, for each medical examination of an individual seeking a boarding foil.

**Parole Applicants Who Do Not Need a Boarding Foil:** Not collecting health information for Afghan parolees who do not require a boarding foil and sharing it with U.S. public health departments and other authorized healthcare providers could result in a higher risk of transmission and spread of communicable disease outbreaks in U.S. communities if individuals are not able to receive any needed medical care. Additionally, if public health departments do not receive documentation of vaccine doses the parolees have already received, that could result in parolees being either re-vaccinated unnecessarily, or completely missing the next dose for which they were scheduled.

*7. Are there any special collection circumstances?*

No special circumstances exist.

*8. Document publication (or intent to publish) a request for public comments in the Federal Register*

The Department published a notice in the Federal Register on April 21, 2022, soliciting public comments. No comments were received.

9. *Are payments or gifts given to the respondents?*

No payment or gift is provided to respondents.

10. *Describe assurances of privacy/confidentiality.*

Visas Applicants/Parole Applicants with Boarding Foils: Visa applicants and individual seeking a boarding foil for purposes of parole will be informed that the information obtained through the panel physician as part of the collection, in the case of visa applicants, will be used to determine medical eligibility under INA § 212(a), 8 U.S.C. § 1182(a). In accordance with INA § 222(f), 8 U.S.C. § 1202(f), information obtained from applicants in the visa process is considered confidential and to be used only for certain purposes enumerated in statute, including the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States. To the extent that visa applicants subsequently acquire U.S. citizenship or Lawful Permanent Resident (LPR) status, or applications contain information about U.S. citizen petitioners or other U.S. citizens or LPRs, such records are covered by a Privacy Act System of Records Notice, State-39 Visa Records. The Visa Records system maintains information used to assist the Bureau of Consular Affairs and consular officers in the Department and abroad in adjudicating visas.

Follow to Join Refugee/Asylum Applicants: In the case of refugees, applicants will be informed that the information obtained through the panel physician is a part of the collection as required under INA § 412(b)(4) and (5), 8 U.S.C. § 1522(b)(4) and (5).

Parolee Applicants Without Boarding Foils: To the extent applicable to an individual parolee, under CDC's System of Records Notice 09-90-2001, Records Used for Surveillance and Study of Epidemics, Preventable Diseases and Problems, CDC will share health information about parolees with U.S. public health departments and other authorized healthcare providers to facilitate medical care to these populations as needed to protect their health and the public health of U.S. communities.

11. *Are any questions of a sensitive nature asked?*

Yes, the eMedical form collects health and medical information of a sensitive nature. The questions on the collection are designed to solicit the medical information necessary to determine whether an individual is eligible for the immigration benefit sought.

When a noncitizen submits their DS-260, Electronic Application for Immigrant Visa and Alien Registration, they will be advised of the requirement to undergo the medical examination in order to assess their visa eligibility under INA §§ 212(a)(1), 8 U.S.C. §§ 1182(a)(1). Noncitizens seeking a boarding foil for the purposes of parole will be informed either by the Department of Homeland Security or the consular post where they are seeking the boarding foil that the medical examination will be required. Noncitizens will be advised that the information will be temporarily stored in the eMedical system hosted, operated, and maintained by the Australian Department of Home Affairs, and that the information is being transferred to the U.S. Government for the purposes of enabling the U.S. Department of State to determine applicants' eligibility for a U.S. visa. In essence, the Australia Department of Home Affairs acts as a contractor for the eMedical system. The operation of the eMedical system is governed by

memoranda of understanding between all parties to the system. Applicants will be advised that the information from the medical examination may be accessible to other U.S. government agencies having statutory or other lawful authority to use such information, including for law enforcement and immigration enforcement purposes.

*12. Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection*

Visas Applicant/Parole Applicants with a Boarding Foil/Follow-to-Join Refugees/Asylum Applicants: Approximately 700,000 noncitizens will annually submit an electronic medical examination. A panel physician completes an examination for each individual. The estimated amount of time it takes for a medical professional to complete the medical exam is one hour. One hour is a reasonable estimate for time it will take to complete each instance of collection. Therefore, the annual hour burden to respondents is estimated to be 700,000 hours (700,000 respondents x 1 hour). Based on the average U.S. hourly wage of \$27.07<sup>1</sup> the weighted wage hour cost burden for this collection is approximately \$28,423,500. This is based on the calculation of 1 hour x \$27.07 (average hourly wage) x 1.5 (weighted wage multiplier, which adjusts the average hourly wage to a “fully loaded” salary, including, e.g., benefits, etc.) x 700,000 respondents = \$28,423,500.

Parole Applicants Without a Boarding Foil: The time it takes to administer a medical examination to Afghan parole applicants who do not require a boarding foil is estimated to be approximately 30 minutes, as the medical examination is limited per CDC and DHS policy. Therefore, total burden hours could be approximately 200,000 hours, when using the high-end estimate of 400,000 persons required to have an examination. Based on the average U.S. hourly wage of \$27.07 the weighted wage hour cost burden for this collection is approximately \$4,060,500. This is based on the calculation of 0.5 hour x \$27.07 (average hourly wage) x 1.5 (weighted wage multiplier, which adjusts the average hourly wage to a “fully loaded” salary, including, e.g., benefits, etc.) x 400,000 respondents = \$8,121,000.

*13. Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.*

Visas Applicant/Parole Applicants with a Boarding Foil/Follow-to-Join Refugees/Asylum Applicants: Based on discussions with CDC and feedback from consular posts, the estimated average cost of medical examinations administered by panel physicians worldwide is \$100 per examination, the average cost of vaccinations is \$350, and the number of applicants per year is 700,000, making the estimated annual cost burden \$315,000,000. (\$100 medical examination + \$350 vaccinations = \$450 cost burden to applicant. \$450 x 700,000 applicants = \$315,000,000.)

Parole Applicants Without a Boarding Foil: Parole applicants who do not require a boarding foil and are processed through eMedical bear no cost.

*14. Describe the cost incurred by the Federal Government to complete this collection.*

Visas Applicant/Parole Applicants with a Boarding Foil/Follow-to-Join Refugees/Asylum Applicants: There is no cost to the Federal Government associated with this collection. The cost to the federal government associated with this collection is accounted for in the cost associated

<sup>1</sup> Source: Data from the U.S. Bureau of Labor Statistics' May 2018 National Occupational Employment and Wage Estimates for all occupations ([https://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](https://www.bls.gov/oes/current/oes_nat.htm#00-0000)). Retrieved January 13, 2020.

with processing the based application for the immigration benefit sought. That cost accounts for the entire cost of adjudicating the benefit. No additional cost is incurred in reviewing the medical examination.

Parolee Applicants Without a Boarding Foil: The CDC anticipates the data entry of parolee information will cost \$6,115,000. These costs fall into the following categories: (1) DOD Data Entry Contract: \$6,000,000 (\$1,500,000/3months x 4 renewals); and (2) eMedical developer time to update eMedical to accept parolee information: \$115,000

*15. Explain any changes/adjustments to this collection since the previous submission*

The burden has increased from the last submission to OMB to reflect the addition of certain individuals seeking parole. There is no increase in burden associated with the addition of COVID-19 vaccination questions.

*16. Specify if the data gathered by this collection will be published.*

A quantitative summary of all Department of State visa activities is published in the annual Report of the Visa Office. The Report of the Visa Office is an annual report providing statistical information on immigrant and nonimmigrant visa issuances by consular offices, as well as information on the use of visa numbers in numerically limited categories. The Visa Office currently has annual reports available from 2000 to 2019. The link to the site is: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics.html>. Health information may be published for evaluation purposes by the CDC, but it would be de-identified and follow the requirements in CDC's System of Records Notice 09-90-2001, Records Used for Surveillance and Study of Epidemics, Preventable Diseases and Problems.

*17. If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.*

The Department will display the expiration date for OMB approval of the information collection.

*18. Explain any exceptions to the OMB certification statement below.*

The Department is not requesting any exception to the certification statement.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.