



Early Childhood and Family Support Division

Policy: ECFSD	Subject: Conrad 30 J-1 Waiver Visa – Priority of Positions Policy
Chapter	Attachment:
Last Reviewed: 04/24/2026	Effective Date:
Next Review:	Revised:

1. PURPOSE

- A. The purpose of this policy is to provide clear guidelines for the priority allocation of primary care, specialty care, and flex positions participating in the Montana Department of Public Health and Human Services (MT DPHHS) Conrad 30 J-1 Visa Waiver Program (J-1 Visa). This policy is intended to balance the program's core mission of increasing access to primary medical care in underserved areas of Montana, with providing access to specialty medical care as well as medical care in areas outside a health professional shortage area.

2. APPLICABILITY

- A. This policy applies to the Conrad 30 J-1 Visa Waiver Program, the physicians maintaining employment and providing care through the J-1 Visa Program, and approved J-1 Visa employers across Montana.

3. DEFINITIONS

Conrad 30 J-1 Waiver Visa Program – a program overseen by the U.S. Citizenship and Immigration Services which allows the Montana Department of Public Health and Human Services to grant up to thirty (30) requests per year for foreign physicians to work in Health Professional Shortage Areas (HPSA) in Montana.

Flex Position – a J-1 physician performing health services in a primary care or specialty care setting that is outside a HPSA and is providing care to patients that reside in a shortage area.

Full-Time Practice – a work schedule of no less than 40 hours per week dedicated to direct patient care.

Health Professional Shortage Area – designated geographic areas, population groups, or specific facilities that lack sufficient health care providers to meet the needs of the population.

Primary Care Position – a J-1 physician performing health services related to family medicine, internal medicine, pediatrics, obstetrics, or gynecology. This definition is based on [United States Codere reference](#).

Specialty Care Position – a J-1 physician performing health services in a medical specialty outside of primary care.



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4. POLICY

- A. The MT DPHHS recognizes the importance of providing access to medical care across the state, including both primary and specialty medical care. The federal requirements for the MT DPHHS J-1 program include a limit of 30 total J-1 positions each year. Up to 10 of the available 30 positions can be flex positions. Therefore, MT DPHHS will prioritize complete J-1 visa waiver applications based on the order received and limit the number of positions available for primary care, specialty care, and flex positions.

5. CONDITIONS FOR PRIORITY OF POSITIONS

The following conditions must be met for a J-1 physician to be prioritized for consideration of a visa waiver position:

- A. **Contractual Agreement:** The physician's employment contract must explicitly state the type of medical services that are a part of their duties and must clearly define the scope, frequency, and location of these services.
- B. **Full-Time Obligation:** The type of care (primary care or specialty care) does not alter the physician's fundamental obligation to maintain a full-time practice of at least 40 hours per week.
- C. **Processing Applications:** J-1 visa waiver applications will be processed in the order received. If any information is incomplete the applicant and/or their attorney will be contacted. Only complete applications will be considered for a visa waiver recommendation.
- D. **Primary Care Physicians:** A primary care physician working in health professional shortage area is eligible for one of 30 positions. A primary care physician working outside a shortage area, is eligible for one of 10 flex positions.
- E. **Specialty Care Physicians:** A specialty care physician working in a health professional shortage area is eligible for one of 15 positions. A specialty care physician working outside a shortage area is eligible for one of 5 flex positions.
- F. **Maximum Capacity:** If the number of approved waiver requests reaches the maximum capacity for primary care of 30, specialty care of 15, or flex positions of 10, the MT DPHHS will reject subsequent applications and notify the applicant and/or attorney in writing.
- G. **Compliance with Regulations:** The physician and the employing facility must comply with all applicable state and federal laws, including those related to privacy (HIPAA), licensure, and reimbursement for health services.



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6. CLOSING

- A. Questions concerning this procedure should be directed to the MT DPHHS Primary Care Office Program Specialist.