

LeadingAge^{PA} / 2023

FALL FINANCE

CONFERENCE

EMPLOYMENT AND IMMIGRATION

How to work with immigrants and refugees to bolster your workforce



VISA STRATEGIES FOR NURSES

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VISA STRATEGIES FOR NURSES – OVERVIEW

- Few visas specifically designed for nursing work
- There is a “short cut” to permanent residence (a “green card”) for immigrant nurses, but it’s not so short
- Permanent residence strategy generally doesn’t allow nurses to work for U.S. employer during GC process



POTENTIAL TEMPORARY VISA CATEGORIES: TN FOR NURSES

- Only for Mexican/Canadian citizens
- The requirements that must be met when applying for a TN visa are the following:
 - Proof of Canadian or Mexican citizenship
 - Evidence of Qualifications (original documents must be presented):
 - Registered Nurse state/provincial license or Licenciatura Degree
 - CGFNS VisaScreen for entry into the US
 - Job offer letter
 - Non-immigrant intent
- U.S. state licensure concerns



POTENTIAL TEMPORARY VISA CATEGORIES: H-1B – SPECIALTY OCCUPATION

- Job must require a bachelor's degree related to the position
- Difficult to obtain for Registered Nurses – depends on requirements of the petitioning institution and complexity of the job
- H-1B may be successful for specialized nursing positions
- USCIS's position is that general nursing roles do not qualify, as they do not require the minimum of bachelor's degree



POTENTIAL GREEN CARD OPTION: I-140 IMMIGRANT PETITION BASED ON SCHEDULE A

- Under DOL rules Schedule A positions (including Registered Nurses and Physical Therapists) do not require a full test of the labor market due to a shortage of U.S. workers available for these positions.
- Even the streamlined process can take significant time
 - Prevailing wage determination (can take 8+ months)
 - I-140 processing times (can use premium processing to reduce time)
 - Priority dates (the person's place in the visa line)
 - Adjustment of status in the US v. Consular processing of the immigrant visa

NOVEMBER VISA BULLETIN

Employment-based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	01AUG22	01JUL19	C	C
2nd	01JAN23	01JAN20	15MAY12	01JAN23	01JAN23
3rd	01FEB23	01SEP20	01AUG12	01FEB23	01JAN23
Other Workers	15DEC20	01JUN17	01AUG12	15DEC20	15MAY20
4th	01MAR19	01MAR19	01MAR19	01MAR19	01MAR19
Certain Religious Workers	01MAR19	01MAR19	01MAR19	01MAR19	01MAR19



POTENTIAL GREEN CARD OPTION: I-140 IMMIGRANT PETITION BASED ON SCHEDULE A (CONT'D)

- The minimum requirements for a Registered Nurse position to be approved by USCIS and DOL are the following:
 - Nursing Diploma/Associate's Degree in Nursing AND one of the following:
 - (1) Valid state RN license;
 - (2) CGFNS Certificate; or
 - (3) NCLEX Examination
- Pursuing Schedule A does not give the prospective employee the ability to work for the prospective employer. They can only work if they have a valid EAD or nonimmigrant visa



KEY ELEMENT FOR REGISTERED NURSES: CGFNS VISA SCREEN

- What is it?
 - Certificate issued by CGFNS [Commission on Graduates of Foreign Nursing Schools] after analysis of education, licensure validation, English language proficiency, and an exam of nursing knowledge.
- This certificate must be presented as part of the application for an immigrant visa (consular processing) or adjustment of status during the green card process through Schedule A.
- Also required for non-immigrant options for admission to the US.



IMMIGRATION UPDATE FROM WASHINGTON

Ruth Katz

Senior Vice President for Policy

LeadingAge (National)

"It says something about our country that people around the world are willing to leave their homes and leave their families and risk everything to come to America. Their talent and hard work and love of freedom have helped make America the leader of the world. And our generation will ensure that America remains a beacon of liberty and the most hope filled society this world has ever known."

President George W. Bush



"I've always argued that this country has benefited immensely from the fact that we draw people from all over the world."

Chairman Alan Greenspan



OVERVIEW

- Our immigration system is terribly broken
- What are the barriers to helping more motivated, qualified immigrants to come to the U.S. and work in long-term care?
- Fixing the current visa system – on Capitol Hill and with the Administration
- Recent developments related to immigration policy
- Current proposals under discussion
- LeadingAge recommendations for change
- Outlook
- What can you do?



A BADLY BROKEN SYSTEM

- Our current visa system was created in 1990 – stuck in time
- The visa system is skewed toward people with high levels of skills, qualifications, and education
- Immigrants make up 13.6% of the U.S. population and 17% of the workforce
- Immigrants will account for 88% of population growth in the U.S. through 2065
- About 80% of the people in the U.S. who were born outside of the country are here legally
- More than 1 million immigrants arrive in the U.S. every year
- Since 1980, about 3 million refugees have settled in the U.S.



WHAT ARE THE BARRIERS?

- About 25% of the aging services workforce is foreign born – most are here by chain migration.
- There are few pathways for front line staff to come to the U.S.
- Long delays in visa processing for EB-3 visas
- Country limits; preference for certain occupations
- No priority for health and LTC
- Long delays for Department of Labor prevailing wage determinations/ PERM process
- Communication and language issues
- Meanwhile – unemployment in the U.S. is at a 54 year low...



FIXING THE CURRENT SYSTEM - CONGRESS

- Tension between addressing issue at the border vs. legal immigration
- Starting early - HR 2 – Secure the Border Act
- The DIGNITY ACT – bipartisan House measure, May
 - Dignity for Immigrants while Guarding Our Nation to Ignite and Deliver the American Dream Act of 2023
- DREAM ACT – bipartisan Senate measure, February
- Citizenship for Essential Workers
- Numerous border protection, child welfare proposals



FIXING THE CURRENT SYSTEM - ADMINISTRATION

- **Improve the efficiency of U.S. Citizenship and Immigration Services by improving online filing and shortening forms**
- **Speed State Department visa processing**
- **Improve customer service so workers and employers have better information when they need it**
- **Give temporary workers more time to find jobs through regulatory change**
- **Widen existing pathways – ensure annual caps are met, grant work authorization to more spouses, update the list of “shortage” occupations for which green card access is expedited**



RECENT DEVELOPMENTS IN IMMIGRATION POLICY

- **Retrogression**
 - **LeadingAge coalition letter**
- **Efforts to speed up Department of Labor processes**
- **Refugees/ Asylees**
 - **September was the 2nd highest month of illegal crossings at southern border (Venezuela, Ecuador, Haiti, China)**
 - **Administration calls for increased enforcement**
 - **Temporary Protected Status for Venezuelans for 18 months for those residing in the U.S. on or before July 31 (protection and employment authorization)**
 - **Supplemental request from Administration to secure the border while accelerating processing of work authorizations**
- **LIBERTY Coalition – “inaction is unacceptable”**



LEADINGAGE RECOMMENDATIONS

- **LeadingAge International Migration of Aging and Geriatric Workers in Response to the Needs of Elders (IMAGINE)**
 - A new “caregiver visa” program
 - A new guest worker program – H2Age
 - A new category of J-1 visas for older adult service workers (similar to childcare workers)
 - Clarify that R-1 religious visas can be used in religious aging services organizations
 - Increase quotas for EB-3; target aging services
 - Increase refugee ceilings; streamline process of coming to the U.S.
 - Streamline and shorten administrative processing of visas
 - Fix retrogression timing
 - Speed up processing for people with student visas who want to work



OUTLOOK

- 80% of Americans support bipartisan reforms to address labor shortages and inflation and protect people already in the US contributing to their communities
- Unrest, instability in the House
 - Must pass bills
- International crises
- Highly polarized Congress, culture
- Tension between border control and legal immigration
- Time to catalog problems, challenges, needs, and educate policy makers



WHAT CAN YOU DO?

- Tell us what's happening and what's on your mind, early and often, please
- Respond to Action Alerts
- Join us at Annual Meeting and Leadership Summit
- Join virtual or in person meetings on Capitol Hill
- Be ready to TELL YOUR STORY – don't worry about being a lobbyist or a policy wonk. You do you!
- Share your grassstops connections, please.
- Write blog posts, op ed pieces, letters, and comments. Use social media
- Together we can!



We work for you!

Ruth Katz

**Senior Vice President for
Policy**

LeadingAge

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- **IN THE COMMUNITY: PARTNERING WITH**
- **PASSPORT USA TO EMPLOY FOREIGN**
- **EDUCATED NURSES (FEN)**

Tanya Ulrich

Vice President and Chief Human Resources Officer

Presbyterian SeniorCare Network



WHY WE SELECTED PASSPORT USA

PassportUSA is the leading provider of U.S. career opportunities for internationally trained RNs, PTs, OTs, SLPs, and medical technologists.

- They have acquired immigrant and non-immigrant U.S. visas for thousands of international healthcare professionals, providing wonderful careers within leading U.S. healthcare organizations.
- The process starts six months prior to U.S. arrival
 - Present candidates in their pipeline for employers to interview and hire
 - Reduces time for arrival since they present candidates for interview that are further in the pipeline
- 30+ course hours plus 8-week ATI Nurses Touch coursework
- Focus on customer service, collaboration, critical thinking, EMR, and physical assessment
- Clinical Content Simulations
- Additional training provided stateside as needed throughout duration of assignment
- PPUSA is the employer of record

World-Class Global Talent for U.S. Healthcare Facilities

Our Purpose: Improving Lives and Making Healthcare Work Better



Settings

- ✓ Acute Care
- ✓ University Systems
- ✓ Critical Access Hospitals
- ✓ Behavioral Health Facilities
- ✓ Therapy Clinics
- ✓ Home Health
- ✓ Acute Rehab Facilities
- ✓ SNF / LTC Facilities

Top Clients

- University of Pittsburgh Medical Center
- Duke University Medical Center
- West Virginia University
- Lutheran Hospital of Indiana
- Encompass Health Rehabilitation
- Wilkes-Barre General
- Dekalb Medical Center
- Regional Hospital of Rapid City
- Eastern New Mexico Medical Center
- LHC Group



RETENTION RATE

86%

of assignments convert to full-time-employees



AVERAGE REVIEW SCORE

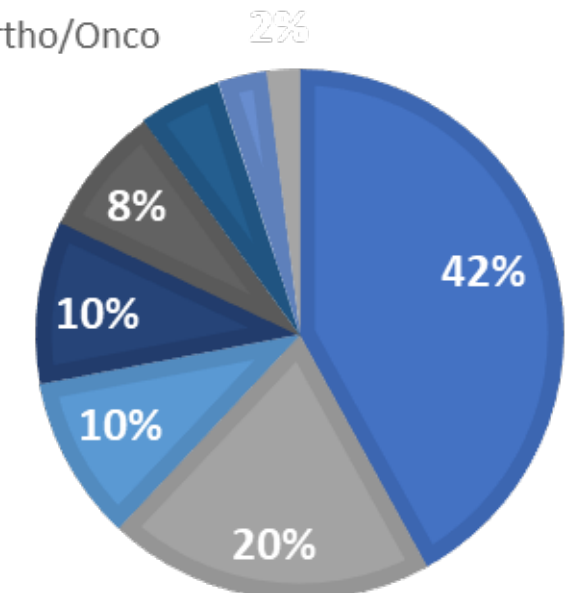
Quality Score of our nurses

4.6/5.0

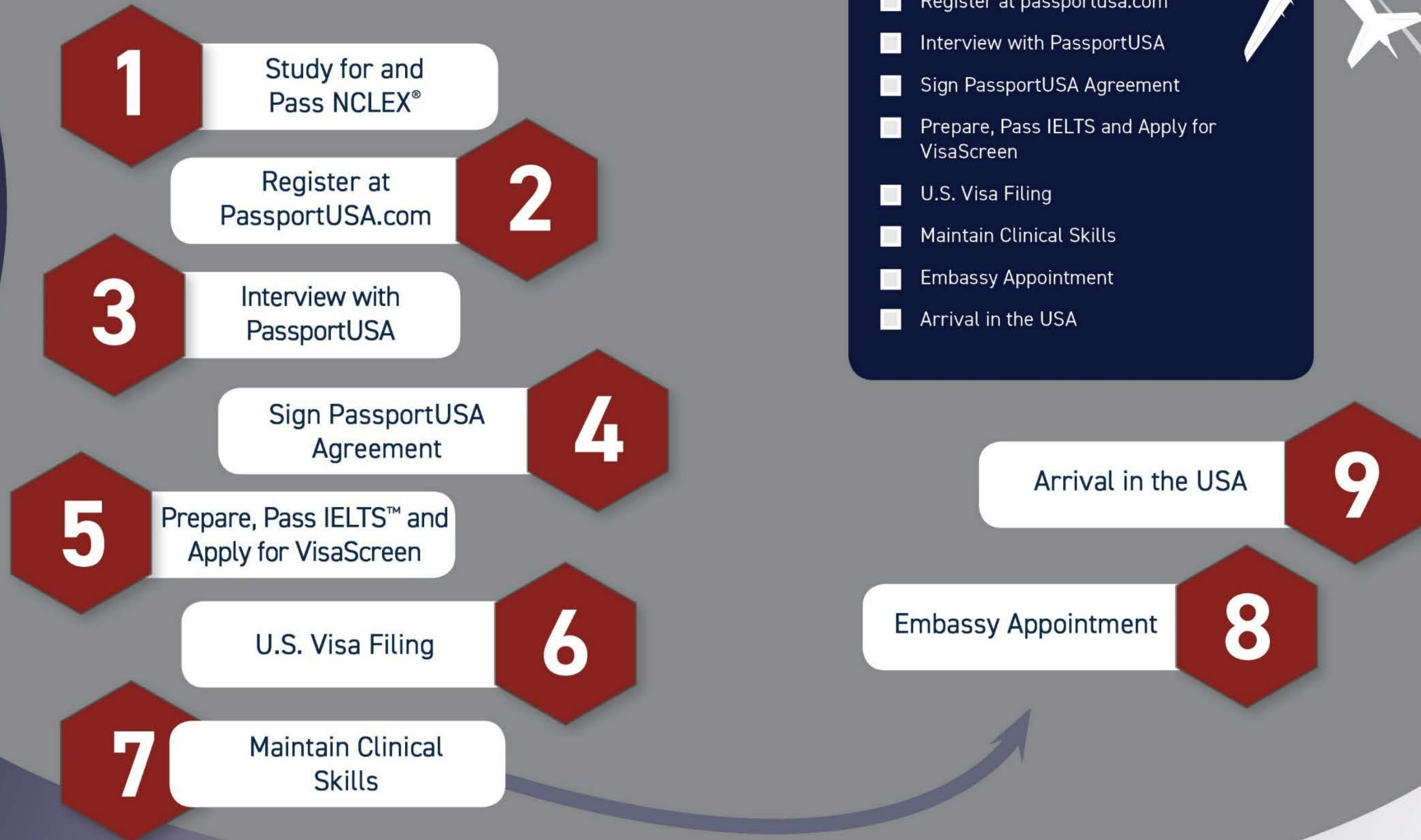


Nursing Specialties

- MS/Neuro/Tele/Cardiac/Ortho/Onco
- ICU/CCU
- Behavioral Health/PSYCH
- ER
- OR
- L&D/Women's
- Pediatric
- Dialysis



A Nurse's Journey to the USA



COST AND TIMING

Contract executed 8/30/2019

- Difference in cost between International Nurse Recruitment (INR) and Passport estimated to be about 20K over 4 years.
- Monthly Bill rate (\$63.90*6240 hours) (36 months)

First nurse arrived on 1/6/2020 with 5 hired (4 from the Philippines and one from Kenya) for The Willows.

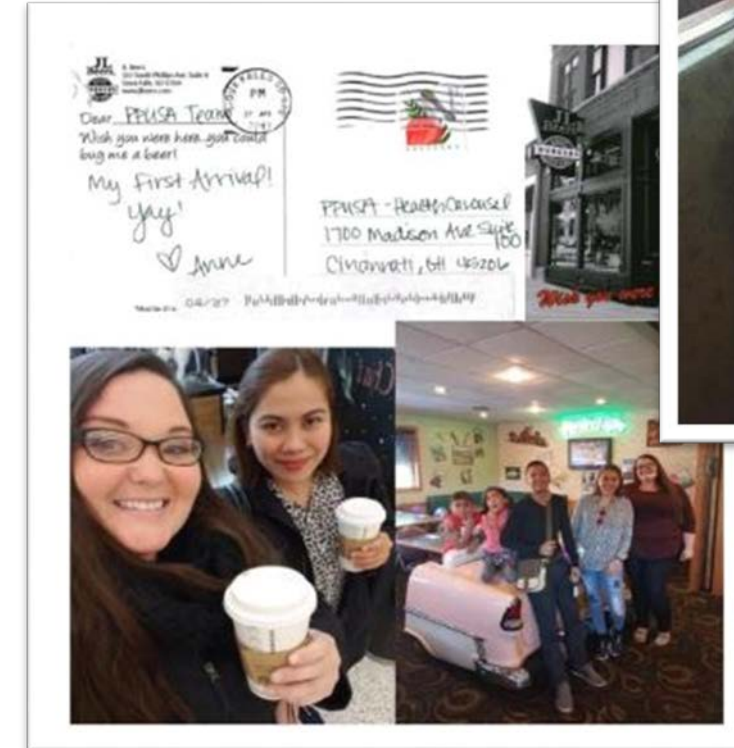
- Later expanded to our Oakwood Heights and Erie Campuses for a total of 10 hires

PassportUSA World-Class Arrival Program

PassportUSA meets every arrival at their assignment location.

Successful onboarding is achieved by:

- Arrival bonus & housing allowance
- Paid airfare
- Bank account set-up
- Free mobile phone
- International AutoSource
- Housing scouting
- Social Security Number
- Driving lessons
- New hire paperwork assistance
- Additional on-location assistance
- And more...



“ Ashley is very much involved, she even goes out of her way to give moral and emotional support, even with personal concerns like family matters. She is more than my IES, she is my family.”

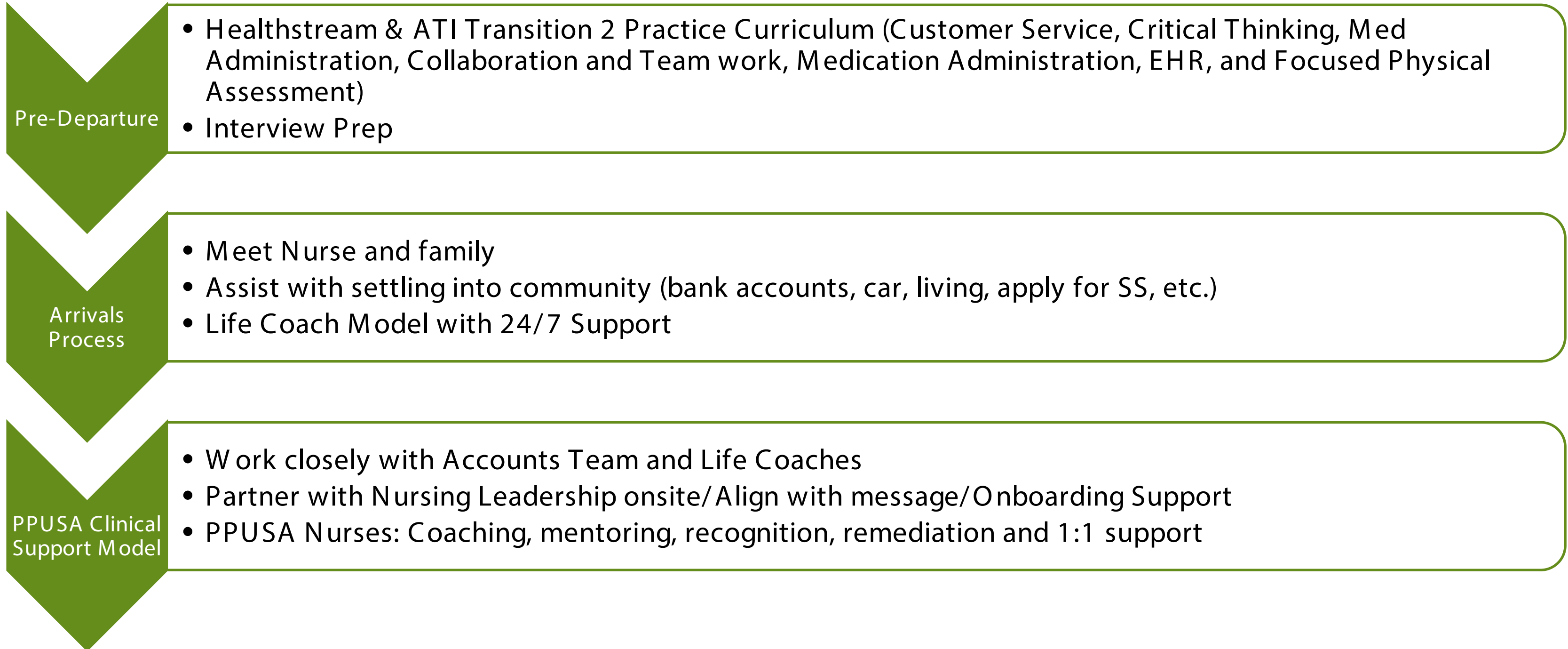
PassportUSA Provides Ongoing Support

- Individualized support through dedicated Life Coaches
- HealthStream Memberships/ATI
- CEU credits
- English coach onsite
- Assistance with life skills
- Regular check-ins with professional and client
- Nursing leadership team's guidance and training



“*Deirdre is very supportive and never failed to find ways and means to make sure my concerns are addressed even if it meant looking for people who can help me better resolve them. She is very resourceful. Willing to listen when need be. Solution-oriented and has never failed to celebrate my achievements . . . I am fortunate to have her as my IES. ♥️👍*”

PassportUSA Nursing Team Model





CAMPUS PREPARATIONS FOR ARRIVAL

Communication with Current Team Members

Provided overview sessions for current team members reviewing the rationale and **“the Why”** behind partnering to bring in Foreign-educated Nurses.

- Current Workforce Situation
- Strong qualifications of Foreign Educated Nurses
- Review of Countries and Customs
- Photo introduction of arriving nurse

CAMPUS PREPARATIONS FOR ARRIVAL

Campus Arrival and Onboarding

- Nurse completes our New Hire Orientation Process
- Focus on Best Practice for Orientation on International Nurses including:
 - Effective communication including acronyms, abbreviations, idioms, gestures, slang terms, etc.
 - American Culture
 - Assertiveness, Collaboration, delegation and conflict management
 - Autonomy and clinical decision making
 - Organizational chain of command
 - Available resources e.g. protocols, policies and procedures, etc.
 - Teach Back Methodology for Orientation
 - Ensure provision of tasks and workload to nurse during orientation to facilitate acclimation to critical thinking and time management

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QUESTIONS?

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