



Published on *US Immigration Lawyer, Law Offices of Rajiv S. Khanna, PC, Rajiv S. Khanna* (<https://immigration.com>)

Physicians (FMG) NIW, AC21 portability, Teaching to clinical position

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Submitted by Chief Editor on May 20th 2017

Do the 3 years spent in residency training in an HPSA/MUA area be counted towards the five years required for NIW? The residency training (3 years) and subsequent job (2 years) were on H1B visa in two different HPSA/MUA areas but not processed through NIW route. Can the NIW petition be filed now retrospectively for those years already worked in underserved areas? My current GC sponsoring job is in a University teaching hospital (job designation Assistant Professor) but obviously also involves treating patients. The PERM prevailing wage category was teacher/ Professor but job description included patient care. Can the job be changed to that involving only patient care (no teaching) and still be considered same/ similar? How about a job (with patient care only & no teaching) in a private practice (as opposed to hospital employee)?

ANSWER:

Watch the Video on this FAQ: Physicians (FMG) NIW, AC21 portability, Teaching to clinical position ^[2]

Video Transcription

Under the current regulations beginning January 17, you can actually ask for a predetermination before you change jobs. You can send your Supplement J and wait, for they got to decide it before you join the new employer. They will readjudicate the case so you will know if you are safe when you move instead of just jumping. [More...](#) ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

H-1 Visa ^[3]

Green Card:

[AC21 AOS Portability](#) [4]

[Employment Based Green Cards](#) [5]

[National Interest Waiver](#) [6]

[PERM - Labor Certification](#) [7]

FAQ Transcript:

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Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [8] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [9]

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Links:

[1] <https://immigration.com/faq/ac21-aos-portability-employment-based-green-cards-national-interest-waiver-perm-labor>

[2] https://youtu.be/r_QviFEXoSo?t=2444

[3] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>

[4] <https://immigration.com/greencard/green-card/adjustment-status/ac21-aos-portability>

[5] <https://immigration.com/greencard/green-card/employment-based-green-cards>

[6] <https://immigration.com/greencard/green-card/employment-based-green-cards/national-interest-waiver>

[7] <https://immigration.com/greencard/green-card/perm-labor-certification>

[8] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[9] <http://www.immigration.com>

[10] <https://immigration.com/JavaScript%3Aavoid%280%29%3B>