



September 4, 2013

PM-602-0079.1

Policy Memorandum

SUBJECT: Extension of Validity of Medical Certifications on Form I-693

Purpose

This policy memorandum (PM) temporarily extends the validity of civil surgeon endorsements on Form I-693 for adjustment of status and temporary residence applicants. This PM updates the Adjudicator's Field Manual (AFM) by revising Chapter 40.1(c), (AFM Update AD13-13). The guidance contained in this PM is controlling and supersedes any prior guidance on the subject.

Scope

Unless specifically exempted herein, this PM applies to and is binding on all U.S. Citizenship and Immigration Services (USCIS) employees.

Authority

- Immigration and Nationality Act (INA) section 232
- 8 CFR 232

Background

The endorsement of a civil surgeon on Form I-693, Report of Medical Examination and Vaccination Record, is generally valid for one year. Form I-693 is a requirement and is filed in conjunction with Form I-485, Application to Register Permanent Residence or Adjust Status, and Form I-687, Application for Status as a Temporary Resident Under Section 245A of the INA. Some I-485 and I-687 applications remain pending for more than the one-year validity period of the Form I-693.

In a PM dated December 20, 2012, USCIS extended the validity period of the civil surgeon endorsement on Form I-693 until the underlying adjustment of status or temporary residence application could be adjudicated. This policy was issued in consultation with the Centers for Disease Control and Prevention (CDC) and it was limited to those applications where no Class A or Class B medical condition, other than a Class B condition annotated in the "Other Medical Conditions" section, was certified. This policy is in effect until September 30, 2013.

Policy

Even if more than one year has elapsed since the civil surgeon's endorsement of a Form I-693 submitted in support of an I-485 or I-687 application, the Form I-693 should be considered valid in any case in which:

- The Form I-693 shows that the applicant had no Class A or Class B medical condition (other than a Class B Other Medical Condition) at the time of the medical examination; and
- USCIS adjudicates the Form I-485 or Form I-687 on or before May 31, 2014.

By June 1, 2014, USCIS anticipates that it will issue a new policy in regards to the sufficiency of Form I-693 endorsements. USCIS is currently working with CDC on developing the new policy.

Implementation

The AFM is updated as follows:

☞ 1. Paragraph (c) of Chapter 40.1 is revised to read:

40.1 Health Related Grounds of Inadmissibility and Medical Examination

(a) General.

* * * (No changes to this section)

(b) Medical Grounds of Inadmissibility Defined.

* * * (No changes to this section)

(c) Weight of Form I-693 as Evidence.

Eligibility for an immigration benefit must exist when the benefit application is filed and also when the benefit application is adjudicated. See 8 CFR 103.2(b)(1). Form I-693 is normally valid for a period of one year from the date it was signed by the civil surgeon. In accordance with USCIS policy, in any case that is adjudicated on or before May 31, 2014, the officer will accept as valid a Form I-693 that was signed more than one year before the date of the adjudication of a pending adjustment of status or temporary residence application if the following conditions are met:

- Form I-693 was included with the initial filing of the adjustment of status or temporary residence application; and
- There is no Class A or B medical condition noted in Form I-693, other than a Class B condition in the "Other Medical Conditions" section of Form I-693.

If these criteria are met, it is not necessary to issue a request for evidence seeking an updated Form I-693. As mentioned above, this policy is in effect until May 31, 2014, and applies to any case that is adjudicated on or before May 31, 2014.

- ☞ 2. The AFM Transmittal Memoranda button is revised by adding, in numerical order, a new entry to read:

AD13-13 9/4/2013	Chapter 40.1(c)	Adds guidance regarding the evidentiary sufficiency of Form I-693, Report of Medical Examination and Vaccination Record, submitted in conjunction with an application for adjustment of status or temporary residence.
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Use

This PM is intended solely for the guidance of USCIS personnel in performing their official duties. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any individual or other party in removal proceedings, in litigation with the United States, or in any other form or manner.

Contact Information

Questions about this PM should be addressed to the Office of Policy and Strategy, Residence and Naturalization Division.