



Ask the Experts:

What the End of Duration of Status Means for Healthcare Organizations

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Agenda

- What changed: fixed admission periods from Sept. 15, 2026
- DS-2019 Box 4 and the consular intent trap
- Extensions of stay and mid-program changes
- Denials, departure, and J-2 spouse employment
- F-1 healthcare workers: grace period and safe harbor
- Required actions, open questions, and resources



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D/S Elimination Impact Healthcare Workforce



D/S ends for F, J, and I nonimmigrants on September 15, 2026, replaces by a fixed admission periods and automatic unlawful presence.



~25%

Of the U.S. physician workforce are international medical graduates (IMGs)



17,000

J-1 physicians provides direct patient care nationwide



770+

Teaching hospitals rely on J-1 physicians

Concentrated in specialties already facing shortages: Primary Care, Infectious Disease, Psychiatry, Geriatrics, Nephrology, often in HPSA/MUA communities.

Impact on J-1s



4-Year Admission Cap

Fixed admission tied to the DS-2019 program end date

+30/+30

Arrival and departure windows don't count toward the cap

0 Carve-Outs

DHS explicitly declined a physician/research scholar exception

The Mismatch: Annual Filings vs. Multi-Year Training

DS-2019 Reappointment (Box 3)

1 YR CYCLE

Physician Training Program

UP TO 7 YEARS

! Gap: years the program continues without a matching DS-2019 cycle

Start Yr 1 Yr 2 Yr 3 Yr 4 Yr 5 Yr 6 Yr 7

Historically, DHS gave CBP no clear instruction on which duration to honor at admission *the shorter Box 3 reappointment dates, or the longer Box 4 program description.*

The DS-2019 Box 4 Fix



The fix: DHS committed to an operational workaround. CBP officers will be instructed to admit physicians based on the full program length in Box 4, rather than the shorter annual dates in Box 3. This reduces, but doesn't eliminate, EOS filings for physicians, research scholars, and professors.

BOX 3

Annual Reappointment Dates

Shorter, current-year contract dates
NOT USED FOR ADMISSION LENGTH



CBP
admits
based on



BOX 4

Full Program Length (up to 4 yrs)

What CBP will use to set the admission period
USED FOR ADMISSION LENGTH



Not yet formalized: the revised DS-2019 form has not been released. Additional DHS instructions to sponsors may still change how this is implemented.

ACTION: Confirm with your GME program sponsors now that Box 4 will reflect full program length going forward, not just current-year dates.

Consulate Review: *Avoiding the Intent Trap*



The SEVIS Gap: Consular officers may ask about program details and expected duration, but often won't have time to check SEVIS for the rest.

Option A

Front-Load Program Info

Lead with the full description of the specialty, institution, and program length

OR

Option B

Front-Load Intended Duration

Lead with the specific admission period requested, matching DS-2019 Box 4

Which to emphasize is a case-by-case call for each program.



The Intent Trap

Officers have questioned applicants about intentions beyond the petition's validity period.



A recent O-1 denial followed after the applicant explained that a multi-year project would extend beyond the authorized petition dates.

The same risk applies to J applicants and F-1 students discussing OPT plans beyond the initial period.

The New Extension of Stay (EOS) Process



Old way: your DSO or RO extended your I-20/DS-2019 and that alone kept you in lawful status.

1

Your School or Sponsor Updates the Record

- DSO/RO extends your I-20 or DS-2019.
- This is a recommendation, not a decision.

2

You File For Your Own Extension of Stay

- USCIS adjudicates your I-539 and issues a new I-94 if approved.
- USCIS alone decides.



EOS decisions are discretionary and not appealable. A denial means immediate departure – there is no grace period –and unlawful presence can start accruing the next day. File early as biometrics and processing time can take months.

Category Changes and Mid-Program Transitions



A sponsor can change the record. Only USCIS can extend the stay.

A new or amended DS-2019 updates the SEVIS program record; it does not move the I-94 admission date.

What Triggers a New Filing

- Category change, such as research scholar to alien physician, with request for additional time
- An added training year or any later program end date
- Program transfer or change of educational level with request for additional time for F-1

Where the Risk Sits

- USCIS may not adjudicate the EOS before the current I-94 date expires
- A sponsor update alone no longer preserves status
- A category change does not restart the four-year J-1 admission cap

If the Record Slips

- SEVP's 120-day correction window may cure a late update
- It does not substitute for a timely EOS filing
- Unlawful presence can accrue past the I-94 date

Practice point: treat every mid-program change as a new admission question. Confirm the I-94 date first, then decide whether an EOS must be filed.

Hypothetical: A J-1 research scholar with an AUD of June 30 receives an extended DS-2019 in February and timely files an I-539. In April, ECFMG/Intealth and DOS process a change-of-category request effective July 1. Can the scholar move to the new program on July 1 on the strength of the pending I-539, or does the subsequent category change necessitate a second I-539?

Denials and Departure



If an EOS is denied after the admission period has expired, expect the following:

What Happens

- Immediate departure required for the physician and any J-2 dependents — no additional grace period.
- Unlawful presence generally begins accruing the day after denial.

Plan B: Worth Exploring

- Check 212(b) eligibility.
- Check cap-exempt status.
- Consider an H-1B (nonphysician position) or O-1 classification.

Note: These are theoretical, limited options, not guaranteed paths. O-1 classification may require travel to obtain a new visa.

J-2 Physician Spouses – Call Out



No Automatic Extension

No automatic extension applies to J-2 employment authorization



Capped at the J-1's Period

J-2 status cannot exceed the authorized admission, which itself cannot exceed the J-1 principal's period.



No 240-Day Bridge

Unlike the J-1 principal, there is no 240-day bridge. J-2 spouses must independently renew their EAD

F-1 Healthcare Workers



Healthcare isn't only J-1 physicians. F-1 nurses, allied health workers, clinical laboratory scientists, and medical technicians on OPT/STEM OPT are affected by the general fixed-admission-period and I-94 changes



Same Grace Period Change

Cut from 60 to 30 days post-completion. That same 30 days compresses your OPT/STEM OPT filing deadline.



Same Safe Harbor

In D/S before 9/15/26 and filing your I-765 by March 18, 2027? You generally won't need a separate extension of stay for that filing.

Note: see "Top 10 Tips for F-1 Graduates Working Pursuant to OPT or STEM OPT Now That D/S is Eliminated."

Required Actions



HOSPITALS: F-1 & J-1 EMPLOYEES

- Verify I-765 and I-539 EOS approvals before onboarding OPT/STEM OPT hires
- Update HR onboarding and I-9 reverification for the fixed admission period
- Make students aware of the new 30-day grace period
- Extend filing lead times, premium processing is not available

GME PROGRAMS: J-1 PHYSICIANS

- Audit DS-2019 Box 4 to confirm it reflects full program length
- Track ECFMG/Intealth renewal and USCIS EOS as separate deadlines
- Reset expectations: ECFMG/Intealth recommends extensions, USCIS grants them
- Calendar J-2 dependent EAD renewals, there is no automatic bridge
- Stand up a dedicated J-1/J-2 contact channel for status questions

SHARED ACTIONS

- Stay current on the rule and SEVP updates
- Track I-94 dates separately from I-20/DS-2019 end dates
- Flag anyone nearing the 4-year J-1 admission cap
- Educate on the AUD and where to find it on the I-94 site
- Ensure everyone knows the transition and key dates
- Confirm valid status in writing before approving travel
- Advise that travel with a pending EOS risks abandonment, carry the I-797C receipt
- Biometrics are now routine for EOS adjudication, build scheduling time into every filing

Open Questions & Where to Get Guidance



Still Open

Premium Processing: Will USCIS expand it to Form I-539 EOS filings? DHS says it will "continue to explore." No commitment or timeline.

240-day Bridge & Institution Transfers: Does the work-authorization bridge survive a J-1 physician's mid-training move to a new sponsor? It's tied to "the same employer" under existing rules.

USCIS Processing Capacity: DHS declined any J-1 physician carve-out from the 4-year cap. Can adjudications keep pace without gaps in training or patient care?

Effective Date: Still subject to Congressional Review Act scrutiny, plus pending litigation. A hearing occurred Sept. 3, 2026.

CBP's Use of DS-2019 Box 4: DHS says officers will be trained to admit on full program length. Untested until the rule takes effect Sept. 15.

Sponsor-Specific Guidance: Last week's SEVP webinar covered F-1 students/DSOs only, no session yet for J-1 sponsors or GME programs.

Resources for Further Guidance

Klasko Immigration Law Group: Case-specific counsel for your hospital or GME program.

ECFMG: J-1 sponsorship, DS-2019 issuance, and program-transfer questions for physicians.

Your RO (J-1) or DSO (F-1): First point of contact for individual status and extension questions.

DOS Office of Private Sector Exchange: J-1 Exchange Visitor Program policy and sponsor regulations.

SEVP's Study in the States: Quick Facts page, SEVIS updates, and transition-period guidance.

AAMC / ACGME: GME-specific resources on sustaining training continuity under the rule.

Questions?





Let's Connect



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