



## Immigration Advisory

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### USCIS Issues Policy Alert on Validity of Medical Examinations (Form I-693)

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On Friday, May 30, 2014, U.S. Citizenship and Immigration Services (USCIS) reversed a longstanding policy of extending the validity of the physician endorsement on the Report of Medical Examination and Vaccination Record ([Form I-693](#)). This form, commonly referred to as the “medical exam,” is required of all applicants for adjustment of status to permanent residence filed on Form I-485. Each applicant must have an appointment with a USCIS authorized civil surgeon who then completes and signs the medical exam to confirm that the applicant does not have a serious communicable disease or mental illness, and that the applicant has received all legally required vaccinations. The medical exam is then filed with the I-485 adjustment of status application as evidence that the applicant does not possess any of the health-related grounds of inadmissibility found in INA 212(a).

In 2002, in consultation with the U.S. Centers for Disease Control and Prevention (CDC), USCIS extended the validity of Form I-693 to more than one year from the date of the civil surgeon’s signature in situations where an I-485 application was pending for more than one year. The most common cause of long delays for adjustment of status applications is post-filing retrogression of immigrant visa availability. Rather than requiring those applicants to obtain new medical exams, USCIS would approve the I-485 adjustment of status with the medical exam as originally submitted even if more than one year had passed since the civil surgeon’s dated signature.

CDC has now raised concerns about this policy and USCIS is discontinuing the current extension policy. The medical exam on Form I-693 will now be valid only for one year from the time of submission to USCIS. This new policy is effective June 1, 2014 and applies to any Form I-693 submitted with an application that is adjudicated after that date.

The practical impact of this changed policy will be that applicants for adjustment of status will have to obtain an updated medical exam if their adjustment of status application remains pending for more than one year. This is a common occurrence for permanent residence applications chargeable to any of the backlogged categories. These categories may become current allowing for filing, but then backlog after filing, resulting in an I-485 adjustment of status application that may remain pending for several years — certainly longer than the one year validity period of the medical exam. Applicants in these situations should be prepared to submit an updated medical exam in response to a request from USCIS once their priority date is current again.

**Please contact your Mintz Levin attorney with specific questions regarding your pending or prospective adjustment of status application.**

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