

# Filipino Reporter

**FAIR, FEARLESS, FACTUAL**

January 18-24, 2002

## *New procedures to bring in RNs*

### English test rule in visa screen 'unfair' *discussed*

The Philippine Nurses Association (PNA) of New York and New Jersey in cooperation with the Philippine Consulate sponsored a symposium Jan. 12, at the Philippine Center's Kalayaan Hall to discuss the legal rights of nurses, and the procedures for bringing them to the U.S.

The speakers were Barbara Nichols, chief executive officer of the Commission of Graduates of Foreign Nursing Schools (CGFNS); Donna Rae Richardson, CGFNS operations director; Reuben Seguritan, New York attorney; Leonard Lapinsky, bureau chief of the New York State Education Department; Leo Jurado, member of the New Jersey Board of Nursing; and Helen Custodio, Philippine labor attache in Washington, D.C.

The CGFNS executives clarified the requirement of CGFNS certification and the new visa screen credentialing. A CGFNS certificate is required in the immigrant petition stage while the visa screen certificate is needed in the visa interview. They said that there has been a huge volume of inquiries and applications causing processing delays. They have to check the authenticity of documents because sometimes fake documents are submitted.

Describing the immigration options, Seguritan said the new H-1C visa is not workable because of its restrictive requirements. The H-1B takes only a few months to process but it is not viable either, he explained, because only high level jobs like directors of nurses, nurse practitioners and supervisors are of H-1B caliber. If a facility sponsors nurses as supervisors and then pay them as entry level nurses or even as nurse's aides, it could be liable for fraud, he said.

The best way to bring nurses, according to Seguritan, is to sponsor them as permanent residents. A Registered Nurse (RN) license is not a requirement for green card, only for work as a professional nurse. Nine states, including New York, do not require a CGFNS certificate to qualify for licensure. Sixty percent of the states issue temporary RN permits.

Lapinsky and Jurado discussed the requirements for licensure in New York and New Jersey. They must take the National Council Licensure Examination (NCLEX) exam. Lapinsky said that legal immigration status is not required for New York licensure although the question is asked on the application form.

Custodio detailed the Philippine requirement for recruitment and the penalties for

violations.

At the question and answer session, Phoebe Andes, former PNA president who is now a nurse recruiter, called the English test requirement of the visa screen, particularly the test of spoken English, as unfair. Because of their accent, she said, many nurses have to take the exam two or three times, resulting in the delay of their green card processing in Manila.

The CGFNS representatives responded that they did not have anything to do with it, while

Seguritan cited a move in Congress to allow nurses to enter the U.S. and complete their visa screen process. He also said that there is a bill to remove most of the H-1C restrictions. He suggested organizing a concerted effort to support these measures.

Consul General Linglingay Lacanlale who gave the opening remarks, and NYS Nursing president-elect Lolita Compas who made the closing remarks before a large audience of healthcare professionals, recruiters and community leaders, underscored the need to inform the nurses of their rights and their options.

New York PNA is led by Rey Rivera and New Jersey PNA is headed by Isabelita Romero.