



Questions & Answers

July 24, 2008

CHANGES TO THE TUBERCULOSIS AND VACCINATION REQUIREMENTS REQUIRED FOR ADJUSTMENT OF STATUS

TUBERCULOSIS

Q: What are the new requirements for tuberculosis (TB) testing and treatment?

Detailed information on the new requirements are available in the Department of Health and Human Services, Centers for Disease Control and Prevention's (CDC) document, *Tuberculosis Component of the Technical Instructions to Civil Surgeons for the Medical Examination of Aliens in the United States*. This document, along with a memo outlining the changes to the TB testing requirements and frequently asked questions, is on-line at: <http://www.cdc.gov/ncidod/dq/civil.htm>.

Some of the major changes to the TB requirements include:

- Applicants with Class A tuberculosis must complete a full course of TB treatment before receiving medical clearance by USCIS for adjustment of status.
- A chest x-ray is required for all applicants with a tuberculin skin test (TST) reaction of less than 5 mm who have signs or symptoms of TB or immunosuppression.
- A chest x-ray is required for all applicants with a TST reaction of more than 5 mm, including pregnant women.
- Sputum cultures and drug susceptibility testing for positive cultures are required for applicants with chest x-ray findings suggestive of active TB disease.

Q: Who is required to have a TB test?

All applicants two years of age or older are required to have a tuberculin skin test (TST). Children younger than age two are required to have a TST if there is evidence of contact with a person known to have TB or if there is other reason to suspect TB. If evidence of TB infection is found, a chest x-ray is required. Any person with a positive skin test reaction of more than 5mm will also be required to undergo a chest x-ray.

Q: When did the new TB requirements become effective?

The new TB testing and treatment requirements became effective on May 1, 2008. However, CDC allowed a 30 day grace period. Therefore, any medical exam that takes place on or after June 1, 2008 must be performed in accordance with the new TB testing requirements.

Q: Will USCIS accept Form I-693 if the civil surgeon performed a chest x-ray without the TST?

No, the civil surgeon must administer the TST, unless one of the exceptions listed in the *Technical Instructions* applies. If the civil surgeon performs a chest x-ray without giving the applicant the TST, the reason for omitting the TST must be noted on Form I-693.

VACCINATIONS

Q: What are the new vaccination requirements?

The CDC has revised its vaccination requirements. As of July 1, 2008, the following additional vaccinations are required in order to adjust status to legal permanent resident:

- Rotavirus
- Hepatitis A
- Meningococcal
- Human papillomavirus
- Zoster

NOTE: Some of these vaccinations are required for certain age groups only. During the examination with the civil surgeon, he or she will review the vaccination history, and may determine that certain vaccinations are not necessary or not appropriate. Specific information on vaccines, including tables on age-appropriate vaccines and ACIP recommendations, are available at CDC's National Center for Immunization and Respiratory Diseases (NCIRD) website: <http://www.cdc.gov/vaccines>

Q: When will the new vaccination requirements become effective?

The new vaccination requirements became effective on July 1, 2008. However, CDC approved a 30 day grace period until August 1, 2008. Therefore, for any medical exam conducted on or after August 1, 2008, the new vaccinations, if appropriate, must be administered in order for USCIS to approve the applicant for adjustment of status.

Q: Is there a waiver available for applicants who cannot afford the new vaccinations?

No. The qualifications for a waiver remain unchanged.

Q: Where can I find additional information on the new vaccination requirements?

The *Technical Instructions to Civil Surgeons for Vaccination Requirements* includes detailed information on the vaccination requirements, including a full list of required vaccinations. The *Technical Instructions* and any updates to the medical exam requirements can be found at www.cdc.gov/ncidod/dq/civil.htm.

Q: Does USCIS require that all shots in each vaccine series be completed before applying for adjustment of status?

No. The applicant must have received all the required age-appropriate vaccines that could be given at the time of the medical exam. If the applicant has started the vaccination series, but is not able to complete all the required shots because, at the time of the medical exam, the minimum time interval between shots has not passed, the applicant may still apply for adjustment of status. A waiver is available in cases where, due to required time intervals, it was impossible for the applicant to receive all shots in the series before submitting the application for adjustment of status.

For example, the Hepatitis A vaccine requires that applicant receive two doses of vaccine, six months apart. If the applicant receives the first dose in January, he or she does not have to wait until July, when the second dose would be given, to submit the adjustment of status application. However, the applicant must have received at least the first dose of the vaccine, if appropriate, before applying for adjustment of status.

FORM I-693

Q: When did the new Form I-693 become effective?

The revised Form I-693, Report of Medical Examination and Vaccination Record (edition date 04/02/08), became effective on May 1, 2008. USCIS allowed for a 30 day grace period in which it would accept the prior version of Form I-693. Therefore any medical exam conducted on or after June 1, 2008 must be recorded on a revised Form I-693.

Q: Why was Form I-693 revised in April 2008?

Form I-693 was revised to include the new requirements that CDC made to its *TB Component of the Technical Instructions* and was released at the same time as the new *Technical Instructions*. Other significant changes to the form included a new referral section with requirements that all necessary follow-up treatment and evaluations be completed prior to the applicant or civil surgeon signing and completing the form. Additionally, the prior vaccination supplement was assimilated as part 2, section 5 of the revised form.

Q: Why does USCIS now have an even newer edition (06/05/08) of Form I-693 on the web?

When CDC added new vaccination requirements to its *Technical Instructions for Vaccination*, effective July 1, 2008, there were concerns that civil surgeons may forget to add in the new vaccinations in the vaccination chart, resulting in incomplete forms. This revised edition includes the newly required vaccinations by name.

Q: If an applicant is required to receive only the vaccinations, and not undergo the entire medical exam, does he/she have to submit the entire Form I-693?

No. Applicants who are not required to have the entire medical examination need to submit only pages one, three and five of the new form. The required sections include Part 1, *Information About You*, the vaccination record portion of Part 2, and Part 5 (if the vaccinations are administered by a civil surgeon) or Part 6 (if the vaccinations are administered by a local health department). Pages two and four, that would have been left blank, do not need to be submitted.

Q: Does a designated civil surgeon have to sign Part 6 of Form I-693, or can the health department immunization staff sign it?

The signature in Part 6 must be the physician at the health department. It may be an original or stamped signature. The health department nurse or other health care professional may, but is not required to, co-sign the vaccination supplement. Part 6 will only be completed for those applicants who are filing based on refugee status.

Q: Does the civil surgeon have to complete both the *Vaccination Table* and the *Results* section to properly complete the vaccination portion of Form I-693?

Yes. USCIS requires the civil surgeon to completely fill out the vaccination table and the Results section. The civil surgeon must note in the vaccination table the complete vaccination history, date(s) of vaccinations given by the civil surgeon, and any waiver requests.

Q. I had my medical exam completed before the new TB or vaccination requirements went into effect, and have not yet submitted it to USCIS, or I have submitted it but it has not yet been reviewed. Am I now required to have a new medical exam that meets the new TB and/or vaccination requirements before I can adjust status?

Generally, no. When reviewing a Form I-693, USCIS will note the date the exam was conducted and refer to the *Technical Instructions*, medical requirements, and form edition that were in effect at that particular time, remembering that for each revision of the *Technical Instructions* there was a 30-day grace period. If the civil surgeon conducted the medical exam properly and in keeping with the exam requirements and form edition in effect on that particular date, there is no need to return for a second exam or to have the results recorded on a newer edition of Form I-693, as long as you submit the Form I-693 before its one-year expiration.

GUIDE TO REVISED FORM I-693, TB TESTING/TREATMENT AND VACCINATION REQUIREMENTS

| Date of Medical Exam | Do I have to submit the revised Form I-693? | Does the medical exam have to be done in accordance with the new TB requirements? | Do I have to receive the new vaccines (if age appropriate?) |
|-----------------------------|---|--|--|
| Before June 1, 2008 | No | No | No |
| June 1 – July 31, 2008 | Yes Edition dates 4/2/08 and 6/5/08 are acceptable | Yes | No |
| On or after Aug. 1, 2008 | Yes - must submit Edition date 6/5/08 | Yes | Yes |

CIVIL SURGEON QUESTIONS

Q: Form I-693 now states patients who require a chest X-ray must include the copy of the X-ray report with the I-693 packet. What type of X-ray report is acceptable?

USCIS will only accept a full and formal radiologist’s chest X-ray report, whether a copy or an original, signed by the radiologist and on official hospital or medical office letterhead. USCIS cannot accept any preliminary or incomplete evaluation, whether handwritten or not, that does not describe the full evaluation or findings. In most cases, the civil surgeon will have to wait a day or two before this report has been sent by the reviewing medical office and can therefore not sign off on the Form I-693 until this report has been received.

Q: Both the CDC and USCIS have revised their requirements for medical referrals, as notated on Form I-693. In what instances must the referral section in Part 3 be completed?

Only complete Part 3, *Referral to Health Department or Other Doctor / Facility*, if the referral was required, such as when a Class A condition is suspected and needs further evaluation. Do not complete Part 3 if the referral was merely recommended by the CDC. Instead notate the (recommended but not required) referral in the Remarks box under that particular disease or disorder. This will help alleviate the possibility of USCIS rejecting the Form I-693 due to an erroneous assumption that a follow-up evaluation was needed before completion of the form.

Q: How can I contact USCIS for more information?

Applicants for adjustment of status may call the USCIS National Customer Service Center at 1-800-375-5283 (TTY 1-800-767-1833). Civil surgeons should contact their civil surgeon coordinator at the USCIS field or district office where they obtained their civil surgeon designation.