

MATTER OF VILLANUEVA

In Visa Petition Proceedings

A-14636531

Decided by Deputy Associate Commissioner August 24, 1971

A medical record librarian who has a 4-year baccalaureate degree with major study in medical record science from an accredited college or university in the United States or such a degree from a foreign college or university which has been evaluated as its equivalent by the United States Office of Education, or who has successfully completed post-baccalaureate study in an accredited program in medical record science in the United States or has successfully completed such study abroad which has been evaluated as its equivalent by the United States Office of Education, is a member of the professions within the purview of section 101 (a) (32) of the Immigration and Nationality Act, as amended, and is eligible for preference classification under section 203 (a) (3) of the Act, as amended.
[*Matter of Ancheta*, 12 I. & N. Dec. 785, overruled.]

ON BEHALF OF APPELLANT: Arthur D. Cohen, Esquire
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The Regional Commissioner has approved this petition filed to accord the petitioner-beneficiary preference classification as a medical record librarian under section 203 (a) (3) of the Immigration and Nationality Act, as amended. However, he has certified the case to me for final decision because of a contrary holding in *Matter of Ancheta*, 12 I. & N. Dec. 785 (1968), with regard to this occupation.

The petitioner-beneficiary, a 31-year-old native and citizen of the Philippines, graduated on March 13, 1960 from Philippine Union College, Manila, Philippines with the degree of Bachelor of Secretarial Science. She was thereafter employed as a medical secretary for the medical staff of a sanitarium and hospital in Bangkok, Thailand from June 1960 to June 1964 and as a medical secretary for a hospital in Canada from August 1964 to August 1966.

In 1966 she was admitted to the United States as a student and

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graduated from Loma Linda University, School of Health Related Professions, Loma Linda, California on June 2, 1968 with the degree of Bachelor of Science in Medical Record Administration. In December 1968 she passed the examination of the American Association of Medical Record Librarians (now the American Medical Record Association) and was certified as a Registered Record Librarian.

Since graduation from Loma Linda University in 1968, she has been employed as a record librarian for the White Memorial Medical Center Surgical Group in Los Angeles. A labor certification, pursuant to section 212(a) (14) of the Act, was issued by the Department of Labor on June 10, 1969 for the occupation of medical record librarian, which is still valid.

That she is a qualified medical record librarian is conceded and is not in issue in this case. Rather, the issue is whether or not the occupation of medical record librarian requires the high standard of specialized academic training and excellence, with a minimum of a baccalaureate degree or its equivalent, to be recognized as a profession. The prior holding in *Matter of Ancheta, supra*, was that it did not; hence, persons in that occupation were not entitled to classification as members of the professions under section 203(a) (3) of the Act.

That decision was made three years ago at which time, although college and university level courses were available in that field, admission to that occupation only required completion of two years of college or university study followed by a one-year hospital training program of specialized study in medical record science. Upon completion, an appropriate certificate was issued. The evidence of record now shows that at that time the educational requirements for medical record librarians were in the process of evolution because of, as in the case of some other occupations in the field of medicine and medical services, the ever-increasing need for more sophisticated and specialized expertise.

In that regard, evidence has been presented in the form of a letter dated October 2, 1970 from the Executive Director of the American Medical Record Association together with a copy of the "Essentials of an Acceptable School of Medical Record Librarians." The introduction portion of the latter document reads in pertinent part as follows:

The Council on Medical Education of the American Medical Association in collaboration with the Committee on Education and Registration of the American Association of Medical Record Librarians establishes standards for medical record science education, surveys and accredits education programs for students in medical record science. * * *

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A medical record librarian should provide direction and leadership in the gathering and utilization of the scientific and social information relating to health care to the end that this information may have meaning at all levels of patient care. In order to achieve this, an educational program should include training and experience in medical record science and emphasize importance of dedication to continuing study of the medical record field, of the development of individual abilities for independent action, and of conscious knowledge of the ethics of health care. * * *

The document thereafter discusses the organization, faculty, curriculum and educational program requirements. The educational program is set out as follows:

Medical Record Librarian education should be at the baccalaureate level either incorporated into a four-year program leading to a baccalaureate degree, or in a program of post-baccalaureate study. The admission requirement to a one-year hospital based school, not affiliated with a college for purposes of a degree, shall be a baccalaureate degree.

The letter from the Executive Director of the American Medical Record Association states that these essentials, including the educational program set forth above, were first approved by his Association's House of Delegates in 1966; then approved by the Council of Medical Education of the American Medical Association and their House of Delegates in December 1967. (That council of the American Medical Association is the accrediting authority for educational programs for medical record librarians and the American Medical Record Association is recognized as the qualifying body for registry of individual medical record librarians.) All the medical record training programs were then given until October 1, 1970 to bring their educational programs in to conformity with those essentials and finally, as of October 2, 1970, all accredited schools for medical record librarians were brought to the baccalaureate level or above. Parenthetically, the record also shows that there are programs of study for medical record *technicians*, as distinguished from librarians, but those programs have much lower scholastic requirements and a narrower scope of study and it would appear that such technicians would perform the less demanding record work of the nature described in *Matter of Ancheta, supra*.

It is clear from the comments of the Council on Education for the American Medical Association, previously quoted, that the regard in which the medical record librarian is held has materially heightened in recent years. Also, in proportion thereto, there have been material and substantial changes in the requirements for qualification and registry in that field. Specifically, since October 1970 the accrediting and registration bodies in the field of

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Medical record librarians require that all medical record librarian educational programs be at the baccalaureate level either incorporated in an accredited four-year program leading to a baccalaureate degree or in an accredited program of post-baccalaureate study.

It is concluded therefore that a medical record librarian who has a four-year baccalaureate degree with major study in medical record science from an accredited college or university in the United States or such a degree from a foreign college or university which is evaluated as its equivalent by the United States Office of Education; or who successfully completed post-baccalaureate study in an accredited program in medical record science in the United States or such study successfully completed abroad which has been evaluated as its equivalent by the United States Office of Education, may be regarded as a member of the professions as that term is used in section 203(a)(3) of the Immigration and Nationality Act, as amended. *Matter of Ancheta, supra*, is overruled.

The petitioner-beneficiary has successfully completed a post-baccalaureate program in the field of medical record science at an accredited American university. She, therefore, meets the educational requirements for professional classification as a medical record librarian and her petition was properly approved.

ORDER: It is ordered that the decision and order of the Regional Commissioner directing approval of the visa petition to classify the status of Jeannette M. Villanueva under section 203(a)(3) of the Immigration and Nationality Act, as amended, be, and hereby is, affirmed.