

Medical Documentation for OAW Adjustment of Status (I-485) Applications 10/28/22

Please see guidance below related to medical examination requirements for Afghan Parolees seeking to file for Adjustment of Status via Form I-485, *Application to Register Permanent Residence or Adjust Status*, general USCIS Medical Examination Guidance for Afghan Parolees, instructions on ORR's process for requesting medical record copies from an OAW Safe Haven, and expense allowability under PC Supplemental II funds for covering the cost of a medical examination pursuant of Form I-693, *Report of Medical Examination and Vaccination Record*.

1. USCIS Guidance

- <u>USCIS Information for Afghan Nationals</u>
 *Scroll to section "Afghan National Parolee Vaccination Status and Immigration Medical Examinations"
- <u>USCIS Updates Medical Examination Guidance for Afghan Parolees Arriving Under Operation Allies</u> Welcome (OAW)

2. CLINIC Notes

CLINIC has noted that the guidance from USCIS on whether applicants can reuse a medical record from an OAW Safe Haven has not been very clear. CLINIC's general advice has been to not file Form I-693 (*Report of Medical Examination and Vaccination Record*) with the Form I-485 (*Application to Register Permanent Residence or Adjust Status*), and to wait to see if USCIS requests an I-693 or if USCIS can reuse a prior medical record on file. Please see below for further guidance CLINIC received from USCIS:

Question (CLINIC): My client completed a medical exam overseas or on the Safe Haven. Do they need to complete the medical again as part of the I-485?

Answer (USCIS):

- For a very limited portion of the OAW population who were paroled in, it was later discovered they had completed an immigration medical examination overseas performed by a panel physician (which was documented in eMedical), possibly because they were SIV-eligible and were in the consular processing queue. The use of these overseas immigration medical examinations when the individual applies for adjustment of status in the United States will be treated as we usually do for panel physician-conducted Manual, Vol. 8 Part B immigration medical examinations (see USCIS Policy 3, https://www.uscis.gov/policy-manual/volume-8-part-b-chapter-3, and USCIS Policy Manual Vol. 8 Part B Ch. 4, https://www.uscis.gov/policy-manual/volume-8-part-b-chapter-4#S-B). USCIS is evaluating the use of these overseas immigration medical examinations when individuals who have been paroled in as part of OAW apply for adjustment of status and anticipates having more to share soon. If adjustment applicants have undergone the limited medical screening that is documented on the SF-600, the SF-600 should be included as an attachment to Form I-693, Report of Medical Examination and Vaccination Record, when the adjustment application is filed.
- Generally, applicants will need to complete their immigration medical examination and submit Form I-693 before USCIS can adjudicate the Form I-485, Application to Register Permanent Residence or Adjust Status. If the SIV applicant goes to a U.S. safe haven, the immigration medical examination may be completed while at the safe haven.
- If the validity period of their Form I-693 has not expired, applicants may submit it with their Form I-485.

On December 9, 2021, USCIS temporarily waived the "60-Day Rule" for immigration medical examinations
and vaccination records that allows applicants to submit their completed Form I-693 where the civil
surgeon signed the form more than 60 days prior to the submission with their adjustment of status
application. For more information,. visit, <u>USCIS Temporarily Waiving 60-Day Rule for Civil Surgeon</u>
Signatures.

3. Process for Requesting OAW Medical Records

The Office of Refugee Resettlement (ORR) has outlined a new process that enables OAW clients to seek copies of their medical records.

- OAW clients should complete <u>DD Form 2870</u> to request their records.
- OAW clients should fill out the DD Form 2870, sign it, and include a photocopy of their ID or passport with the request.
- The request can be submitted electronically or by mail:
 - Email request + supporting docs to <u>dha.ncr.healthcare-ops.mbx.dod-oaw-health-records-</u> request@mail.mil
 - Or mail the request + supporting docs to:

5109 Leesburg Pike, Skyline Six, Suite 504, Falls Church, VA 22041

ORR has provided a <u>PowerPoint presentation with instructions for completing/submitting DD Form</u>
 <u>2870</u> (must be logged in to MRSConnect to view); the final slide also includes a contact email if help is needed with this process.