



STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Executive Deputy Commissioner

March 31, 2009

Dear Colleague:

This letter is to inform you that the New York State Department of Health is not able to issue approvals to individuals who are in the United States (U.S.) on an H-1B visa, to provide early intervention services. The early intervention provider application process has been modified to require applicants to indicate whether they are in the U.S. on H-1B visas.

H-1B visas are nonimmigrant classifications used by aliens who will be employed temporarily in specialty occupations. Federal immigration law requires that individuals in the U.S. on H-1B visas be employed by the U.S. employers that petitioned the federal government for approval to hire the individuals and only in the H-1B activities described in the petition.

If your agency has been appropriately authorized by the federal government to employ individuals on H-1B visas, these individuals may continue to deliver early intervention services.

You may access additional information about nonimmigrant visas through the U.S. Citizenship and Immigration Services website @ www.uscis.gov. If you have any questions, please contact Margaret Adeigbo at 518-473-7016.

Sincerely,

Bradley Hutton, M.P.H.
Director
Bureau of Early Intervention

BJH/MPA/snb

cc: Margaret Adeigbo
Regional Staff