Medical Certification for Disability Exceptions *Form N-648*

Training for External Stakeholders

U.S. Citizenship and Immigration Services

AILA InfoNet Doc. No. 11020836. (Posted 02/22/11)

Medical Certification for Disability Exceptions, Form N-648 Training for External Stakeholders

Learning Objective

This training will provide you with an overview of:

- Naturalization Process
- English and Civics Requirements
- Revised Form N-648
- Role of the Medical Professional
- Nexus
- Role of the USCIS Officer
- Naturalization Testing
- Resources

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The Naturalization Process

General Process Flow

- Applicant files Form N-400, Application for Naturalization, with USCIS.
- Applicant appears for biometrics.
- Applicant is interviewed & tested in English & civics by a USCIS Officer unless exempt.
- Adjudication (case continued, approved, denied).
- Naturalization Oath Ceremony (upon approval).

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The Naturalization Process

General Eligibility Requirements

- 18 years of age at filing
- Lawful Permanent Resident
- Residence and Physical presence in US
- Good Moral Character (GMC)
- Attachment to Constitution
- English and Civics
- Oath of Allegiance

Educational Requirements

The law requires naturalization applicants to demonstrate:

- An ability to understand, read, write, and speak English
- A knowledge of U.S. civics (U.S. history and government)

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English and Civics Requirements

Medical Waiver

- Applicants who seek an exception to the educational requirements due to a physical or developmental disability or mental impairment that has lasted, or is expected to last, 12 months or more may request an exception by submitting Form N-648, *Medical Certification for Disability Exceptions*, completed by a medical professional.

- Only medical doctors, doctors of osteopathy, and clinical psychologists licensed to practice in any state of the United States, Washington, D.C., Guam, Puerto Rico, CNMI, and the Virgin Islands may certify the form.

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English and Civics Requirements

Medical Waiver

- A disability or impairment that is the direct result of illegal drug use cannot form the basis for a medical waiver.
- A claim of illiteracy alone cannot form the basis for a medical waiver unless the illiteracy is caused by a disability or impairment.

OMB No. 1615-0060; Expires 10/31/10

N-648, Medical Certification for Disability Exceptions

the "APPLICANT ATTESTATION" below) must be completed by a licensed medical ical psychologist. *(See instructions)*

ION (Type or print clearly in black ink)

. I certify that I have examined:

Middle Name | Alien Registration Number

st Name | U. S. Social Security Number

State | Zip Code

Date of Birth | Gender ☐ Male ☐ Female

USCIS USE ONLY

This N-648 is:

☐ Sufficient

☐ Insufficient

☐ Continued/RFE

Reviewer

Location & Date

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Revised Form N-648

Background

- In recent years, USCIS has received significant internal and external feedback from stakeholders, including medical professionals, regarding the questions within Form N-648 as well as USCIS' adjudication of the form.
- As a result, USCIS initiated an in-depth evaluation of the Form N-648 process, including a review of the form, guidance, and training materials.
- In December 2010, USCIS published a revised Form N-648 and Instructions. The revised form clearly explains what information USCIS requests from the medical professionals when certifying an individual's request for a medical waiver of the educational requirements for naturalization.

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Revised Form N-648

Effective Dates

- Revised Form Version Date
  - *September 24, 2010*
- After *March 22, 2011*, USCIS will no longer accept older versions of Form N-648. If an older version of the form is already on file on or after *March 22, 2011*, USCIS will make a determination on that N-648.

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Revised Form N-648

Highlights

- The language on the instructions and the form is clear and concise.
- Applicants are no longer required to inform USCIS if another government agency made a disability determination for them.
- Medical professionals are not required to evaluate the applicant's daily life activities.
- Interpreters for applicants or medical professionals will complete a new certification section on Form N-648.

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Revised Form N-648

Interpreter Certification

- Form N-648 asks the applicant if an interpreter was used during the medical examination.
- If one was used, then the interpreter must complete, and certify, Form N-648 if he or she translated communications between the applicant and the medical professional on the day of the medical examination that formed the basis of the Form N-648 certification. If an interpreter provided services over the phone, the medical professional is required to complete the interpreter's biographic information and the interpreter is not required to certify the Form N-648.
- The medical professional is required to record on Form N-648 if the medical professional is fluent in the language spoken by the applicant and served as the interpreter.

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Revised Form N-648

Overview of Part III, Form N-648, Questions 1-12

1. Provide the clinical diagnosis, and DSM IV code (*if applicable*), of the applicant's disability and/or impairment(s) that form the basis for seeking an exception to the English and/or civics requirements.

2. Provide a basic description of the disability and/or impairment.

3. Date of the first examination of the applicant regarding the condition(s) listed in number 1.

4. Date of the last examination of the applicant regarding the condition(s) listed in number 1, if different from above.

5. Are you the medical professional regularly treating this applicant for the conditions listed in number 1?

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Revised Form N-648

Overview of Part III, Form N-648, Questions 1-12

6. Has the applicant's disability and/or impairment(s) lasted, or do you expect it to last, 12 months or more?

7. Is the applicant's disability and/or impairment(s) the result of the applicant's illegal use of drugs?

8. What caused this applicant's medical disability and/or impairment(s) listed in number 1, if known?

9. What clinical methods did you use to diagnose the applicant's medical disability and/or impairments(s) listed in number 1?

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Revised Form N-648

Overview of Part III, Form N-648, Questions 1-12

10. Clearly describe how the applicant's disability and/or impairment(s) affect his or her ability to demonstrate knowledge and understanding of English and/or civics.

11. In your professional medical opinion, does the applicant's disability or impairment(s) prevent him or her from demonstrating the following requirements? *The ability to read English; write English; speak English, answer questions regarding the United States history and civics, even in a language the applicant understands.*

12. Was an interpreter used during your examination of the application?

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Role of the Medical Professional

Completing and Certifying Form N-648

- The medical professional must have conducted an in–person medical examination of the applicant to certify the form.
- Staff associated with the medical professional may assist in completing the form BUT the medical professional alone is responsible for verifying the accuracy of the content and for certifying the form.
- Responses must be legible and appear in black ink.
- Responses should utilize common terminology, without abbreviations.
- All questions and items requested on Form N-648 must be answered fully.

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Role of the Medical Professional

IMPORTANT

It is critical to USCIS and to the applicant that the medical professional ensure that each question or item on the form is completed. An incomplete Form N-648 will cause a delay, as well as a possible denial, in the adjudication of the naturalization application, leading to possible hardship for the applicant.

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Nexus

Nexus (Causal Connection)

The medical professional must explain the nature and extent of any medical condition and explain how the medical condition relates to the applicant's inability to comply with the educational requirements for naturalization.

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Nexus

Example of a Sufficient Nexus

"The patient's condition is a global, lifelong impairment that severely affects cognition, language, and motor skills. While many individuals with mild to moderate forms of Down syndrome are capable of daily tasks and working in the community, this patient suffers from a particularly severe form. Because of this impairment, his memory is deficient, he cannot learn new skills, and he is not capable or reasoning but only of performing simple daily activities. The patient's severe intellectual disability (mental retardation) makes him incapable of learning a new language (even basic words) and demonstrating the required knowledge of U.S. history and government."

Example of an Insufficient Nexus

The medical professional wrote "patient has Down syndrome" as the only connection to the educational requirements.

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Role of the USCIS Officer

Reviewing Form N-648

The USCIS Officer will review the entire form to ensure that the Form N-648 submitted:

- Relates to the applicant for naturalization who submitted the Form N-648;
- Fully addresses the questions about the underlying medical condition; **and**
- Fully addresses the nexus (causal connection) between the medical condition & the educational requirements for naturalization.

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Role of the USCIS Officer

Reviewing Form N-648

The USCIS Officer will review question 11 on Form N-648 to determine whether the applicant is exempt from all or only some of the educational requirements.

11. In your professional medical opinion, does the applicant's disability or impairment(s) prevent him or her from demonstrating the following requirements? (Check all that apply. If none applies, the applicant is not eligible for this exception.)

The ability to:

- ☐ Read English
- ☐ Write English
- ☐ Speak English
- ☐ Answer questions regarding United States history and civics, even in a language the applicant understands.

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Role of the USCIS Officer

Form N-648 Sufficient at the Initial Form N-400 Interview

If on Form N-648, question 11 indicates that applicant is exempt from:

- All educational requirements, then the USCIS Officer will interview the applicant on Form N-400 in the applicant's language of choice with the use of an interpreter and will not test the applicant on any of the educational requirements.

- Some of the educational requirements, then the USCIS Officer will only test the applicant on those areas that the medical professional did not exempt.

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Naturalization Testing

Form N-648 Insufficient at the Initial Form N-400 Interview

The USCIS Officer will provide the applicant with an opportunity to take each portion of the naturalization test including the civics portion and English language (reading, writing, and speaking) portions if the USCIS Officer determines that the applicant's Form N-648 is insufficient at the initial interview on the naturalization application.

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AILA InfoNet Doc. No. 11020836. (Posted 02/22/11)

Naturalization Testing

Form N-648 Insufficient at the Initial Form N-400 Interview

If an applicant refuses to respond to individual test items then the USCIS Officer will continue the case. The USCIS Officer will issue a Request for Evidence, addressing in writing the reason(s) the Form N-648 is insufficient.

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Naturalization Testing

Subsequent Interview on Form N-400 and Re-exam

If the response to the request for evidence is determined to be sufficient, or if an applicant submits a new Form N-648 and it is deemed sufficient, then the USCIS Officer will review Question 11 to determine the educational requirements for which the applicant is exempt.

If the applicant is eligible for naturalization, the USCIS Officer will approve the naturalization application and schedule the applicant to appear for an oath ceremony to take the Oath of Allegiance.

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Naturalization Testing

Subsequent Interview on Form N-400 and Re-exam

If the response to the request for evidence is determined to be insufficient, or if an applicant submits a new Form N-648 and it is deemed insufficient, the USCIS officer will provide the applicant with a second opportunity to retake each portion of the naturalization test including the civics and English language (reading, writing, and speaking) that the applicant failed during the initial interview.

If the applicant fails any portion of the test or refuses to respond to test questions during the subsequent interview then the USCIS Officer will deny Form N-400 based on the applicant's failure to meet the educational requirements for naturalization pursuant to 312 of the INA and 8 CFR 312.

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USCIS Resources

- To visit USCIS' Website
  - www.uscis.gov
- To make an Infopass appointment
  - http://infopass.uscis.gov/
- To view case status
  - https://egov.uscis.gov/cris/Dashboard.do
- To view USCIS Form N-400 Processing Times
  - http://www.uscis.gov/portal/site/uscis

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Questions?

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Teleconference and Webinar Invitation

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Friday, February 18, 2011
11:00am (EST)

The USCIS Field Operations Directorate and the Office of Public Engagement invite any interested parties to participate in a teleconference and webinar to review changes to the revised N-648 (Medical Certification for Disability Exceptions) form and instructions.

The N-648 form and instructions were recently revised based on extensive dialogue with medical professionals and other stakeholders. During this session, USCIS will provide an overview of the changes to the form and instructions and answer questions from participants.

To Participate in the Session:

In order to register for the webinar, please click the link below:
https://uscis.webex.com/uscis/j.php?ED=143071687&RG=1&UID=0&RT=MiMxMQ%3D%3D

Once your registration has been confirmed, you will receive an email with instructions on how to join the webinar.

On the day of the webinar:

Please note that on the day of the webinar, you will need to take the following steps:

1. Login to the webinar using the instructions provided to you in the registration email
2. Call the toll-free number provided to you in the registration email

Contact

If you have any questions or concerns regarding the teleconference, please contact the Office of Public Engagement at public.engagement@dhs.gov.

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