



January 28, 2014

PA-2014-002

Policy Alert

SUBJECT: Guidance for Health-Related Grounds of Inadmissibility and Waivers

Purpose

USCIS is issuing guidance in the [USCIS Policy Manual](#) on the health-related grounds of inadmissibility under INA 212(a)(1) and corresponding waivers under INA 212(g).

Background

USCIS currently provides guidance on medical grounds of inadmissibility in AFM 40.1; and the corresponding medical waivers in AFM 41.3. This guidance is outdated and does not comprehensively address the policy. The new guidance contained in the [USCIS Policy Manual](#) is controlling and supersedes any prior guidance that may be inconsistent.

Highlights

This new guidance:

- Summarizes the history and purpose of the health-related grounds of inadmissibility and corresponding waivers, as well as the roles of DHS and HHS.
- Explains the relationship between the immigration medical examination and the admissibility determination, and instructs how health-related inadmissibility grounds are identified based on the medical examination report.
- Clearly outlines the health-related inadmissibility grounds applicable to various categories of applicants, when a medical examination is required, and by whom.
- Outlines the various waivers available for applicants seeking an immigrant visa or adjustment of status based on a family- or employment-based visa.
- Details the eligibility requirements for waivers of health-related inadmissibility grounds and the process of adjudicating a waiver, including obtaining CDC review.

Citation

[Volume 8: Admissibility, Part B, Health-Related Grounds of Inadmissibility](#); [Volume 9: Waivers, Part C, Waivers for Health-Related Grounds of Inadmissibility](#)