

## Employment Outside of the Approved Training Program (“Moonlighting”)



Physicians sponsored by Intealth for J-1 status are participants in the U.S. Department of State’s (DOS’) Exchange Visitor Program. The J-1 classification is explicitly reserved for educational and cultural exchange. It is *not* a work visa and, therefore, J-1 physician participants are not permitted to engage in work outside of their approved program of graduate medical education (as reflected on Form DS-2019), paid or unpaid.

In reviewing this matter, it is important for J-1 physicians and program directors to understand that the central issue is whether or not a proposed *activity* is a curricular requirement of the approved residency or fellowship training program. If the proposed activity falls outside of the normal scope and/or is not a required component of the training program, then it is deemed to be “work outside of the approved training program” and not permitted for J-1 physicians.

Specific DOS and regulatory citations related to J-1 participants’ “employment” and compensation can be found below.

NOTE: As of September 2025, J-1 physicians may, with the approval of their program director, engage in supplemental clinical activities at their training site with submission to Intealth of the [required form](#) by the TPL.

### U.S. CODE OF FEDERAL REGULATIONS (22CFR§62.16)

- a) *An exchange visitor may receive compensation from the sponsor or the sponsor’s appropriate designee, such as the host organization, when employment activities are part of the exchange visitor’s program.*
- b) *An exchange visitor who engages in unauthorized employment shall be deemed to be in violation of his or her program status and is subject to termination as a participant in an exchange visitor program.*
- c) *The acceptance of employment by an accompanying spouse and dependents of an exchange visitor is governed by Department of Homeland Security regulations.*

### DOS STATEMENT OF POLICY (1999)

*...a foreign medical graduate is not authorized to “moonlight” and is without work authorization to do so. A foreign medical graduate may receive compensation from the medical training facility for work activities that are an integral part of his or her residency program. The foreign medical graduate is not authorized to work at other medical facilities... Such outside employment is a violation of the foreign medical graduate’s program status and would subject the foreign medical graduate to termination of his or her program.*

## TAKEAWAY

J-1 physicians may only participate in activities that are a required component of their training program, or in supplemental clinical activities at their training site with submission of the [required form](#) by their TPL. Work activities outside of the approved training program/institution are otherwise strictly prohibited, regardless of whether they are paid or not.