

HR 1033 IH

111th CONGRESS

1st Session

H. R. 1033

To amend the Immigration and Nationality Act with respect to temporary admission of nonimmigrant aliens to the United States for the purpose of receiving medical treatment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES**February 12, 2009**

Mr. COHEN (for himself and Mr. ISSA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act with respect to temporary admission of nonimmigrant aliens to the United States for the purpose of receiving medical treatment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NONIMMIGRANT CLASSES FOR ALIENS SEEKING MEDICAL TREATMENT AND IMMEDIATE FAMILY MEMBERS.

Section 101(a)(15)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(B)) is amended--

- (1) by striking `(B)' and inserting `(B)(i)'; and
- (2) by adding at the end the following:

`(ii) an alien having a residence in a foreign country which the alien has no intention of abandoning who seeks to enter the United States temporarily and solely for the purpose of receiving medical treatment (including participation in a research study) for a disease or condition that, if left untreated, threatens to undermine the alien's survival or day-to-day functioning with an increased likelihood of a progression from a less severe to a more severe disease or condition; or

`(iii) a son, daughter, spouse, or parent of an alien described in clause (ii) if accompanying or following to join such alien;'. FEEDBACK

SEC. 2. CONDITIONS ON NONIMMIGRANTS RECEIVING MEDICAL TREATMENT IN THE UNITED STATES AND FAMILY MEMBERS.

Section 212(q) of the Immigration and Nationality Act (8 U.S.C. 1182(q)) is amended--

- (1) by striking `(q)' and inserting `(q)(1)'; and
- (2) by adding at the end the following:

`(2) For each principal alien admitted under clause (ii) of section 101(a)(15)(B), not more than two family members may be admitted under clause (iii) of such section.

`(3) The initial period of authorized admission for a nonimmigrant described in clause (ii) or (iii) of section 101(a)(15)(B) may not exceed 6 months. Such initial period may be extended in increments of up to 1 year by the Secretary of Homeland Security based on documented need for the principal alien described in

section 101(a)(15)(B)(ii) to continue to receive medical treatment in the United States.

`(4) In the case of a parent admitted as a nonimmigrant under clause (iii) of section 101(a)(15)(B) in order to accompany or follow to join a child admitted under clause (ii) of such section, if the parent's initial period of authorized admission is extended under paragraph (3), the Secretary of Homeland Security shall authorize the parent to engage in employment in the United States during the remainder of the parent's period of authorized admission as such a nonimmigrant, and shall provide the parent with an `employment authorized' endorsement or other appropriate document signifying authorization of employment.'

SEC. 3. CONSTRUCTION.

The amendments made by this Act shall not be construed to permit an alien admitted to the United States under the provisions of such amendments to adjust status to that of an alien lawfully admitted for permanent residence.

END