

112TH CONGRESS
1ST SESSION

H. R. 2878

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

SEPTEMBER 9, 2011

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Compassionate Visa
5 for Medical Treatment Act”.

1 **SEC. 2. NONIMMIGRANT CLASSES FOR ALIENS SEEKING**
2 **MEDICAL TREATMENT AND IMMEDIATE FAM-**
3 **ILY MEMBERS.**

4 Section 101(a)(15)(B) of the Immigration and Na-
5 tionality Act (8 U.S.C. 1101(a)(15)(B)) is amended—

6 (1) by striking “(B)” and inserting “(B)(i)”;

7 and

8 (2) by adding at the end the following:

9 “(ii) an alien having a residence in a foreign country
10 which the alien has no intention of abandoning who seeks
11 to enter the United States temporarily and solely for the
12 purpose of receiving medical treatment (including partici-
13 pation in a research study) for a disease or condition that,
14 if left untreated, threatens to undermine the alien’s sur-
15 vival or day-to-day functioning with an increased likeli-
16 hood of a progression from a less severe to a more severe
17 disease or condition; or

18 “(iii) a son, daughter, spouse, or parent of an alien
19 described in clause (ii) if accompanying or following to join
20 such alien;”.

21 **SEC. 3. CONDITIONS ON NONIMMIGRANTS RECEIVING MED-**
22 **ICAL TREATMENT IN THE UNITED STATES**
23 **AND FAMILY MEMBERS.**

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

1 (1) by striking “(q)” and inserting “(q)(1)”;

2 and

3 (2) by adding at the end the following:

4 “(2) For each principal alien admitted under clause
5 (ii) of section 101(a)(15)(B), not more than two family
6 members may be admitted under clause (iii) of such sec-
7 tion.

8 “(3) The initial period of authorized admission for
9 a nonimmigrant described in clause (ii) or (iii) of section
10 101(a)(15)(B) may not exceed 6 months. Such initial pe-
11 riod may be extended in increments of up to 1 year by
12 the Secretary of Homeland Security based on documented
13 need for the principal alien described in section
14 101(a)(15)(B)(ii) to continue to receive medical treatment
15 in the United States.

16 “(4) In the case of a parent admitted as a non-
17 immigrant under clause (iii) of section 101(a)(15)(B) in
18 order to accompany or follow to join a child admitted
19 under clause (ii) of such section, if the parent’s initial pe-
20 riod of authorized admission is extended under paragraph
21 (3), the Secretary of Homeland Security shall authorize
22 the parent to engage in employment in the United States
23 during the remainder of the parent’s period of authorized
24 admission as such a nonimmigrant, and shall provide the
25 parent with an ‘employment authorized’ endorsement or

1 other appropriate document signifying authorization of
2 employment.”.

3 **SEC. 4. CONSTRUCTION.**

4 The amendments made by this Act shall not be con-
5 strued to permit an alien admitted to the United States
6 under the provisions of such amendments to adjust status
7 to that of an alien lawfully admitted for permanent resi-
8 dence.

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