



Immigration Update: USCIS Ends “60-Day Rule” for Medical Exams and Vaccination Reports

Insights

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A new policy update from USCIS will relieve pressure on applicants for immigration benefits by removing the requirement for a civil surgeon to sign a medical report within a short timeframe. Specifically, USCIS has updated its policy guidance to remove the requirement that the civil surgeon’s signature on the Report of Immigration Medical Examination and Vaccination Record (Form I-693) be dated no more than 60 days before an applicant files for an underlying immigration benefit. The updated guidance, which took effect on March 31, should also reduce some processing delays, as well as the cost and time spent on completing forms more than once. What do you need to know about the new policy?

Background on the “60-Day Rule”

Applicants applying for an immigration benefit, such as an Adjustment of Status Application, must complete Form I-693 and have it signed and dated by a civil surgeon. Applicants that are applying for certain immigration benefits while in the United States are required to use Form I-693 to show they are free from any conditions that would render them inadmissible under health-related grounds.

Until recently, USCIS would consider a Form I-693 to be properly filed if the civil surgeon’s signature was dated no more than 60 days before the applicant filed for the underlying benefit. This was commonly referred to as the “60-Day Rule.” But the rule has caused much confusion and concern to all parties involved, including applicants, civil surgeons, and USCIS officers due to processing delays and backlogs. Additionally, applicants have experienced issues beyond their control when attempting to have the medical examination signed within 60 days of filing an application. As a result, applicants would receive Requests for Evidence (RFEs) from USCIS asking for new forms to be completed due to the outdated civil surgeon signatures, which would further delay processing and cost applicants additional time and money.

Clarity on Current USCIS Policy

Under the new policy, USCIS now considers Form I-693 to be valid for two years from the date of the civil surgeon’s signature, regardless of when the application was filed with USCIS. Applicants no longer need to meet the stringent timeline of having a civil surgeon sign a Form I-693 within 60 days of filing an application. Therefore, a USCIS officer adjudicating an application should not issue a RFE

solely because a civil surgeon's signature was dated more than 60 days prior to the application submission date.

This updated policy is applicable to all Forms I-693 associated with applications for underlying immigration benefits pending as of March 31, regardless of when the application was filed or when the civil surgeon signed the form.

Conclusion

We're here to keep you updated on the ever-changing policies in the immigration field. We will continue to monitor developments and provide updates as warranted, so make sure you are subscribed to the [Fisher Phillips' Insight System](#) to gather the most up-to-date information. If you have questions, please contact your Fisher Phillips attorney, the author of this Insight, or any attorney in our [Immigration Practice Group](#).

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