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PRACTICE AREAS

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

E-1 Visas

E-2 Visas

PERM Labor Certification

HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

FAMILY

Spouse / Fiancee Visas

Permanent Residence for Family
Within U.S.

Naturalization / Citizenship

AMNESTY

Doors Opened for Immigrants With HIV

Posted: May 7th, 2010

As of Jan. 4, 2010, foreign nationals can no longer be barred from entry to the United States solely because they are infected with the Human Immunodeficiency Virus ("HIV") pursuant to a ruling by the Department of Health and Human Services ("HHS").

Section 212(a)(1)(A)(i) of the Immigration and Nationality Act still bars the admission to the United States of foreign nationals diagnosed with specific illnesses, but HIV is no longer among them.

Thus, if you are seeking entry to the United States and feel that you have been or will be denied entry because of HIV infection or because of your health status generally, you should seek counsel from a qualified immigration lawyer.

United States Citizenship and Immigration Service officers have been instructed to grant HIV admission waivers for all pending applications for entry filed prior to the rule change. Furthermore, HIV infection is no longer a ground for denial of any application for immigration benefits, and civil surgeons of physicians should no longer test foreign nationals for HIV in connection with benefit applications.

Also, if your application for entry was denied because of HIV diagnosis prior to Sep. 30, 2009, you may [file a motion](#) to reconsider without need of the usual waiver for motions filed more than 30 days after denial.

For more information about the HHS rule regarding HIV and instructions regarding medical exams of aliens, you can visit [the CDC Web site](#).

For further information on our [immigration services](#) for individuals check out our website or call our offices at (847) 564-0712.