

Migration News in Brief

European Union Study on Mobility of Health Professionals

A project on the Mobility of Health Professionals (MoHProf) was launched by the European Commission in November 2008. MoHProf will contribute to the knowledge base and facilitate the development of European policy in human resource planning.



The mobility of health professionals impacts on the receiving, transit and sending countries. Many European Union (EU) countries are increasingly affected. The need to develop European policies to address these issues is urgent, and yet reliable and differentiated knowledge and findings as a basis for such policy have been lacking.

The project will research current mobility trends to, from and within the EU, including comparative studies in a selected range of representative states to determine the impact of different types of migration on health systems. Research will be conducted in EU receiving countries (Austria, France, Germany, Ireland, Netherlands, Portugal, Sweden, United Kingdom), sending countries to the EU (Angola, Egypt, Ghana, Kenya, Morocco, South Africa [Africa]; Australia, India, The Philippines, Russia, Ukraine), sending countries within the EU (Bulgaria, Lithuania, Poland, Romania) and destination countries for health professionals from EU member states (Canada and USA).

Dr Mireille Kingma represents the International Council of Nurses (ICN) on the Project Steering Group.

Further information is available at the project Web site: www.mohprof.eu

United States H-1B applications below cap for fiscal year 2010

For the first time in several years, the United States' H-1B visa cap was not met on the first day visas were available in April 2009.

The U.S. H-1B visa is a non-immigrant visa, which allows a U.S. company to employ a foreign individual for up to six years. As applying for a non-immigration visa is generally quicker than applying for a U.S. Green Card, staff required on long-term assignments in the United States are often initially brought in using a non-immigrant visa such as the H-1B visa.

Nurses who are, at least, baccalaureate-prepared and who have been recruited for positions that require a baccalaureate degree may enter under these visas. Though very few baccalaureate-prepared nurses will have the opportunity to apply, other health professionals such as occupational therapists, physical therapists and medical technologists often enter under this category.

As of 13 April 2009, approximately 43,000 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. The current annual cap on the H-1B category is 65,000.

US Citizen and Immigration Services (USCIS) will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits.

Similarly, the H-1B Masters cap has also not been reached.

Sources: U.S. Citizenship and Immigration Services
<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnnextoid=138b6138f898d010VgnVCM10000048f3d6a1RCRD&vgnnextchannel=e7d696cfc6ff110VgnVCM1000004718190aRCRD>

Hammond Law Group, LLC, April 8 2009, Workpermit.com
http://www.workpermit.com/us/us_h1b.htm

In This Issue

Immigration debate continues in the United States	2
Nurse Migration at the 2009 ICN Quadrennial Conference, Durban	3
Criminal proceedings against 'Sentosa 10' halted	3
Bologna Summit and Directive 36	4
Publications	5

Migration News in Brief

Immigration debate continues in the United States

Although several bills have been circulated, the U.S. Congress has thus far failed to enact new immigration legislation. This leaves nurses and health care workers with little or no opportunity to enter the United States on occupational visas.

According to the proposed Nursing Relief Act of 2009, which cites a Department of Labour Report, the current national nursing shortage in the United States exceeds 126,000.

Meanwhile, Russel Ford, posting on the 'Global Immigration Counsel' Web site, reports that Representatives John Shadegg (R-AZ), Jeff Flake (R-AZ) and Ed Pastor (D-AZ) have sponsored legislation to create a new non-immigrant visa category for professional nurses called the "W" visa. The proposed legislation reflects the view that current immigration laws do not adequately address the need for qualified nurses in that country and do not provide an adequate visa category and/or quota to help alleviate this need.

Ford reports that "The Nursing Relief Act of 2009 seeks to...provide the health care industry with the ability to overcome this shortage by recruiting, hiring, employing and retaining qualified nurses regardless of their country of citizenship."

The Web site also reports that in a separate bill, Senators Dick Durbin (D-Ill.) and Chuck Grassley (R-IA) plan to reintroduce legislation that would require employers to make a 'good faith' effort to hire U.S. citizens over H-1B visa holders. Computerworld.com reports the two senators introduced a similar bill in March 2007, but that bill died after being folded into a comprehensive immigration reform bill that did not go up for a vote.

The 2007 bill would have required employers to advertise job openings for 30 days before submitting H-1B applications for those positions. The bill also sought to prevent employers from hiring H-1B workers and then outsourcing them to other companies. The widespread layoffs being caused by the economic downturn may increase the chances of success for a new bill. Earlier in 2009, Grassley and Sen. Bernie Sanders (I-VT) succeeded at getting H-1B hiring restrictions on financial services firms receiving federal bailout money into the economic stimulus package.

Sources: CGFNS, Ford, R "Proposed Non-immigrant Visa Category for Professional Nurses Would Fix the Shortage of Qualified Nurses" Global Immigration Counsel (Web site) Accessed 21 April 2009, <http://www.globalimmigrationcounsel.com/articles/us-immigration/reform-1/>

Events

Panel 79: African Health Worker Migration to Europe: Problems, Prospects, Policies – 3rd EGIS European Conference on African Studies

Leipzig, 4 June – 7 June 2009
http://www.uni-leipzig.de/~ecas2009/index.php?option=com_docman&task=cat_view&gid=91&Itemid=24

The International Council of Nurses (ICN) 24th Quadrennial Congress and CNR

Durban, 27 June – 4 July 2009
<http://www.icn.ch/congress2009.htm>

Useful Links and Resources

Below are a few links and resources that you may find useful.

Asia Pacific Action Alliance on Human Resources for Health

<http://www.aaahrh.org/aaah.php>

CGFNS International

<http://www.cgfns.org>

Clearing on Nursing Shortage Issues, Office of the Professions, New York State Education Department

<http://www.op.nysed.gov/nurseclearinghouse.htm>

Global Health Workforce Alliance

<http://www.ghwa.org>

International Centre for Human Resources in Nursing

<http://www.ichrn.org>

International Council of Nurses

<http://www.icn.ch>

International Labour Organization – International Labour Migration

<http://www.ilo.org/public/english/protection/migrant/>

International Organization for Migration

<http://www.iom.int>

Migration Policy Institute

<http://www.migrationpolicy.org>

Mobility of Health Professionals (MohProf) Project

<http://www.mohprof.eu>

Migration News in Brief

Nurse Migration at the 2009 ICN Quadrennial Conference, Durban

International and intra-national migration will be the subject of one of the main sessions of the ICN Quadrennial Conference, to be held in Durban, South Africa from 27 June – 4 July 2009.

Speakers will include Dr Mireille Kingma (ICN), Ms Anita Davies, of the International Organization for Migration (IOM) and co-author of the recent ICNM publication *Return Migration of Nurses* (see 'Publications' section for full

details), and Ms Geetha Ferringa, Executive Secretary of the National Association of Botswana, who will talk about intra-national migration.

The Congress will also feature extensive exhibition space and poster displays on a range of issues. Attendees will be able to visit booths featuring a range of organisations active in the field of nurse migration including ICN and CGFNS.

Further information: <http://www.icn.ch/congress2009.htm>

Criminal proceedings against 'Sentosa 10' halted

The New York appellate court recently halted the criminal prosecution of 10 Filipino nurses who had resigned from their positions in 2006.

The nurses alleged their employers had failed to fulfill a range of promises regarding their employment, pay rates, working conditions and housing. In April 2006, after the nurses reported that complaints to their employers went unaddressed, the 10 nurses took legal advice and simultaneously resigned, giving minimal notice. Although, both the responsible state agency and the department of health concluded that there was no basis for taking action against the nurses, a grand jury subsequently indicted both the nurses and their attorney on charges of endangering the welfare of a child and a physically endangered person. The nurses and their attorney were also charged with conspiring to commit these offences.

In February 2009 the appellate court, citing the nurses Thirteenth Amendment rights (an amendment enacted at the end of the Civil War, primarily to put an end to slavery) effectively asserted the nurses' rights to withhold their labour, noting that "under the facts presented herein, the greatest risk created by these nurses was to the financial health of Sentosa".

However, it has been reported that the employers may still choose to take civil action against the nurses.

As discussed in Issue 7 of ICNMeNEWS a "Voluntary Code for the Ethical Recruitment of Foreign-Education Nurses to the United States" was launched in September 2008.

Source: Keepnews D, "Welcome News in the Sentosa Nurses Case" *Policy, Politics & Nursing Practice* 2009;10;4. <http://ppn.sagepub.com>

Further information: matter of Vinluan v. Doyle (2009) 2009 NY slip Op. 219. New York State Supreme Court, Appellate Division, Second Department (13 January 2009) <http://www.courts.state.ny.us/courts/ad2/calendar/webcal/decisions/2009/D20723.pdf>

RN4CAST: Registered Nurse Forecasting Consortium works to improve forecasting models

RN4CAST, commenced in 2009, is the largest nurse workforce study ever conducted in Europe. Unlike other forecasting studies, the three-year project intends to consider the range of factors that impact on recruitment and retention, including work environments, nurse qualifications and workforce deployment. The project aims to use analysis of these factors to refine more traditional measures of workforce demand and supply – including migration – in order to improve the accuracy and reliability of forecasting models.

The three-year study is funded by the European Commission's Seventh Framework Programme. A consortium consisting of representatives of 11 European countries have helped shape the project, and a stakeholder advisory group representing national and international organisations (including ICN) has been established. The project is coordinated by the Centre for Health Services and Nursing Research, Katholieke Universiteit, Belgium, with the Centre for Health Outcomes and Policy Research from the University of Pennsylvania (USA) as vice-coordinator.

Source: <http://www.rn4cast.eu/about.php>

Migration News in Brief

Bologna Summit and Directive 36

The European Federation of Nursing (EFN) has called for better alignment of Directive 36 and Bologna in order to ensure that national nursing education systems can continue to meet the need for more highly qualified nursing.

In its April press release, the EFN highlighted a range of strategies and stressed that national and regional approaches are valid, but that to achieve common goals “further work should address issues of transferability and mobility within health care education, training and workforce provision”.

The statement follows the release of *Position Paper on Synergy between Directive 36, Bologna and European*

Qualifications Framework in October 2008, co-signed by EFN, ICN, European Nursing Student Association and European Specialist Nurses Organisation. The paper noted that nurses would benefit by greater portability of qualifications and alignment of education programmes, but that greater synergy between these elements was urgently required.

Further information: EFN Press release: “Bologna Summit” 22 April 2009, <http://www.efnweb.org/version1/en/documents/EFNPRESSRELEASEonBolognaSummit-22April2009.pdf>

Position Paper on Synergy between Directive 36, Bologna and European Qualifications Framework, <http://www.efnweb.org/version1/en/documents/EFNPositionStatementonSynergyMRPQ-Bologna-EQF-EN-final102008.pdf>

Financial crisis impacts on remittances in Senegal

The BBC has reported that the global financial crisis has begun to impact on remittances sent back to Senegal sent by those working overseas.

It is estimated that 15% of the population now live and work abroad, and 70% of those send remittances to their home country. As much as \$2bn is sent back from France, Italy, the USA and other developed countries. Quoting Mr Mansour Tall of the UN’s Habitat Programme, who has conducted regular field research into the flow of remittances, the report says, “Migrants are sending less money, or they are sending it less often – once every three months instead of once a month.”

Senegal has a greater reliance on remittances than most of its neighbouring countries, with remittances comprising more than 7.6% of GDP.

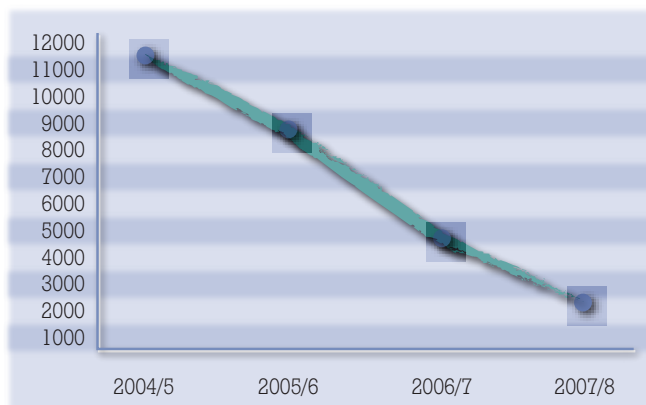
Nurses are among Senegal’s overseas workforce. A report published by the World Health Organization in 2004 indicated that that 37.9% of health professionals and 45.7% of nurses employed in the public sector in Senegal declared an intention to migrate when interviewed.

Sources: Bedford J, “Senegal’s lifeblood drains away”, BBC World Service <http://news.bbc.co.uk/1/hi/business/7932018.stm>

Awases M, Gbary A, Nyoni J and Chatora R, *Migration of Health Professionals in Six Countries: A Synthesis Report*, World Health Organization Regional Office for Africa 2004. <http://www.afro.who.int/dsd/migration6countriesfinal.pdf>

UK registration of non-European Union nurses falls

Latest data on international nurses registering in the United Kingdom show a further significant fall in nurses registering from non-European Union (EU) countries — down to 2309 in the year ending March 2008 (equivalent figure was 4830 in 2006/7; 8709 in 2005/6 and 11477 in 2004/5). This decline reflects reduction in demand for nurses in the United Kingdom.



Nurses registering from European Union countries have not shown this decline, and there has been a noticeable number of registrants from two of the ‘accession’ states, Poland and Romania.

Source: Statistical Analysis of the Register, 1 April 2007 to 31 March 2008, Nursing and Midwifery Council (UK), accessed 22 April 2009. <http://www.nmc-uk.org/aDisplayDocument.aspx?DocumentID=5730>

Publications

Does a code make a difference?

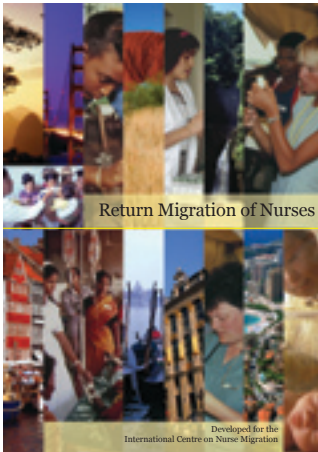
Assessing the English code of practice on international recruitment

Buchan J, Mc Pake B, Mensah K, Rae G

Human Resources for Health, April 2009

"This paper draws from research conducted in 2007 to assess the effect of the Department of Health, England, Code of Practice for the international recruitment of health professionals. The Department of Health in England introduced a Code of Practice for International recruitment for National Health Service employers in 2001." (from abstract)

<http://www.human-resources-health.com/content/pdf/1478-4491-7-33.pdf>



Return Migration of Nurses

by Hauor-Knipe M and Davies A

International Centre of Nurse Migration, October 2008

"This paper, commissioned by the International Centre for Nurse Migration, focuses on some of the challenges and the opportunities created by migration of nurses, specifically focusing on the issue of return." (excerpt from authors)

<http://www.intlnursemigration.org/sections/research/commissioned.shtml>

Managing highly skilled labour migration: A comparative analysis of migration policies and challenges in OECD countries

by Chaloff J, Lemaitre G

Organisation for Economic Co-operation and Development, March 2009

"Most OECD countries expect growing shortages of highly-skilled labour in the coming two decades, and immigration is viewed as one way of addressing these. Most OECD countries have introduced policies aimed at facilitating the recruitment of such workers in recent years and efforts along these lines can be expected to continue. The document provides an overview of the issues related to the management of highly skilled labour migration." (excerpt from authors) [http://www.ois.oecd.org/olis/2009doc.nsf/LinkTo/NT00000ED2/\\$FILE/JT03261489.PDF](http://www.ois.oecd.org/olis/2009doc.nsf/LinkTo/NT00000ED2/$FILE/JT03261489.PDF)

From the Editor

ICNM eNews is an initiative of the International Centre on Nurse Migration – a collaborative project launched by the International Council of Nurses and the CGFNS International. Established in 2005, ICNM works to address gaps in policy, research and information with regard to the migrant nurse workforce and serves as an international resource for the development, promotion and dissemination of documentation on nurse migration. Current and back issues are available online at: www.intlnursemigration.org/sections/research/icnmenews.shtml

We welcome any feedback you may have. Please send comments to info-icnm@intlnursemigration.org

Subscribe/Unsubscribe Information

If you are not currently receiving ICNM eNews and wish to subscribe, please email info-icnm@intlnursemigration.org with the word **Subscribe** in the subject line.

We respect your privacy. If you no longer wish to receive ICNM eNews, please email info-icnm@intlnursemigration.org with the word **Unsubscribe** in the subject line.

International Centre on Nurse Migration eNEWS

is published by the International Centre on Nurse Migration (ICNM) © Copyright 2009

Office of the Secretariat

3600 Market Street, Suite 400
Philadelphia, PA 19104-2651 USA

Phone: +1 (215) 243 5841

Fax: +1 (215) 387 7497

Email: info-icnm@intlnursemigration.org

www.intlnursemigration.org

