**Section 591.100 Eligibility of Physicians and Medical Facilities**

a) A physician who applies for a waiver shall meet the following requirements:

1) Reside in Illinois or relocate to Illinois if a waiver is granted;

2) For primary care physicians, have entered into an employment contract to work at a medical facility located in a Primary Care HPSA. If the physician will work at more than one medical facility, each facility shall be located in a Primary Care HPSA;

3) For psychiatrists, have entered into an employment contract to work at a medical facility located in a Mental Health HPSA. If the psychiatrist will work at more than one medical facility, each facility shall be located in a Mental Health HPSA;

4) For specialists, have entered into an employment contract with a medical facility located in a Primary Care HPSA. If the specialist will work at more than one medical facility, each facility shall be located in a Primary Care HPSA;

5) For specialists who apply for the J-1 visa waiver flex option, have entered into an employment contract to work at a medical facility that is not located in a Primary Care HPSA. The application shall document that at least 51% of the physician's patients seen at the medical facility will reside in an HPSA. Documentation shall include patient origin data that depicts the total number of patients residing in an HPSA compared to the number of patients from the HPSA who received service at the medical facility. Patient origin information shall be for the most recent 12-month period for which data is available;

6) Be a board eligible physician or a board certified physician in a medical specialty; and

7) Have completed a residency in a medical specialty.

b) Medical facilities eligible to participate in the waiver program shall:

1) Meet the definition of medical facility in Section 591.20;

2) For primary care physicians, the medical facility shall be located in a Primary Care HPSA;

3) For psychiatrists, the medical facility shall be located in a Mental Health HPSA;

4) For specialists, the medical facility shall be located in a Primary Care HPSA. For specialist who apply for the J-1 visa waiver flex option, the medical facility shall not be located in an HPSA; and

5) Not be in violation of the additional work location requirements (see Section 591.162).

(Source: Amended at 47 Ill. Reg. 3093, effective February 21, 2023)