

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED REGULATION

REGULATION NO.: FIU-408

REGULATION TITLE: Foreign Exchange Visitor Insurance Requirements

SUMMARY: The proposed regulation sets forth the insurance requirements applicable to exchange visitors.

TEXT OF REGULATION: The full text of the Proposed Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://bot.fiu.edu/regulations/>. If you would like a copy of the Proposed Regulation, please contact Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, (305) 348-2103.

AUTHORITY: Resolution of the Florida Board of Governors dated January 7, 2003.

NAME OF PERSON INITIATING PROPOSED REGULATION: Cristina Mendoza, Vice President and General Counsel.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION: Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: August 12, 2008.

THE FULL TEXT OF THE REGULATION IS PROVIDED BELOW:

FIU-408 Foreign Exchange Visitor Insurance Requirements.

(1) In compliance with its responsibilities under federal law, the University requires that exchange visitors with J-1 non-immigrant status who are sponsored by the University shall maintain a policy or policies of medical insurance, including repatriation and medical evacuation coverage, for themselves and their accompanying J-2 dependents for the full duration of their sponsored enrollment or program. For purposes of this regulation the term “exchange visitor” means a citizen of a foreign country who is sponsored by the University as either a student, teacher, professor, researcher, short-term scholar, specialist, visitor or other category of exchange visitor status as defined by the U.S. Department of State.

(a) Only the following insurance policies will be considered adequate to meet this requirement:

1. The University approved policy offered for purchase by exchange visitors; or,
2. The insurance offered as part of the standard benefits package to exchange visitors who are University employees if such insurance covers their dependents and is supplemented by a separate policy providing medical evacuation and repatriation.

(b) Proof of this type of insurance coverage for exchange visitors and all accompanying J-2 dependents shall be demonstrated as follows:

1. For exchange visitors other than students, proof of insurance coverage shall be provided to the Office of International Student and Scholar Services prior to the issuance of the U.S. Department of State Form (the “Form”) by the Office of International Student and Scholar Services.

2. For exchange visitor students who are not degree-seeking students, proof of

insurance coverage shall be provided to the Office of International Student and Scholar Services before the Form is issued by the Office of International Student and Scholar Services.

3. For exchange visitor students who are admitted as degree-seeking students, proof of insurance coverage shall be provided to the Office of International Student and Scholar Services when the exchange visitor student arrives in the United States and prior to registering for classes for the semester in which the exchange visitor student has been admitted.

(c) The Form will be issued only for the stated period of insurance coverage. Proof of the extension of major medical, repatriation and medical evacuation insurance must be provided prior to the issuance of the extended for DS-2019. Exchange visitors who are eligible for the insurance available to University employees must obtain coverage under subparagraph (1)(a)1., above, and demonstrate proof thereof to the Office of International Student and Scholar Services for themselves and any accompanying dependents until such time as their employee and dependent coverage becomes effective before the Office of International Student and Scholar Services will issue the Form.

(d) This regulation should not be interpreted to mean that the University recommends or encourages any prospective exchange visitor to cancel existing insurance coverages. The insurance coverage required by this regulation satisfies the requirements of the U.S. Department of State, the Florida Board of Governors and the University and may not cover all medical conditions which the exchange visitor and accompanying dependents may develop or the treatments which they require.

(e) Willful failure to maintain the required insurance coverage shall result in

termination of participation in the exchange visitor program and/or employment.

Specific Authority BOG Resolution dated January 7, 2003. *Law Implemented* BOG Resolution dated January 7, 2003. *History*—Formerly 6P-3.02(5), 10-1-75, Repromulgated 12-23-76, Formerly 6C8-3.006, Amended 1-10-95, _____ 08.