



LEGAL ALERT

February 2023

Significant Changes to Naturalization Form N-648, Medical Certification for Disability Exceptions

By: Rebecca R. Cohen

U.S. Citizenship and Immigration Services (USCIS) has released updated policy guidance and revisions to Form N-648, Medical Certification for Disability Exceptions.

Form N-648 is used by U.S. citizenship applicants requesting an exception to the English and civics testing requirements for naturalization due to a physical or developmental disability or mental impairment. The form is filled out and certified by medical professionals on behalf of applicants requesting the exception.

The updates, released October 19, 2022, are intended to be consistent with the Biden administration's larger policy goals of removing barriers to legal immigration and underserved populations. These changes were made based on public comments and feedback about the previous version of the form, which many immigration advocates viewed as burdensome for applicants and certifying medical professionals.

The new version of the form has been shortened from nine pages to four and eliminates questions that are redundant or no longer practical. Specifically, the information requested about disabilities and/or impairments has been significantly reduced and simplified. For example, the form removes questions about how each relevant disability affects specific functions of the applicant's daily life, including the ability to work or go to school. The form revisions also eliminate the dates of diagnosis, description of severity of each disability, and whether the certifying medical professional has a pre-existing relationship with the applicant. In addition, less personal identifying information is requested about the applicant.

Additionally, the updated policy provides guidance for telehealth medical examinations and states that USCIS will now accept Form N-648 examinations conducted through telehealth visits.

The form revision also allows medical professionals the option to indicate an applicant's need for an oath waiver within the form itself, eliminating the need for separate medical documentation. An oath waiver indicates that an applicant's disability prevents them from understanding the final step to the naturalization process – an oath of allegiance to the United States that includes the commitment to bear arms for the country if needed.

Some immigration advocates are pushing to keep the oath waiver request separate from the N-648, because it may trigger an influx in unnecessary requests which therefore could require applicants to have a legal guardian testify on their behalf.

Applicants should note that new instructions indicate that USCIS will accept the N-648 after an applicant submits an N-400, Application for Naturalization, rather than the previous instructions, which required the two forms to be submitted concurrently. However, the form must be completed within 180 days of submission of the N-400 in order to be considered.

Summary of N-648 Policy Changes:

- Application has shortened from nine pages to four.
- The form no longer contains questions about:
 - date of disability diagnosis
 - description of severity of each disability
 - how the disability effects one's ability to do everyday functions
 - whether the certifying medical professional has a pre-existing relationship with the applicant
 - less personal identifying information
 - Applicants can now submit medical examinations conducted through telehealth visits.
- Medical professionals can now request an oath waiver for applicants directly on the N-648 form.
- USCIS will now give applicants 180 days to submit a N-648 form after submitting their naturalization application.

If you have a disability or mental impairment that you think may qualify you for an exception to the English and civics testing requirements for naturalization, we suggest that you consult with an attorney early in your citizenship application process.

Please reach out to attorney Rebecca Cohen with any questions regarding this policy alert or other immigration matters.

Rebecca R. Cohen, Esq.

Ph: 315.701.6449
rcohen@bhlawpllc.com
www.bhlawpllc.com



Bousquet Holstein



Bousquet Holstein PLLC

