

PUBLIC CHARGE will it affect me?

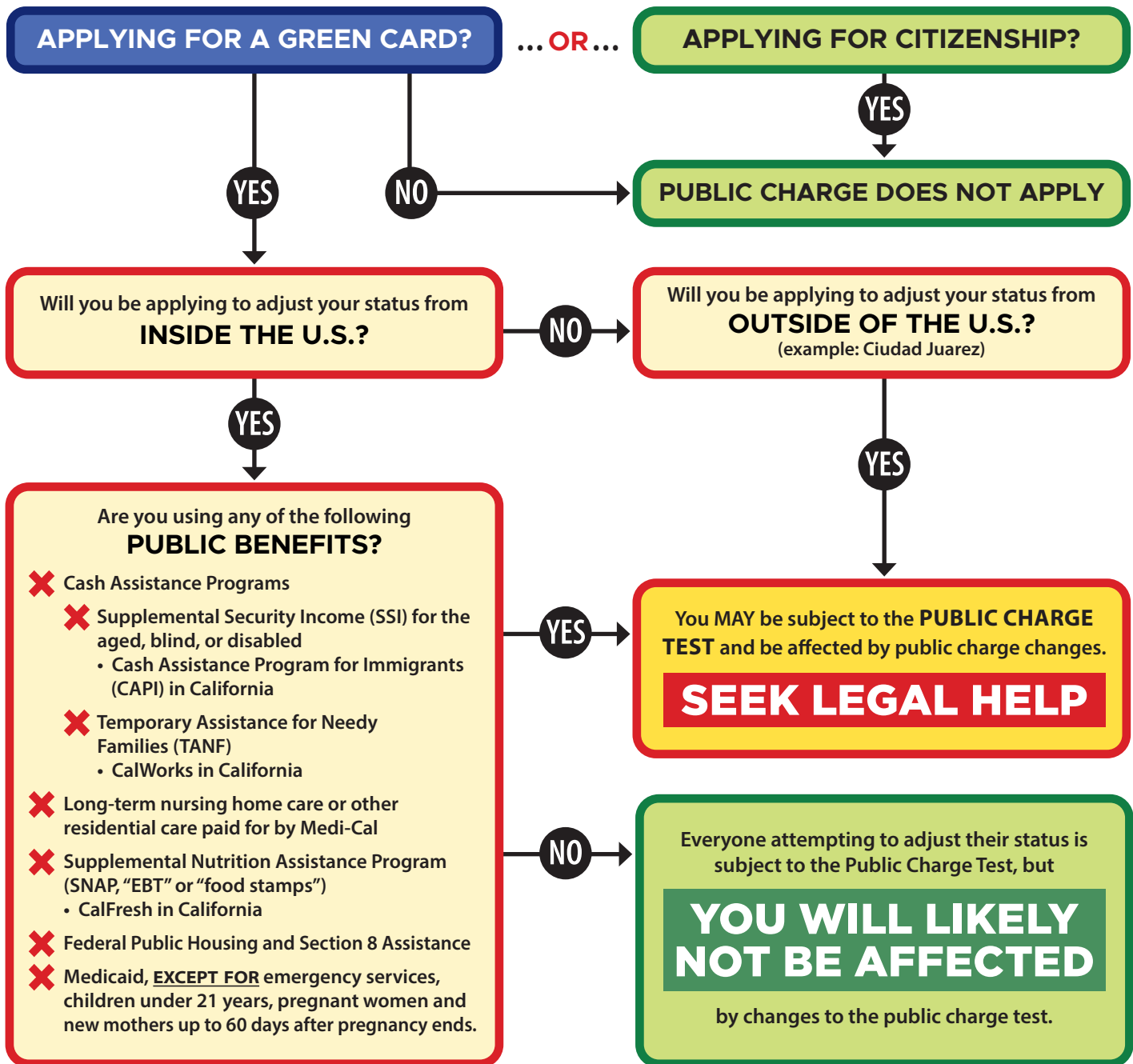
As of February 2020



The Public Charge Test is used by immigration officials to decide whether a person can enter the U.S. or get a green card (lawful permanent resident or LPR status). Immigration officials use the term “public charge” to refer to people who are likely to become dependent on the government to support themselves. The federal administration recently announced changes that expand “public charge” to include people who receive one or more public benefits for more than 12 months within any three year period.

CHANGES TO THE PUBLIC CHARGE RULE GO INTO EFFECT FEBRUARY 24, 2020. Every family is different, and while the Public Charge Test may scare you, **it only affects a small number of families, and only the programs listed below** are impacted by the rule change.

FOLLOW THIS MAP to see if you may be subject to the Public Charge Test.



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DON'T WORRY.

✓ **Benefits used by eligible family members don't count unless family members are also applying for a green card**—if your children are citizens and use one of the benefits on the chart on the reverse side, it won't count against you!

✓ **Benefits used before the changes go into effect will not be considered in public charge determinations.** The only exceptions are cash assistance and long-term care.

 **Medicaid for children under 21, pregnant women, new mothers, and emergency services** will not be considered in public charge determinations.

Not all benefits are included in the changes to the Public Charge Test. The following programs are **SAFE** to use if you are eligible (*for a list of benefits that ARE included, please refer to the chart on the reverse side*).

- | | |
|-------------------------------------------------------------------------------------|----------------------------------------------|
| ✓ WIC (The Special Supplemental Nutrition Program for Women, Infants, and Children) | ✓ CHIP (Children's Health Insurance Program) |
| ✓ School Lunch | ✓ Shelters |
| ✓ Food Banks | ✓ Covered California Subsidies |
| | ✓ Earned Income Tax Credits |

The Public Charge test does NOT apply to every immigrant. Those not affected include:

- | | |
|--------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| ✓ Refugees or Asylees | ✓ Violence Against Women Act (VAWA) self-petitioners |
| ✓ Survivors of domestic violence, or other serious crimes (U or T visa applicants/holders) | ✓ Legal Permanent Residents (LPRs) applying for U.S. Citizenship |
| ✓ Special immigrant juveniles | ✓ Other categories of humanitarian immigrants may be exempt |

SHOULD I DISENROLL FROM PUBLIC BENEFITS?

The health and wellbeing of you and your family is important!

Please know that using public benefits alone will not mean that you fail the public charge test. Immigration officials will need to look at other factors to determine if you do or do not pass the public charge test. This is known as "totality of circumstances." The "totality of circumstances" looks at factors that include your age, health, income, assets, resources, education/skills, family, and employment. Positive factors, like your education and employment, can outweigh your use of public benefits.

LEARN MORE AT:

keepyourbenefits.org or text "benefits" to **650-376-800**

SEEK LEGAL HELP

Please consult with an immigration attorney or BIA-accredited representative about your own situation:

www.bit.ly/immigrationhelp

You can place local resources here.



A PROJECT OF
The Children's Partnership

LEARN MORE AT THESE WEBSITES:

www.allinforhealth.org/public-charge

www.protectingimmigrantfamilies.org

TO JOIN OR REQUEST A PUBLIC CHARGE RELATED EVENT, EMAIL:

allinforhealth@childrenspartnership.org