

# What is Public Charge?

"Public charge" is a rule that immigration can use to deny an application for permanent residence ("Green card") or certain other visas if the applicant is likely to depend on certain government programs if approved.

Public charge **does not affect** applicants for U.S. citizenship, asylum, refugee status, Special Immigrant Juvenile Status, TPS, VAWA, U or T visas or lawful permanent residents (LPR, green cards) based on these visas. It **does not** affect DACA or lawful permanent resident (LPR, green card) renewals.

The Public charge test only looks at **certain** benefits that the applicant gets (see inside). It **also** considers his/her current situation: health, age, employment, skills, education, family/sponsor income.

## Public Charge Does Not Include:

- Sliding Fee Scale from a Community Health Center such as Golden Valley Health Centers
- Health Benefits received by a woman during pregnancy and 60 days after giving birth
- Emergency Medi-Cal
- WIC Women Infant and Children
- Health Benefits received by person under 21 years old
- Free and Reduced Lunch
- Public School Education and services such as Head Start
- Family members that qualify for benefits and /or are Green Card Holders/LPR or US Citizens do not affect the the applicants application for LPR/Green Card

This is merely for reference only and is not intended to give any legal advice, each situation is different and if you have any questions here are some resources:

### Local organizations

#### Catholic Charities

209 -444-5910  
ccstockton.org  
(Modesto, Stockton)

#### Social Justice Collaborative

510-992-3964  
www.socialjusticecollaborative.org  
(Modesto office)

#### International Rescue Committee

209-667-2378  
www.rescue.org 209-667-2378 ext 1  
(Turlock/Modesto)

#### El Concilio

209-644-2600  
elconcilio.org  
(Modesto/Stockton)

#### SIREN-Services, Immigrants' Rights and Education Network

408-453-3003  
<http://www.siren-bayarea.org/>

### For more information please go online

#### Immigration Law Help

<https://www.immigrationlawhelp.org/>

#### The American Immigration Lawyers Association

<https://www.ailalawyer.com/>

#### Immigrant Legal Resource Center

<https://www.ilrc.org/contact>

#### SIREN-Services, Immigrants' Rights and Education Network

<http://www.siren-bayarea.org/>



**GOLDEN VALLEY**  
HEALTH CENTERS

# Does Public Charge Affect You?

## ATTENTION

On October 11th, 2019 a judge blocked and halted the implementation of the new benefits to be added to public charge.

We will ensure to keep you updated on this web-page. <https://www.gvhc.org/knowyourrights/>



# Does Public Charge Affect You?

Are you a US Citizen?  
If **YES**, Public Charge does not apply to you

This is not meant to provide legal advice. Please consult an immigration attorney for specific advice

Are you a lawful permanent resident (LPR, green card holder)?

Public charge does not apply. But, if you use public benefits and you plan to leave the country for more than 6 months, it is a good idea to talk with an immigration attorney.

Are you applying for:

- Citizenship
- Lawful Permanent Resident (Green Card) renewal
- DACA renewal
- U or T Visa
- Asylum or Refugee status
- Temporary Protective Status (TPS)
- Visa Violence Against Women Act (VAWA)
- Special Immigrant Juvenile Status
- Green Card based on U/T/SIJ, VAWA or Asylum

Public charge does not apply to you for these applications. You may use any benefits for which you qualify.

Do you or your family plan to apply for a green card or visa from inside the U.S.?

A public charge test **may** apply, but only a few benefits that the applicant receives count. Benefits that eligible family members use will not affect your application for LPR.

Do you or your family plan to apply for a green card or visa from outside the U.S.?

A public charge test **applies**, but only some benefits count. Talk to a qualified attorney about this.

## Benefits currently considered for public charge test:

- Cash benefits
  - SSI
  - CalWORKs
  - CAPI
  - General Assistance
- Long-term care (nursing home) Medi-Cal

## Timeline for changes on public charge rule:

10/2018

Rule proposed

8/12/19

Final rule adopted

10/15/19

New benefits start to count

**New Benefits that will be considered after 10/15/19** \*Blocked until further notice

- CalFresh/food stamps
- Non-emergency Medi-Cal (federal)
- Medicare Part D subsidies
- Federal housing/Section 8

Please see other side with benefits that do not count towards public charge