

# PUBLIC CHARGE RULE: WHAT YOU NEED TO KNOW

## What is public charge?

When some people apply for their legal permanent residency, also known as their "green card", or apply for a visa to enter the United States they have to pass a "public charge" test. This test is meant to evaluate if the person is likely to **use certain listed public benefits in the future**. Immigration officials look at the person's:

- Age
- Income
- Health & health insurance
- Education and work skills
- English level
- Previous use of listed public benefits



## What are the certain listed public benefits?

- Federal, State, and local cash assistance programs (ex: TANF, SSI, General Assistance)
- Supplemental Nutrition Assistance Program (SNAP, EBT, "Food Stamps")
- Medicaid (EXCEPT: emergency medicaid, children under 21 years, pregnant women including 60 days postpartum)
- Federal public housing and Section 8 housing assistance

## What public benefits are NOT included?

Many public benefit programs are not included in the new public charge rule. **This is not an expansive list**, but some examples are:

- All Kids
- Children's Health Insurance Program (CHIP)
- Moms and Babies
- VTTC programs
- Childcare Assistance
- Emergency Medicaid
- WIC
- School breakfast and lunch programs
- Head Start
- School grants and loans

**Any public benefits used by your children or family members will NOT count against you!**

## Who does it NOT apply to?

- Refugees and Asylees
- VAWA Self-petitioners
- Special Immigrant Juveniles
- U and T visa applicants/holders
- Many other Parolees and Humanitarian Visas
- Lawful Permanent Residents applying for citizenship
- U.S Citizens

## When did it go into effect?

The new public charge rule started on **February 24, 2020**. Only green card and visa applications and petitions submitted on or after this date will be affected. Use of the newly listed benefits (*SNAP, Certain Medicaid, Federal Housing, State and local cash assistance*) only **after this date will be counted**.

## What resources are available?

***If you believe you are affected by the new public charge rule:***

- Speak to an accredited legal representative or immigration lawyer:

<https://www.immigrationadvocates.org/legaldirectory/>

- Visit [www.protectingimmigrantfamiliesillinois.org](http://www.protectingimmigrantfamiliesillinois.org) for more information.
- Call ICIRR Immigrant Family Support Hotline: **1-855-435-7693**. Help is offered in many languages.