



CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY PUBLIC CHARGE GUIDE

March 2021

You should keep all appointments, including any doctor's appointments. You should also continue to seek and access public services to ensure you and your family can thrive and be healthy.

FEDERAL GOVERNMENT WILL NOT ENFORCE 2019 PUBLIC CHARGE FINAL RULE.

The U.S. Department of Homeland Security (DHS) and U.S. Citizenship and Immigration Services (USCIS) will no longer consider participation in Medi-Cal (except for long-term care), public housing, or CalFresh as part of the public charge determination.

Additionally, a reminder that medical testing, treatment and preventative services for COVID-19, including vaccines, are not considered for public charge purposes.

EVERY FAMILY IS DIFFERENT, REACH OUT FOR QUALIFIED LEGAL ADVICE.

It is important for concerned individuals and families to know their rights and empower themselves with accurate information to understand whether public charge affects them or not. If you have questions, an immigration or public benefits attorney can give you advice based on the specific facts of your individual situation. A list of nonprofit organizations qualified to provide assistance to individuals is available on the [California Department of Social Services website](#).

WHO IS SUBJECT TO PUBLIC CHARGE?

Only some immigrants are subject to public charge. Public charge is applied to people seeking admission (Visa) into the United States or applying to adjust their status (green card) with some exceptions. It does not apply to Refugees; Asylees; Temporary Protected Status applicants; Special Immigrant Juveniles; asylum applicants; and certain victims of crime, including domestic violence and trafficking, among others. It also does not apply to most lawful permanent residents, unless they leave the United States for over 180 days and seek to reenter.

WHAT IS PUBLIC CHARGE?

As a result of federal policy change, the [1999 interim field guidance](#) on the public charge inadmissibility provision (i.e., the policy that was in place before the 2019 Public Charge Final Rule) will apply now.

Public charge is defined as a non-citizen who is likely to become "primarily dependent on the government for subsistence, as demonstrated by either (i) the receipt of public cash assistance for income maintenance or (ii) institutionalization for long-term care at government expense." For additional details visit, [U.S. Citizenship and Immigration Services website](#).

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