

Public Charge Explained: When immigration officials determine whether someone is eligible to enter the U.S. or receive a green card, they apply a test to determine whether that person can support his/herself or will need government assistance. If individuals are determined likely to need assistance, their immigration status may be jeopardized by becoming categorized as a “public charge”. *This rule was revised on 8/14/2019.*

What’s new? The most recent change to this process broadens the definition of “public charge,” or what makes a person likely to need assistance. Public charge includes accessing these programs:

- CalFresh/SNAP
- Medicaid/Medi-Cal (with exceptions for emergency services, coverage of children under 21, pregnant women, and new mothers.)
- Federal Housing (Section 8 Housing Vouchers and Project-Based Section 8)
- Cash assistance programs (SSI, TANF or similar tribal programs)

This rule does not take effect until October 15, 2019 at the earliest.

San Diego Hunger Coalition recommends continuing to use CalFresh benefits until the rule goes into effect. Previous use of benefits cannot be used to determine your status.

The following individuals are exempt from the Public Charge Rule:

- Refugee status residents
- Individuals granted asylum
- U or T visa holders (survivors of trafficking or domestic abuse)
- Green Card holders seeking renewal*
- Special Immigrant Juvenile status residents
- U.S. Citizens

**Green card holders considering traveling outside of the U.S. for more than 180 days in a year should consult an immigration attorney.*

Please contact an immigration attorney if you have questions about how the new Public Charge rule affects you or someone you know.

Your status will not be affected if you or a family member uses:

- Free and reduced-price school, afterschool, and summer meals
- WIC
- Food pantries
- Food distributions, including Senior Commodity and Emergency Food Assistance Boxes (CSFP & TEFAP)
- Senior congregate and home delivered meals

For info on accessing benefits or immigration services, please call 2-1-1.

This document is meant only as a guide and is not legal counsel. If you have questions about how public assistance may impact your immigration status, please contact a trusted immigration legal service provider
www.alliancesd.org/immigration-lawyer-legal-assistance-san-diego

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