



KNOW YOUR RIGHTS

Before you stop receiving or applying for public benefits or services!

WHAT IS PUBLIC CHARGE?

People who apply for a green card (legal permanent residence) or entry into the United States (U.S.) must pass the public charge test—which evaluates the likelihood that the person will use certain government services in the future. Immigration officers must analyze all the person’s circumstances: age, income, health, education, and skills (including English language skills); use of certain public programs; and other factors.

The federal government published a new test that broadens the definition of “public charge” **that went into effect on February 24, 2020.**

THE TEST DOESN'T APPLY TO MEDICAL HEALTH SERVICES RELATED TO THE NOVEL CORONAVIRUS - COVID-19. You can receive medical care, including screening, treatment, and prevention (i.e. a vaccine, when it becomes available.) The test does not apply to the new “Pandemic EBT” food program for children eligible for school breakfast and lunch programs.

MAKE THE RIGHT DECISION FOR YOUR FAMILY. Each family is different, and it’s possible that the benefits your family needs are not included in the test.

The test doesn’t apply to all immigrants and doesn’t include all public benefits/services. See the back page for more information.

The use of benefits is not an automatic reason for the U.S. Citizenship and Immigration Services to deny your green card or visa.

Benefits used by your relatives don’t count against you. Benefits that you obtain for your children or relatives don’t count. Including your name in the application doesn’t count. The test is different, and harder, for immigrants who have a consular interview outside the U.S.

There are laws that protect the personal information of people who apply for and receive public benefits.

***References to local immigration assistance:**

Catholic Charities
987 Airway Court
Santa Rosa, CA 95402
(707) 578-6000

VIDAS
576 B Street, Suite 1C
Santa Rosa, CA 95401
(707) 523-1740

California Human Development
3315 Airway Drive
Santa Rosa, CA 95403
(707) 523-1155

Before deciding what is best for you and your family, speak with an immigration attorney or a non-profit:
<https://www.immigrationadvocates.org/legaldirectory/>. Interactive guide: <https://www.keepyourbenefitsca.org>



WHO IS AFFECTED BY PUBLIC CHARGE?

- People who plan to apply for a green card through a relative or spouse.
- Residents with a green card who:
 - Have been or plan to be outside of the country for more than 180 days (6 months) and are trying to return to the U.S.
- H2A Visa holders who are trying to extend their stay in the U.S. or change their visas (the test applies on a limited basis).



WHICH BENEFITS WILL BE CONSIDERED?



Cash assistance programs: Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), General Assistance (GA), Cash Assistance Program for Immigrants (CAPI).



Health Services: Medi-Cal (except emergency services, services for people under 21 years old, pregnant women and new mothers), long-term care (nursing homes), in-home supportive services for people over 21 years old (IHHS).



Nutrition Assistance: Food Stamps (CalFresh, EBT, SNAP).



Federal Housing Services: Public Housing Assistance, Section 8, certain federal housing programs.

Services not included in this list won't count against you!



CRLA

California Rural Legal Assistance Inc.



WHO IS NOT AFFECTED BY PUBLIC CHARGE?

- Residents with a green card applying for citizenship or renewal of their cards.
- People who have become citizens
- U-Visa (crime victims) or T-Visa (human trafficking victims) applicants
- People with a VAWA self-petition (granted)
- Special Immigrant Juveniles (SIJ) or DACA renewal
- Families of active duty service members
- People with Temporary Protected Status (TPS)
- Refugees and asylum seekers; people covered by the Cuban Adjustment Act and Nicaraguan Adjustment and Central American Relief Act; Haitian Refugees; certain Afghan and Iraqi immigrants; and other immigrants with a humanitarian status.



WHICH BENEFITS WILL NOT BE CONSIDERED?



Children's Services: Public education, school lunch/breakfast, Head Start, Individuals With Disabilities Education Act (IDEA), IHHS Infant Care, Healthcare Programs—(CHIP and Medi-Cal).



Healthcare Services: Services related to Coronavirus-COVID19, Medi-Cal for pregnant woman and up to 60 days postpartum, emergency services, services for people under 21, Medicare Part D Low-Income Subsidy, Covered California.



Nutrition Assistance: Program for Women, Infants, and Children (WIC), food banks.



Housing Services: Homeless and gender-based violence shelters, housing provided with state funds only.



Employment Services: Unemployment benefits, Workers Compensation, retirement benefits.

...and more services!