

PUBLIC CHARGE & COVID-19

Immigration
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WHAT IS PUBLIC CHARGE?

Public charge refers to a classification for people who rely on government cash assistance to support themselves. In immigration, someone who is deemed a “public charge” may be prevented from receiving a Permanent Resident Card (green card) or visa.

WHO DOES THIS IMPACT?

This impacts anyone who is applying for a Permanent Resident Card, except for anyone who holds Temporary Protected Status (TPS), a U or T Visa, Asylum or Refugee status, or Special Immigrant Juvenile Status. If you already have a Permanent Resident Card and are renewing or filing for citizenship, the Public Charge rule does not apply to you.

DOES PUBLIC CHARGE IMPACT MY ACCESS TO COVID-19 RELATED MEDICAL CARE?

No. In March of 2020, the United States Citizenship and Immigration Services (USCIS) announced that any COVID-19 related medical assistance, including treatment and preventative services, will not be taken into consideration in assessing whether someone is a public charge. Immigrant families are encouraged to seek the assistance they need at this time. Find more info [here](#), and [here](#)

DOES PUBLIC CHARGE IMPACT MY ACCESS TO COVID-19 STIMULUS CHECK (ECONOMIC IMPACT PAYMENTS)?

No. Because the stimulus payment is a tax credit, it is not considered in a public charge analysis.

DOES PUBLIC CHARGE IMPACT MY ACCESS TO COVID-19 RELATED FOOD ASSISTANCE?

Some types of assistance may be considered in a public charge determination. While federally-funded SNAP benefits may be included in a public charge analysis, receiving assistance such as WIC, TEFAP, and home-delivered meals are not considered in a public charge analysis. Additionally, Pandemic EBT (P-EBT) is not considered in a public charge determination.

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SHOULD I KEEP MY CHILDREN ENROLLED IN HEALTH AND NUTRITION PROGRAMS?

Yes. Health and nutrition programs for children will not affect someone's eligibility for a Permanent Resident Card. Find more info here.

DOES PUBLIC CHARGE IMPACT MY ACCESS TO COVID-19 RELATED UNEMPLOYMENT INSURANCE?

No. Unemployment Insurance is not considered cash assistance and is excluded from a public charge determination. The following federal and state public benefits are not considered in a public charge determination: federal and state retirement benefits, Social Security retirement benefits, Social Security Disability, postsecondary education benefits, and unemployment benefits. These are considered earned benefits through the person's employment and specific tax deductions.

DOES PUBLIC CHARGE IMPACT MY CHILD'S ABILITY TO GET THE MILLENNIUM SCHOLARSHIP OR OTHER COLLEGE SCHOLARSHIP BENEFITS?

No. Private and government scholarships as well as government-subsidized loans for postsecondary education are not considered in a public charge determination. The following federal and state public benefits are not considered in a public charge determination: federal and state retirement benefits, Social Security retirement benefits, Social Security Disability, postsecondary education benefits, and unemployment benefits. These are considered earned benefits through the person's employment and specific tax deductions.

WHAT BENEFITS ARE CONSIDERED IN A PUBLIC CHARGE ANALYSIS?

See the chart below and learn more at:
www.uscis.gov/news/public-charge-fact-sheet

Benefits that are considered	Benefits not considered
Supplemental Nutrition Assistance Program (SNAP, "EBT" or "Food Stamps")	WIC
Federal Public Housing and Section 8 assistance	CHIP
Medicaid (except for emergency services, children under 21 years, pregnant women, and new mothers)	Energy assistance programs
Cash assistance programs (like Supplemental Security Income (SSI), TANF, General Assistance, etc.)	Emergency medical assistance
	School lunches, food banks, shelters, state or local health care programs, and many more

WHERE CAN I FIND ADVICE IF I AM CONCERNED ABOUT A PUBLIC CHARGE DETERMINATION?

AILA Immigration Lawyer Search - www.aila.org/about/immigration-lawyer-search
Public Charge Risk Estimator - www.boundless.com/public-charge-estimator/