

Are You Affected by the Public Charge Rule?

Benefits (other than cash assistance or long-term care) used before October 15, 2019 will not be considered in the public charge test. Benefits that were previously excluded from the public charge test (such as Medicaid and SNAP) will only be considered if they are received on or after October 15, 2019.

Nonprofit law firms challenging changes to the public charge rule in court want to connect with **individuals who will be harmed by the revised public charge test.**¹ For more information about the changes to the public charge rule, check out <https://protectingimmigrantfamilies.org/resources/>.

If you or someone you know will be harmed by the new rule, please contact Mayra Joachin with the National Immigration Law Center at (213) 674-2830 and Joachin@nilc.org or David Kane with the Western Center on Law & Poverty at (213) 235-2623 and dkane@wclp.org.

We want to talk with you if:

- You **are in the process of adjusting status to a green card holder** (lawful permanent resident) through a family-based petition, and *any* of the following circumstances apply to you:
 - You have received **Medicaid, SNAP, or Public Housing/Section 8 at any time**
 - You plan to apply for **Medicaid, SNAP, or Public Housing/Section 8**
 - You have a **low income**
 - You have **no health insurance**
 - You have an **ongoing medical condition**
 - You are **not English proficient**
 - You do not have a **high school diploma**
 - Your **credit score is low**
 - You plan to seek a **fee waiver** for your adjustment of status application
- You **already have a green card** and plan to **leave the U.S.** for more than 6 months, and *any* of the circumstances above apply to you.
- You are **currently eligible for public benefits**, such as Medicaid, SNAP, or Public Housing/Section 8, and you have **chosen to disenroll or refrain from accessing benefits** because you are concerned that it will affect your ability to get a green card or re-enter the U.S. after 6 months.

¹ The law firms on the case (*La Clínica et al. v. Trump et al.*) include: National Immigration Law Center, Western Center on Law & Poverty, National Health Law Program, and Asian Americans Advancing Justice – Los Angeles.

For example, please contact us if any of these situations apply to you:

- 1) You plan to apply for a **green card or visa** from inside the United States through a family member who filed a petition for you. You or your family members currently receive **Medicaid, SNAP or Public Housing/Section 8**.
- 2) You and your family members already **have green cards** and receive **Medicaid, SNAP or Public Housing/Section 8**. You plan to leave the U.S. for more than 6 months.
- 3) You plan to apply for a **green card or visa** from inside the U.S. through a relative who filed a visa petition for you, and you have a **serious health condition**, do not have **private health insurance**, are **low income**, and/or **don't speak English** well.

Remember that the new public charge rule does not apply to:

- U.S. citizens
- Family members who are not applying for a green card
- Green card renewals
- DACA renewals
- VAWA self-petitioners
- Applicants for Temporary Protected Status (TPS)
- Refugees and asylum applicants
- Refugees and asylees applying for adjustment to lawful permanent resident status
- Individuals granted relief under the Cuban Adjustment Act (CAA), Nicaraguan and Central American Relief Act (NACARA), and the Haitian Refugee Immigration Fairness Act (HRIFA)
- Individuals applying for a T Visa
- Individuals with T status who are applying for adjustment to lawful permanent resident status
- Individuals applying for a U Visa
- Individuals who possess a U visa and are applying for adjustment to lawful permanent resident status
- Special immigrant juveniles

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