

IMPORTANT INFORMATION ABOUT PUBLIC BENEFITS

The government has changed the “public charge” rule.

The law will change on October 15th, 2019.

WHAT IS PUBLIC CHARGE?

“Public charge” is a test to see if someone is likely to become dependent on specific government programs.

As of right now, the only programs that are part of the public charge test are:

- Cash assistance (like TANF or SSI)
- Institutionalized long-term care (like living in a nursing home) through Medicaid

The changes the government made would make many more programs and factors part of the public charge test, including:

- Medicaid (but emergency Medicaid - EMSA does not count.)
- SNAP
- Section 8 housing assistance
- Medicare part D
- Income
- Age
- Health
- English proficiency

WHO DOES PUBLIC CHARGE APPLY TO?

Applying for a Green Card?



Public Charge test is part of this process

Applying for Citizenship?



Public Charge test is **NOT** part of this process

Already have a Green Card?



Public Charge and any changes will **NOT** impact you

The changes the government made make the public charge test part of the process of applying to renew certain visas or other statuses in addition to the green card application. The changes do **NOT** add a public charge test to the U.S. citizenship application.

The following are **NOT** subject to the public charge test at any time, even when applying for a green card:

- Refugees and asylees
- Victims of trafficking (T visas)
- Victims of domestic violence or other serious crimes (U visas)
- VAWA self-petitioners
- Special immigrant juveniles (SIJS), and some other immigrants

This did not change even though the government finalized the rules related to public charge.

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WHO CAN ANSWER MY QUESTIONS?



If you have questions about public charge related to an immigrant application you already have pending or are considering, you should consult an immigration lawyer. You can call the New Americans Hotline at **1-800-566-7673** for suggestions about where to seek legal advice. The hotline is free and anonymous, and help is available in many languages.

More information can be found at **nmpovertylaw.org** and **protectingimmigrantfamilies.org**.

For questions and legal help contact the New Mexico Immigrant Law Center: **nmilc.org** or call **(505) 247-1023**.

The NMILC holds free, open attorney phone hours every Friday from 11am-1pm for anyone with questions regarding immigration.

There may be legal challenges that stop the implementation of the rule.