



COMMUNITY MESSAGES

PUBLIC CHARGE

CORE MESSAGES TO SHARE WITH THE COMMUNITY:

- The new public charge rule was published on August 14, 2019, but will not go into effect until October 15, 2019. The rule might be stopped or delayed beyond that date by courts.
- The new public charge rule does not apply to immigration applications filed before October 15, 2019.
- The new public charge rule does not apply to pending adjustment of status applications and new applications postmarked before October 15, 2019.
- Many immigrants remain eligible for public benefits programs and should be unaffected by this rule. Asylees, refugees, U visa holders, Special Immigrant Juveniles, T visa holders, VAWA applicants, and most permanent residents are not subject to this public charge rule.
- The new public charge rule does not change who is eligible for health and benefit programs. Immigrants who are currently eligible for public benefits will remain eligible.
- Children under 21 and pregnant women will not be penalized under the new public charge rule for using Medicaid/Medi-Cal. (SB 75 Medi-Cal for children in California is unaffected).
- Under the new public charge rule, many government-funded services are still safe to use and do not cause any immigration harm. School-funded programs like free and reduced lunch, emergency Medi-Cal (Medicaid), disaster relief, Head Start and more all remain safe to use.
- The use of benefits by family members, such as children, are not counted against the applicant for immigration status.
- Immigrant families should consult with an immigration law expert about the possibility that there are no immigration consequences of their accessing health and benefits programs before making important decisions about the health and well-being of their families.
- The new public charge rule will not take effect until October 15, 2019. Some counties immediately filed a lawsuit to block the new rule, and additional litigation is expected. Thus, legal challenges could delay implementation. If, after consulting with an immigration expert, you believe the new public charge rule will affect you, you have until October 14, 2019 to file an immigration application without the new rule affecting you.