



# PUBLIC CHARGE GUIDE

Updated October 2021

**Public benefits are here to help! Apply for and keep CalFresh, Medi-Cal, Covered California, and other services. This helps you and your family thrive and be healthy!**

## **GETTING MOST BENEFITS & SERVICES DOES NOT HARM YOUR IMMIGRATION STATUS.**

The U.S. Department of Homeland Security (DHS) and U.S. Citizenship and Immigration Services (USCIS) do **NOT** consider health, food, and housing services as part of the public charge determination. This means many government funded benefits and services are safe to use.

Using these government funded benefits will **NOT** hurt your immigration status:

- Medi-Cal (except for nursing home or mental health institution.)
- CalFresh & Pandemic EBT (food services)
- Covered California
- County Health Services
- In-Home Supportive Services
- Public Housing and Section 8
- California COVID-19 Rent Relief Program
- WIC (Women, Infants & Children), school meals, and many more government benefits and services!

**REMEMBER:** Testing, treatment and preventative services for COVID-19, including vaccines, are **NOT** considered for public charge purposes.

## **WE PROTECT YOUR CONFIDENTIAL INFORMATION.**

When you apply for government funded benefits, your information is only used to decide if you qualify. State laws protect the privacy of your information. You do **NOT** have to share your immigration status if you are only applying for benefits for somebody else, like your child.

## **EVERY FAMILY IS DIFFERENT, SO REACH OUT FOR QUALIFIED LEGAL ADVICE.**

- The public charge rule does **NOT** apply to every immigrant.
- Getting government funded benefits alone does **NOT** make you a public charge.
- Government funded benefits received by your children and family members do **NOT** make you a public charge.
- Most people with green cards are **NOT** subject to the public charge rule.

Visit [Keep Your Benefits](#) for more information. You can also text "benefits" (for English), "libre" (for Spanish), "福利" (for Chinese) or "lợi ích" (for Vietnamese) to 650-376-8006. An immigration or public benefits attorney can give you advice. Find a list of [qualified and trusted legal organizations](#).

## **MANY IMMIGRANTS SHOULD NOT WORRY ABOUT PUBLIC CHARGE.**

Most immigrants are **NOT** subject to public charge! The rule is mainly applied to people seeking admission (Visa) into the United States or applying to adjust their status (to get a Green Card) through a family-based petition.

Public charge does **NOT** apply to:

- Lawful permanent residents (LPRs) with green cards when they apply for U.S. citizenship or renew their green cards.
- Refugees, Asylees, Temporary Protected Status applicants, DACA applicants or recipients seeking renewal, Special Immigrant Juveniles, asylum applicants, and certain victims of crime, including domestic violence and human trafficking.

## **WHAT IS THE PUBLIC CHARGE RULE TODAY?**

Public charge is defined as a non-citizen who is likely to become primarily dependent on the government for support, by receiving either:

- cash assistance for income maintenance (like CalWORKs, SSI, and General Relief/Assistance), OR
- being institutionalized for long-term care at government expense.

**Cash assistance related to COVID-19, such as rental or disaster assistance, is NOT considered for public charge determinations.**

Since March 2021, the public charge rule follows the [1999 field guidance](#). These guidelines do not consider the receipt of most government funded health, food, or housing services in a public charge determination. For additional details visit, [U.S. Citizenship and Immigration Services Public Charge Resources website](#).

## **ABOUT US**

The **California Health & Human Services Agency** (CalHHS) oversees departments and offices that provide a wide range of services in the areas of health care, mental health, public health, alcohol and drug treatment, income assistance, social services and assistance to people with disabilities.

The mission of the **California Department of Social Services** (CDSS) is to serve, aid, and protect needy and vulnerable children and adults in ways that strengthen and preserve families, encourage personal responsibility, and foster independence.

The mission of the **California Department of Health Care Services** (DHCS) is to provide Californians with access to affordable, integrated, high-quality health care, including medical, dental, mental health, substance use treatment services and long-term care. Our vision is to preserve and improve the overall health and well-being of all Californians.

The mission of the **California Department of Public Health** (CDPH) is to advance the health and well-being of California's diverse people and communities. The Department works to protect the public's health in the Golden State and helps shape positive health outcomes for individuals, families and communities.