

# PUBLIC CHARGE: FACT SHEET

## CEO Statement:

On October 10, 2018, the Trump administration proposed policy changes to the Public Charge rule. Although a number of significant changes were proposed, we at Partnership HealthPlan of California are concerned with the policy proposal to now include the use of Medicaid (Medi-Cal in California) as one factor when determining admission as a lawful permanent resident.

Many of our health center partners have shared that some of their patients, fearing that enrollment in Medi-Cal may jeopardize their application for legal residency status, are asking to have their family stop receiving Medi-Cal benefits. Without health insurance, these families may opt to go without needed care or turn to high-cost emergency rooms to receive treatment.

The proposed change in policy impacts all communities. As more uninsured individuals seek care in emergency rooms, there is the potential for poorer health outcomes for our members and an increase in uncompensated care for our providers.

Partnership's mission is to *help our members, and the communities we serve, be healthy*. We will continue to fight to achieve our mission and provide quality health care to all who are eligible.



Liz Gibboney

## RESOURCES

- Immigration Services (CA Department of Social Services) - <https://www.cdss.ca.gov/Immigration-Services>
- U.S. Citizenship and Immigration Services - <https://www.uscis.gov/greencard/public-charge>
- California Health Care Foundation - Immigrants and the New Proposed “Public Charge” Rule <https://www.chcf.org/blog/immigrants-new-proposed-public-charge-rule/>

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## What is Public Charge?

Public charge is part of immigration law that has been used by federal authorities for decades. It is designed to determine whether someone may become dependent on government assistance benefits as their main source of support. If the government determines someone is likely to become a public charge, they can deny admission to the U.S. or refuse an application for lawful permanent residency.

Currently, the law only applies when a person is

- Applying to enter the U.S.
- Applying for a green card –permanent resident status. (note: it does **not** apply when a legal permanent resident applies for citizenship)

Under current policy, only two types of benefits have been taken into consideration when evaluating if someone is considered a public charge:

- Cash assistance for income maintenance: Supplemental Security Income (SSI) and Temporary Assistance for Needy Families (TANF)
- Long-term institutionalized care paid by the government

## Proposed Changes to Public Charge

With the draft rule, Department of Homeland Security (DHS) proposes to redefine “public charge,” expanding the reasons DHS can determine whether an individual applying for lawful permanent residence or lawful entry might be considered to be accessing a public benefit to include:

- Most non-emergency Medi-Cal
- Low-income subsidy for prescription drug costs under Medicare Part D
- Housing assistance such as Section 8 housing vouchers
- Supplemental Nutrition Assistance Program (SNAP)

## What does the proposed rule NOT do?

- Consider benefits received by an applicant’s family members, or any programs not specifically listed in the rule.
- Consider programs funded entirely by states, localities or tribes, with exceptions for cash assistance and long-term care programs.
  - Only federally funded public benefit programs could be included in the public charge determination.