

Public Charge

New Rule Protects Immigrant Families: What You Need to Know



What Does This Mean for My Family?

- If you are eligible, you can support your family through public assistance to ensure you and your children, spouse, and parents are healthy, fed, and secure in your housing.
- This rule does not change public assistance or services eligibility.
- Information given to apply for public benefits is confidential and ONLY used to determine eligibility. The federal government does not access public benefit systems for immigration enforcement.
- Do not let fear of your immigration status stop you from seeking help. Services are available for individuals of any status.

How to Access Services

Apply online at mybenefitscalwin.org
or www.coveredca.com

Call **510-272-3663** to apply by phone
or request a mail-in application
Visit an Alameda County Social
Services office to apply in person

In September 2022, the U.S. Department of Homeland Security (DHS) released a new regulation that **officially reverses** the harmful Public Charge rule established by the previous White House administration. The new regulation ensures that immigrant communities have the right to:

Apply for and receive most public benefits for which they are eligible **without** impacting their current or future immigration status, including:

- Access to Medical Care
 - Medi-Cal for Children, Adults, and Seniors
 - Covered California
 - COVID Vaccines, Tests, Treatment
 - Short-Term Rehabilitative Care
 - Home and Community Based Services
- Food Assistance
 - CalFresh
 - The Special Supplemental Nutrition Program for Women, Infants & Children (WIC)
 - School Meals
- Housing Assistance
 - Section 8 Rental Assistance
 - Public Housing
- Employment Assistance
 - Unemployment
 - Disability
 - Worker's Compensation
 - WIOA Job Centers
 - Federal & State Retirement
 - EITC or Child Tax Credit
- Federal, State and Local Non-Cash Benefits
 - Season of Sharing (SOS)
 - Pandemic Relief
 - Veterans' Assistance
 - Low Income Home Energy Assistance Program (LIHEAP)
 - Affordable Connectivity Program

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The new DHS regulation clarifies that the Public Charge assessment only occurs when someone applies for Lawful Permanent Residency (LPR or "Green Card") or entry into the country. Some immigrants are exempt from the Public Charge test, including:

- U.S. Citizen (or applicant)
- Lawful Permanent Resident (LPR)
- Refugee, Asylee, or TPS (or applicant)
- Deferred Action Childhood Arrivals (DACA)
- Afghan or Iraqi Special Immigrant Visa
- Special Immigrant Juvenile or VAWA Self-Petitioner
- T or U Visa Status (or applicant)

The Public Charge test will **NOT** consider your application or receipt of public benefits for your child or any other eligible household member.

If you apply for LPR or entry into the country, the **only programs** considered under the Public Charge test are:

- Cash assistance programs, such as CalWORKs, General Assistance (GA), and Supplemental Security Income (SSI)
- Institutional long-term care paid for by Medi-Cal

Even if you use these benefits, other factors – such as an affidavit of support, your education and skills, income, and how long the benefit was received and how recently – will be considered during a Public Charge determination.

To find out more information about Public Charge, visit:

- [Keep Your Benefits](#)
- [Protecting Immigrant Families](#)
- [National Immigration Law Center](#)
- [California Department of Social Services](#)
- [USCIS Public Charge Resources](#)



Looking for Individual Guidance?

The Social Services Agency encourages individuals and families to seek advice from reputable non-profit immigration service providers. SSA staff cannot provide legal guidance. To receive guidance on your individual situation, please contact:

- [Asian Pacific Islander Legal Outreach](#)
(510) 251-2846
- [Bay Area Legal Aid](#)
(800) 551-5554 or (510) 250-5270
- [Catholic Charities of the East Bay](#)
(510) 768-3100
- [Centro Legal De La Raza](#)
(510) 437-1554
- [East Bay Community Law Center](#)
(510) 548-4040

*Benefits listed on Page 1 and Exempt Immigration Statuses on Page 2 are not exhaustive, please contact the services listed above to receive advice on your case.