

# Immigrants and “Public Charge”

- In immigration law, “Public Charge” refers to a person who is likely to become dependent on the government for support.
- Public charge is assessed when a person:
  - applies to enter the U.S.
  - applies to become a Lawful Permanent Resident (LPR or green card holder)

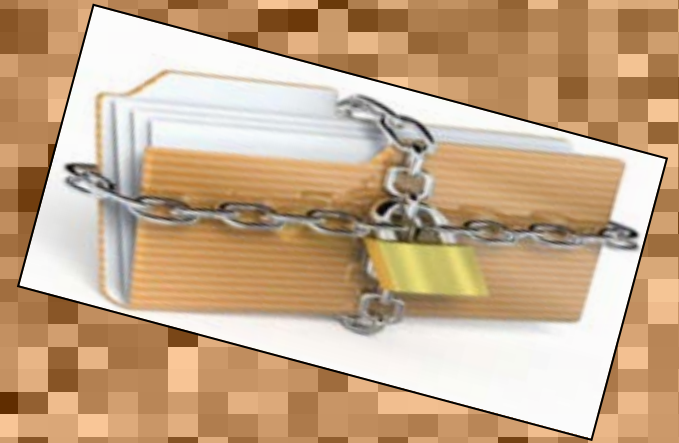


Currently, two types of public benefits are considered:

- Cash assistance for income maintenance
- Institutionalization for long-term care at government expense

# How Public Charge Could Change

- The White House is reviewing a proposal that would change “public charge” policy.
- If the proposed rule is finalized, immigration officials could consider whether individuals or their dependent family members have received or even sought access to government programs.



Benefits that are proposed are:

- Non-emergency Medicaid
- SNAP
- Section 8 housing vouchers
- Assistance for seniors who need help paying for Medicare part D (prescription drugs)

# What do immigrants need to know about public charge?

1. The rules governing public charge in the U.S. have not yet changed.
2. Some immigrant groups are not subject to “public charge”.
  1. Refugees
  2. Asylees
  3. People fleeing domestic violence
  4. Some other protected groups

Public charge is not considered when permanent residents apply to become U.S. citizens.



# Kentucky Medicaid and KCHIP Eligibility

- Citizens
- Qualified non-citizens:
  - Permanent residents (green card holders) **(5-yr wait for adults)**
  - Asylees
  - Refugees
  - Cuban/Haitian entrants
  - Paroled into US for at least 1 year
  - Conditional entrant granted before 1980
  - Victims of trafficking and their family with pending trafficking visa
  - Granted withholding of deportation

# Healthcare.gov Eligibility

- Citizens
- Lawfully present individuals
  - Permanent residents
  - Humanitarian statuses (refugees, asylum applicants, temporary protected status, victims of trafficking)
  - Valid non-immigrant visas
  - Legal status conferred by other laws