

# LET'S TALK ABOUT THE PUBLIC CHARGE TEST

**US Citizenship and Immigration Services (USCIS) made some changes to how it applies the Public Charge Test. USCIS will apply these changes to applications filed after February 24, 2020 for:**

Lawful Permanent Resident (LPR) status | Extending or changing a non-immigrant status

## What is the Public Charge Test?

- Asks whether an immigrant applying for a certain immigration status is likely to use certain public benefits for a certain period of time in the future.
- The public charge test is used only when people try to enter the US on certain visas, and only when certain immigrants apply for a green card.
- In reality, very few immigrants who are eligible for public benefits are affected by public charge.

## The public charge test does not apply to all immigrants

The public charge test does not apply to these immigrants:

- US Citizens
- Lawful permanent residents (green card holders) are not given a public charge test when they apply for U.S. citizenship, or when they renew their green card.
  - A public charge test may apply if a green card holder leaves the country for 6+ months.
- Refugees
- Asylees
- VAWA self-petitioners
- Special Immigrant Juveniles
- DACA Renewals
- Survivors of: trafficking, of domestic violence, or other serious crimes (T or U visa applicants/holders)

Please use benefits without fear.  
For a complete list, visit [nlsa.org](http://nlsa.org).

## Using public benefits will not automatically make you a public charge

Other things looked at are your:

**age | health | income | assets | resources | education | family | support**

Remember! If you are an immigrant that will be given a public charge test you will have a chance to show why you are not likely to rely only on government benefits in the future.

## The public charge test does not apply to all public benefits

The public charge test considers whether the immigrant has used these benefits:



**CalWorks | General Relief | SSI | CAPI | Institutional long-term care**

The public charge test will also consider whether the immigrant has used these benefits after February 24, 2020:



**Medi-Cal (But the test won't count: Emergency Medi-Cal, state-funded Medi-Cal, Medi-Cal for children under 21, pregnant women, and women 60 days post-partum) | CalFresh/ Food Stamps | Section 8 | Public Housing**

The public charge test does not consider ALL other benefits, such as:



**Medicare Part D | My Health LA | WIC | CHIP | School meals | Head Start | Food banks | Shelters | Community health clinics | Unemployment Insurance | California State Disability Insurance | Disaster Assistance**

For a complete list, visit [nlsa.org](http://nlsa.org).

## Frequently Asked Questions

### **I'm worried about the recent changes to the public charge test. What should I do?**

Stay Calm!

- The changes that went into effect February 24, 2020, did not change to whom the public charge test will apply
- Even with the changes, the public charge test probably does not apply to you.
- If you want to begin any immigration process, speak to a trusted attorney before dropping any benefits.

### **Is my personal information safe?**

- Government agencies processing benefits will not share your personal information for immigration enforcement.
- You do not have to give information about people not applying for benefits for themselves. Does my child's use of public benefits affect me?
- The new public charge test does not look at any of the public benefits your child or other family members use, only the benefits you use.

To see if public charge applies to you, take this easy online test:

<https://www.keepyourbenefitsca.org/en>

**Have more questions  
about public charge?**

**Call NLSLA  
1-800-433-6251**