



PUBLIC CHARGE: DOES THIS APPLY TO ME?

Updated: April 30, 2021

UPDATE ON CHANGE TO PUBLIC CHARGE!!!

Effective March 9, 2021, the government changed its public charge standard back to the one used prior to February 24, 2020.

WHAT IS PUBLIC CHARGE?

“Public charge” or the “public charge test” is used by immigration officials to decide whether a person can enter the U.S. or get a green card (lawful permanent resident or “LPR” status).

In this test, officials look at all of a person’s circumstances, including whether a person has used certain benefits programs.

Immigration officials will now only look at the following two public programs:

- Cash assistance (like SSI and TANF)
- Long-Term institutionalization through Medicaid (being put into a nursing home)

Services that are not listed above **will not be counted** in the public charge test. This includes Food Stamps (also called SNAP or EBT), Federal Public Housing and Section 8 assistance; Medicaid/MO HealthNet (except long-term institutionalization), WIC, school lunches, food banks, and shelters.

You can use these programs if you are eligible without it affecting a public charge decision.

THE OLD STANDARD NOW BACK IN EFFECT

The government went back to its old standard on March 9, 2021. All pending applications and petitions filed on March 9, 2021 or later will only count cash assistance or long-term institutionalization through Medicaid in the public charge test.

MAKING THE RIGHT CHOICE FOR YOUR FAMILY

If you still have concerns about the Public Charge test, an immigration attorney familiar with this issue can give you advice based upon your specific situation. You can speak to an immigration attorney about your family’s situation by contacting Legal Services of Eastern Missouri’s Immigration Law Program at (314) 534-4200, Ext. 1274 or www.lsem.org.

Need Help?
Call Legal Services of Eastern Missouri today!
314.534.4200

NEED HELP? Apply online at www.lsem.org or call 314.534.4200 / 800.444.0514