

“Public Charge” and Public Benefits Assistance Programs

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What is Public Charge?

“Public Charge” is a rule the government uses to decide if you will need government help to live in the United States. In the “Public Charge Test,” an immigration officer looks at whether you will depend on cash help or long-term care paid for by the government. If the officer believes you will depend on this kind of help, they may deny your application. This rule only affects specific immigration applications. However, it does **not** stop you from being able to apply for or receive these public benefits. Because of this, international students should be careful about which programs they apply for (see the list of allowed programs below).

Who does the Public Charge Test apply to?

The Public Charge Test is applied to:

- All Visa applications (including for F-1 student visas)
- Green card applications for those applying through a job or through a sponsoring family member

Applicants who are determined to be a potential public charge will be denied these applications.

What Public Benefits Assistance Programs will be considered as a “Public Charge”?

The Public Charge Test looks at whether you rely on:

- Cash assistance income. Cash assistance programs are the following:
 - Supplemental Security Income (SSI)
 - Temporary Assistance for Needy Families (TANF)
 - CalWorks
 - General Assistance or General Relief programs (GA/GR)

OR

- Long-term care in a government-paid facility, such as a nursing home or mental health facility

Visa holders should take care **not** to apply for or use these programs or services.

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What Public Benefits Assistance Programs will NOT be considered a Public Charge?

Many public benefits programs are NOT considered to make you a Public Charge, including:

- Children’s Health Insurance Program (CHIP)
- Medicaid/Medi-Cal
- Food stamps/SNAP/CalFresh
- Section 8 rental assistance and federal public housing
- Emergency and school-based Medicaid
- Services available to the community at large (meaning those that are offered with no income requirement to qualify)
- Women, Infants, & Children (WIC) benefits
- Public health services, like free vaccinations
- School-based nutrition services, like free and reduced cost school meals
- Public education and Head Start
- Earned benefits, such as unemployment, social security retirement, and worker’s compensation
- Eligible Tax credits
- Any other federal, state, or local benefit *besides* cash aid or long-term care in a government-paid facility
- ANY benefits received by family members

Visa holders **may** apply for and use these programs and services. Please contact the agency to determine if you may apply for these benefits. ISO cannot provide advice on your eligibility for public assistance programs.

Still concerned and need a legal consultation?

- Check out the [International Student Resource Center](#) Helpdesk for free legal advice
- Visit the [Immigration Advocates National Legal Directory](#) for a list of nonprofits providing immigration legal services, organized by zip code
- Visit the [California Department of Social Services’ Immigration Services Contractors](#) page for a selected list of immigration legal service providers in CA