

New Immigration Rules and Health Care Benefits

Updated: January 28th, 2020

A new public charge rule from the federal government may affect some immigrants who use specific health care benefits.

This rule doesn't apply to U.S. citizens.

Keep reading to see if this rule will affect you or your family and which healthcare benefits are safe.

For up to date information, go to www.coveringwi.org/immigration

What is public charge?

Public Charge - someone the government believes is likely to become dependent on the government for basic needs.

If you are a public charge, this can make it harder for you to:

- Get a visa to enter the U.S.
- Get a green card (permanent resident)
- Change or renew status (doesn't apply to green card holders or applications for citizenship)

Immigrants who can safely use public benefits:

- Naturalized citizens
- Green card holders - **unless** you travel outside the U.S. for more than 6 months.
- Refugee or asylee
- Special immigrant juvenile
- U or T Visa (visas for victims of crimes)
- Violence Against Women Act (VAWA) approved self-petition
- Afghan and Iraqi employees of U.S. armed forces
- Members and families of the U.S. Armed Forces, Ready Reserves, or military serving in active duty
- Relief under Cuban Adjustment Act (CAA), the Nicaraguan and Central American Relief Act (NACARA) or the Haitian Refugee Immigration Fairness Act (HRIFA)

If you have one of these statuses, you can safely use public benefits without hurting your chance of getting a green card or citizenship.

⚠ If you plan to petition, sponsor, or co-sponsor a family member to get a green card, your use of public benefits may affect their application.

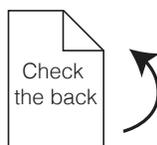
What is a green card?



A green card is a **permanent resident card**.

Do you have a status not listed?

Check the back for more information



Wisconsin
Collaboration on
**Immigrants and
Public Benefits**

If you can apply for or change your status from inside the U.S.

You can safely use these popular health care benefits:

Insurance:

- BadgerCare (Medicaid) for children under age 21
- Healthcare.gov financial help (ACA Tax Credits)
- Health Connect (Dane County only) premium assistance program
- Prenatal services

Prescription Drug Programs:

- 304B & Prime Vendor Program for medications
- Programs to help people pay for prescription drugs

Other programs:

- Emergency Services
- Discounts at community health centers
- Hospital financial assistance
- Seal-A-Smile dental program
- Ryan White HIV/AIDS program
- Vaccines for Children Program
- Well Woman Program

These benefits can affect your immigration status:

- BadgerCare Plus Healthcare (Medicaid or ForwardHealth) for adults.
Except anyone under age 21, Emergency Services for adults and children, or care for pregnant women until 60 days after the birth of the baby.
- Assisted living, nursing home, or home care paid for by a Medicaid long-term care program.
- Food assistance from FoodShare (also called food stamps, QUEST, or EBT)
- Cash benefits from Wisconsin Works (W2) or Supplemental Security Income (SSI)
- Housing assistance from Public Housing or Section 8

Using these benefits may affect you, if you need to change your status, apply for a green card, apply for a visa, or renew a visa.

If you get other benefits not listed above, they will not affect your immigration status.

Use of any benefits by family members will not affect your application.

Immigration looks at these factors:

- Age
- Health
- Work, Skills & Education
- Assets & Income
- Family Size
- Public Benefit Use
- Affidavit of Support

Immigration will consider the number and type of benefits used, how long you used them, and how recent.

For immigrants, including children, who must apply for a green card or visa from outside the US:

U.S. consulates outside the US use stricter rules to decide if you'll become a public charge. If your family uses public benefits and will need to apply for a green card or visa from outside the US, speak to an immigration lawyer to better understand how using benefits may affect your family's immigration status.

Free and low-cost legal options for immigration help:

In Wisconsin: www.coveringwi.org/immigration

Outside Wisconsin: www.immigrationadvocates.org/legaldirectory