

Public Charge: Many People Can Still Safely Receive Public Benefits

If public charge does not apply to you, you can receive any public benefits you qualify for without any risk to your immigration status.



U.S. Citizens. If you are a U.S. Citizen, public charge does not apply to you.



Green card holders. If you already have your green card, public charge does not apply when you are renewing your green card or when you apply for U.S. citizenship. However, if you plan to leave the U.S. for more than 6 months, public charge could apply when you return to the U.S., so you should talk with an immigration attorney before you leave.



Humanitarian immigrants and crime victims. If you have a U or T Visa, Asylum or Refugee status, Special Immigrant Juvenile status, or you are a VAWA self-petitioner, public charge does not apply to you. Public charge is also not part of the application process for any of these statuses.



People applying for green cards and visas. If you are or will be applying for a green card or a visa, and your status is not listed in the box above, public charge might apply to you. **If you are applying for a green card or visa from outside the U.S., special rules apply and you should talk with an immigration attorney. If you are applying for a green card or visa inside the U.S., read the next page for more details.**



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If public charge applies to you, and you will be applying for a green card or visa inside the U.S. . . .



Your family can safely get the public benefits they qualify for. Your family's benefits cannot be counted against you when you apply for your green card or visa. This includes your children. However, if someone in your family receives cash assistance (TANF or SSI) and this is your family's only income, this can be counted against you.



You can safely use many of the public benefits programs you qualify for, including any of the programs listed below. None of the programs listed below can be counted against you when you apply for a green card or visa.

- Medical Assistance for:
 - Children under 21
 - Pregnant adults
 - Emergency medical conditions
 - Some very low-income adults (GA MA)
- CHIP
- Marketplace Subsidies (Obamacare)
- Unemployment Compensation
- Worker's Compensation
- WIC
- Child care subsidy
- Prescription assistance programs
- Charity care
- Community health clinics
- Food cupboards/pantries
- And others



If public charge applies to you, talk with an expert before applying for or stopping cash assistance (TANF and SSI), federal Medical Assistance (except Emergency MA, and MA for children under 21 or pregnant adults), SNAP (food stamps), or federal housing subsidies for yourself. If you receive these benefits for yourself, this could be counted against you when you apply for a green card or visa. REMEMBER: if public charge does not apply to you (see page 1), you can receive any of these benefits without any public charge risk to your immigration status.



If public charge applies to you, talk with an immigration attorney. Immigration officials could deny you a green card or a visa if they decide that you are likely to become a public charge. An immigration attorney might be able to help you prove that you are not likely to become a public charge even if you have received or are receiving the benefits listed in the box immediately above.

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>