

Questions and Answers About Public Charge Rule and Its Impact on Families

1. I have heard that programs like Medicaid used by U.S. citizen children cannot be used against the parents (with exception of some cash assistance...but EPSDT shouldn't affect them). IS THIS CORRECT?
 - a. Only the use of benefits by the applicant will be assessed, except that child-only cash assistance may be attributed to parents if it is the household's primary source of support. Parents can continue to enroll their children into services without fear that it will impact their application.
 - b. Does this apply to the kids & youth in California who are undocumented but getting State-Only Medi-Cal (with no federal participation)...the SB75 youth, I believe? If not, what is the read on these youth?
 - Under the Medi-Cal program, and only for the Medi-Cal program, health benefits received by a person under 21 years of age will be exempted and does not count for the public charge determination. However, there are no exclusions listed for SNAP, thus it can be included as a negative factor in the public charge assessment for children who are enrolled in the program.
 - Also, important to note that state only funded programs, like MyHealthLA, are not subject to the public charge rule.
2. If someone is receiving County indigent funding (NOT on Federal or State Medicaid), is THAT considered public charge?
 - a. If the county program is funded with state resources only, thus no federal funds, then it's likely excluded.
3. Will refugees, survivors of trafficking, domestic violence and other serious crimes (T & U visa holders or applicants) be exempt, including special immigrant minors (unaccompanied minors who have achieved status)?
 - a. Public charge does not apply to: Refugees, asylees, survivors of trafficking and other serious crimes, self-petitioners under the Violence Against Women Act, special immigrant juveniles, and certain other groups.
4. Are green card holders who are lawful permanent residents subject to public charge when applying for citizenship?
 - a. The public charge test is NOT applied to individuals looking to obtain their citizenship.