



This information is current as of November 8, 2018.

## FREQUENTLY ASKED QUESTIONS

Media reports have raised questions about immigration and participation in public benefit programs that offer health coverage and access to supportive services for food, cash, housing, and more.

As of now, **the rules for California's public assistance benefits HAVE NOT changed.** At this point in time, nothing coming from the federal administration changes eligibility rules for public benefits and services. Solano County remains committed to delivering important public services and benefits to every one of our residents, regardless of immigration status.

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## RECENT NEWS

### Q: What is Public Charge?

**A:** Public Charge is a term used in immigration law to describe someone who is likely to become dependent on the government for subsistence. It is a test used by U.S. Citizenship and Immigration Services (USCIS) as one factor in determining who will be granted entry into the United States, who can renew certain temporary visas and who can obtain Lawful Permanent Residency (LPR) – also known as a green card. People who are determined unlikely to be able to support themselves are considered to be possible “public charges.”

Public charge does not apply to some categories of immigrants, such as refugees. Persons granted asylum and certified trafficking victims, and there is no public charge test when a legal permanent resident applies for naturalized citizenship.

### Q: What is new with Public Charge?

**A:** On October 10, 2018, the Department of Homeland Security (DHS) published proposed changes to the public charge rules in the Federal Register. The proposed rule changes expand the types of benefits that may be considered for “public charge,” and could be used as grounds to reject an immigrant’s application to keep his/her legal status to stay in the U.S. or to become a lawful permanent resident (obtain a green card).

For more info, visit [bit.ly/public-charge-solano](http://bit.ly/public-charge-solano)



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HEALTH SOCIAL SERVICES

**Q: What are the proposed changes to Public Charge?**

**A:** Programs such as non-emergency Medi-Cal, CalFresh and housing assistance such as Section 8 vouchers could be considered in weighing a person's application for lawful permanent resident status (LPR); these are not currently considered. Public education (including Head Start), national school lunch programs, the Special Supplemental Nutritional Program for Women, Infants and Children (WIC) and Veterans' benefits would NOT be considered for public charge.

## ELIGIBILITY

**Q: Do these proposed changes have any immediate impacts on the benefits offered by Health & Social Services (H&SS)?**

**A:** No. if you are eligible to receive Medi-Cal, CalFresh, CalWORKs, cash and child care assistance, or In-Home Supportive Services (IHSS) now, you are still eligible to receive those benefits. This includes all rules affecting immigrants. We continue to process all applications and renewals and provide benefits to you just as we did before.

## LEGAL CONCERNS

**Q: I have heard there may be changes to how my application for citizenship will be considered if I or my family uses any public assistance programs. Is this true?**

**A:** No. Immigration officials cannot consider whether you or your family receive a public benefit when deciding if you can become a naturalized U.S. citizen.

**Q: Does the use of public benefits and supportive services affect my application for lawful permanent residency?**

**A:** The federal government has not made any changes to how the use of public benefits affects your application for lawful permanent residency – also known as a “green card” – when you apply from within the United States. *(Please note that different rules apply when you apply for a green card from a foreign consulate.)*

For green card applications filed in the U.S., the use of non-cash benefits like health care coverage (Medi-Cal), food (CalFresh), education, job training and child care services has no impact, and will not count against anyone applying for lawful permanent residency. Under the current rules, use of Medi-Cal long-term care services and cash assistance programs, including CalWORKs may be considered by immigration officials when applying for lawful permanent residency.

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may be considered for “public charge” to include non-cash benefits including health coverage, food, and housing assistance. Currently these are proposed changes, and the rules have not changed.

## PRIVACY

**Q: I am concerned about the privacy of my information. How is the information provided about myself or my family used by the Health & Social Services Department (H&SS)?**

**A:** H&SS uses the information you give us to see if you are eligible for benefits. The federal government does not access our systems for immigration enforcement action. We may need to verify the information you provide about your household on a public benefits application with the federal government, but only to confirm your eligibility to receive services.

**Q: Will discontinuing my benefits remove my information from California’s systems?**

**A:** No. State and local computer systems keep a record of your old case, so we will continue to have your information on file. Choosing to stop your benefits will result in loss of critical health care coverage, cash, and food assistance.

## RESOURCES

**Q: I still have questions about how participating in public benefit programs could impact my immigration status or citizenship. Can you provide me with assistance?**

**A:** H&SS cannot provide legal guidance to you and your family. We encourage you and your family to seek legal advice from a reputable nonprofit immigration service provider. A list of organizations that provide free or low-cost immigration legal services that may be able to help you can be found at <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

