Resources to Help Understand the New Public Charge Rule

September 23, 2022 Update

The US Department of Homeland Security (DHS) has finalized a new public charge rule set to go into effect December 23, 2022, which provides additional protections for immigrants to access health care, nutrition, and housing programs. The new rule does not count Medi-Cal (except for long-term care), CalFresh, WIC, COVID prevention and treatment, Section 8, and other “non-cash” federal programs as part of the public charge test. Under the new rule, only two types of programs could potentially impact an applicant’s consideration as a public charge: cash assistance for income maintenance such as CalWORKs, SSI, or General Relief and long-term care at government expense. Consideration of these will be balanced, and no single factor alone will make someone likely to become a public charge.

Community members with questions about the impact of applying for or receiving public benefits on their immigration status are encouraged to consult reliable sources such as trained immigration attorneys and reputable nonprofit immigration service providers to discuss their specific situation. Among the resources available, the California Department of Social Services maintains a list of CDSS-funded legal services providers as well as a list of providers offering free legal consultation and/or education and outreach services specifically related to public charge. Several local organizations are listed, including Central Coast Alliance United for a Sustainable Economy (CAUSE), Mixteco Indígena Community Organizing Project (MICOP), El Concilio Family Services and Líderes Campesinas.

Community Resources to Learn More About Public Charge

- California Health and Human Services Agency Public Charge Guide
- Protecting Immigrant Families’ (PIF) Public Charge: Does this Apply to Me? available in nine languages, can help answer common questions for individuals and families.