



Public Charge

On October 10, 2018 the Department of Homeland Security (DHS) proposed a new rule that would vastly expand the federal government's ability to bar an immigrant from entering the United States, obtaining a new visa, or obtaining a green card by expanding the definition of who is considered a "public charge."

As currently defined, a person is a public charge and therefore ineligible for legal admission to the U.S. if they receive cash-based benefits, such as Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), or general cash assistance (state or local). If the rule is finalized as currently written, the Administration's proposal would expand this definition to a wide array of social safety net programs that are currently available regardless of immigration status, including non-emergency Medicaid, Supplemental Nutrition Assistance Program (SNAP), and Section 8 Housing Vouchers.

Like many of our network partners, the Nurse-Family Partnership National Service Office (NFP-NSO) is very concerned about the long-term negative impact that this proposed policy could have on community health and the well-being of children. This proposal targets families who are doing the right thing by working towards legalized immigration status and creating a better life for their families. It effectively forces a choice between legal presence and seeking public benefits that protect health, well-being, and safety. Although the rule targets the use of certain programs and does not specifically include receipt of home visiting services, we believe that the proposed policy as currently written could have a detrimental impact on families seeking *any* public/social services, which for many of our families are essential and help them lead healthy lives. In fact, there are reports that this proposal, even in draft form, is already having a chilling effect on the use of benefits, which is affecting referral sources for existing or potential NFP families. The [Fiscal Policy Institute](#) recently estimated that up to 24 million could be deterred from seeking benefits from the mere existence of the rule, including 9 million children under age 18.

The rule is not yet final. It is currently open for [public comment](#) for 60 days through December 10, 2018. It is important to note that DHS has specifically requested feedback on whether to include any public benefit program in a public charge determination. The NFP-NSO will provide a comment to DHS on how this proposed policy will negatively affect the at-risk families and communities that we serve, and explicitly reject the addition of the programs enumerated above and any others (CHIP, WIC, etc.) to the public charge determination. We encourage our partners to do the same.



Resources

As we continue to monitor developments related to this rule, here are some resources to help you learn more about this proposal and how to talk about this in your community:

[Public Charge Fact Sheet \(CLASP\)](#)

[Public Charge Fact Sheet \(First Focus\)](#)

[How to talk about Public Charge with Immigrant Families](#)