



On August 14, 2019, the Department of Homeland Security (DHS) published a new rule that would vastly expand the federal government's ability to bar an immigrant from obtaining legal status in the United States by expanding the definition of who is considered a "public charge."

The Nurse-Family Partnership National Service Office (NFP-NSO) strongly opposes this rule, which targets families who are doing the right thing by seeking legal immigration status and creating a better life for their families. The rule effectively forces a choice between legal presence and seeking public benefits that protect health, well-being, and safety. Unless the rule is halted by litigation, it is set to take effect on October 15, 2019.

As currently defined, a person is likely to be classified as a public charge 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). The rule expands this definition to include other social safety net programs that are currently available regardless of immigration status: Medicaid (with exceptions for children under 21 and pregnant women-60 days post-partum), Supplemental Nutrition Assistance Program (SNAP), and Housing assistance—both Federal Public Housing and Section 8 Housing Vouchers. While a finding of public charge alone will not keep an individual from getting a green card, it will have a heavily negative effect in the totality of the circumstances. The rule also requires consideration of other factors such as age, health, family income, and English-language skills. **The federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program is NOT considered as part of a public charge determination.**

NFP continues to be concerned about the long-term impact that this policy will have on community health and the well-being of children, and we have joined with others to oppose this policy change. We were proud to join the American Academy of Pediatrics (AAP) and 21 other organizations in a joint statement of opposition. NFP also participated in the public comment effort against finalization of this rule in December 2018.

We encourage you to go to <https://protectingimmigrantfamilies.org/> to find helpful resources for discussing Public Charge in your communities. The site includes information on [immigrant eligibility for public programs during COVID-19](#), a [fact sheet](#) on how to find out if a family is impacted and [what to do](#) if they are, and [talking points](#). NFP continues to work through the rule to provide detailed guidance regarding funding streams and the impact of public charge on our local network partners.