



Understanding Public Charge

What is public charge?

Some people who apply for a green card (Lawful Permanent Resident (LPR) status) or a visa to enter the U.S. must pass a “public charge” test. The public charge test decides if it seems like a person will need public benefits in the future. They also look at if a family member or another person sponsored you, and what their income and resources are.

Immigration officials look at a person’s whole situation. Things like:

- Age
- Income
- Health
- Education or skills
- Family situation



Only 2 kinds of public benefits count in the public charge test:

1. Cash assistance programs that provide on-going payments. Examples include MFIP, SSI, and General Assistance (GA).
2. Long-term institutional care, like a nursing home that is paid for by the government.

Does public charge apply to me?



Are you a U.S. citizen?

Public charge does NOT apply to you.



Do you and your family members already have green cards?

Public charge does NOT apply to you when you renew your green card or apply to become a U.S. Citizen.



Are you applying for, or do you have one of the following statuses: TPS, U or T Visa, Asylum or Refugee status, or Special Immigrant Juvenile Status?

Public charge does NOT apply to you.



Do you plan to apply for a family-based green card for yourself?

Public charge may apply to you. Talk to an immigration lawyer before submitting any applications to USCIS.

Does getting public benefits hurt my immigration status?

The following public benefits programs DO NOT affect your immigration status and immigration application:



- Medical Assistance (MA) (except long-term care) and MNCare
- Children's Health Insurance Program (CHIP)
- COVID testing, treatment and vaccines



- SNAP / EBT / food stamps
- WIC
- Free or reduced school lunches
- Food banks or free meals



- Earned income tax credits
- Child tax credits



- Any housing assistance, like Section 8 and Public Housing
- Shelters

Where can I get more information or help?

Legal Aid is free and confidential, call 1(800) 292-4150

Find other agencies that may help at www.lawhelpmn.org/providers-and-clinics

For more resources, go to pifcoalition.org

To review the full USCIS overview of public charge resources, visit

<https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge/public-charge-resources>

Fact Sheets are legal information NOT legal advice. See a lawyer for advice.

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