

Get the facts about "public charge" & health insurance for immigrants



On October 11, 2019 judges stopped the new "public charge" rule from taking effect. This may change, but in the meantime, it is NOT in effect.

What is "public charge"?

When a person applies for a visa or green card, immigration officials may use the "public charge" test to determine if they are likely to need help paying for things like food, housing or health care in the future. Someone judged a "public charge" can be denied a visa or green card, unless they qualify for an exemption.

"Public Charge" does NOT affect you if you live in the US and...

- You are a lawful permanent resident (LPR) with a green card and you have not left the US for more than 6 months at a time
- You are a US citizen
- You are in the US as a refugee or asylee
- You are in the US as a survivor of domestic violence, human trafficking, or other violent crimes (using T visa, U visa or VAWA self-petition)

If you are in one of these groups, you will NOT face a "public charge" test. You can enroll in any health plan without concern for public charge.

Please Note: This fact sheet contains general information and is not legal advice. If you have questions, you should speak with an immigration attorney who can assess your unique situation.



Wisconsin Alliance for
Women's Health
www.supportwomenshealth.org

continued on the back

If you are NOT in one of the four groups listed on the front of this fact sheet, you may face the "public charge" test when you apply for a visa or green card.

Which health coverage may count against me in a "public charge" test?

The ONLY health insurance program that MAY count against you in a "public charge" test is regular Medicaid, known as BadgerCare in Wisconsin.

Which Medicaid program will NOT count against me in a "public charge" test?

- Emergency Medicaid
- Medicaid benefits covered without federal
- Medicaid for pregnant women
- Medicaid for children under the age of 21

What are the OTHER health care programs that DO NOT count in a "public charge" test?

- Premium tax credits (subsidies) for health plans sold on healthcare.gov
- Children's Health Insurance Program (CHIP)
- Ryan White Program
- Free or low-cost care at community health centers
- School-based health programs

If you are concerned about "public charge", talk to someone who can help you look at all your options. Got to ailalawyer.com to find an immigration lawyer near you.