

**Final Public Charge Rule:
Issued: August 12, 2019
Effective: October 15, 2019**

WIC IS NOT A PART OF PUBLIC CHARGE

A 'public charge' test is used by the federal government when:

- **A person applies to enter the U.S.**
- **A person applies to adjust their status to become a Lawful Permanent Resident (get a green card)**
- **A green card holder leaves the U.S. for more than 180 days and then reenters the U.S.**

Under the final rule, there is a new definition of 'public charge' that makes it more difficult for some people to pass this test, and some additional public benefits will be considered as part of this test.

PLEASE SEEK LEGAL ADVICE FOR YOUR FAMILY, AS EACH CASE IS UNIQUE.

- The final public charge rule was published by the federal government on August 12, 2019. It expands the definition of 'public charge'. **The new rule will become effective October 15, 2019.**
- **WIC is NOT included in the final rule.** This means that the rule does **NOT** include WIC participation in the expanded public charge test.
- The rule states that benefits received by U.S. citizen children will **NOT** directly affect their parent's public charge determination. **Please seek legal advice if you have questions, as each case is different.**
- **The final rule is NOT retroactive.** That means the newly added public charge programs will only be considered if they were received **AFTER** the rule goes into effect on October 15, 2019.
- **Not all immigrants are affected by the public charge rule change.** Some groups that are exempt from the public charge test include green card holders applying for citizenship, refugees, asylees, survivors of domestic violence, trafficking or other serious crimes, and several other groups. There is no public charge test during a naturalization process.
- Every immigration case is different and families should talk to legal experts. **To access low or no-cost legal resources, go to www.helunahealth.org/news/legal-resources.**



Heluna Health



National WIC Association