



## 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. Immigration may deny your application if it decides that you will end up getting certain government benefits for a long period of time. They also look to see 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 ongoing 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. You may have to pass the public charge test if you come back to the U.S. after being out of the country for at least 6 months.



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

Public charge does NOT apply to you. There are 29 categories of immigration status that are NOT considered for public charge.



#### 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?

These public benefits, and others, DO NOT affect your immigration status and immigration application:



- Medical Assistance (MA) (except long-term care), Emergency MA, and MNCare
- CHIP funded MA, also called MA-Pregnant
- 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](http://www.lawhelpmn.org/providers-and-clinics)

For more resources, go to [pifcoalition.org](http://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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