

# Information Memorandum Transmittal Office of Self-Sufficiency Programs



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Manager

***Authorized signature***

**Number:** SS-IM-21-008  
**Issue date:** 04/15/2021

**Topic:** Other

**Due date:** 03/22/2021

**Subject:** Public Charge Rule Update

**Applies to (check all that apply):**

- |  |  |
|--|--|
| <input type="checkbox"/> All DHS employees                             | <input type="checkbox"/> County Mental Health Directors                          |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B     | <input type="checkbox"/> Health Services   |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental<br>Disabilities Services (ODDS) |
| <input checked="" type="checkbox"/> Self Sufficiency Programs          | <input type="checkbox"/> ODDS Children's Intensive In<br>Home Services           |
| <input type="checkbox"/> County DD program managers                    | <input type="checkbox"/> Stabilization and Crisis Unit (SACU)                    |
| <input type="checkbox"/> Support Service Brokerage Directors           | <input checked="" type="checkbox"/> Other ( <i>please specify</i> ): 5503        |
| <input type="checkbox"/> ODDS Children's Residential Services          |  |
| <input type="checkbox"/> Child Welfare Programs                        |  |

**Message:**

As of March 9, 2021, the expanded Public Charge rule is permanently BLOCKED, and is no longer in effect anywhere in the United States. This means that Medicaid (except for long-term institutionalization at the government's expense), public housing, and Supplemental Nutrition Assistance Program (SNAP) benefits are no longer counted as public charge.

Now, the [Public Charge rule](#) ONLY considers an immigrant's use of TANF (monthly cash benefit), Social Security Insurance (SSI) for people with disabilities, and Long-Term Care IN A NF or STATE HOSPITAL paid for by the government.

Many benefits, like those on the list below, are safe, and do not count in any public charge test:

- Medicaid (OHP) for adults and kids
- Medicaid (OHP) for pregnant women, including 60 days post-partum
- Medicaid Home and Community Based Care settings
- Reproductive health coverage
- Emergency Medicaid (CAWEM)
- Oregon's Cover All Kids program

- SNAP food benefits (food stamps)
- Public housing and Section 8 subsidized housing
- WIC (Nutrition assistance for women, infants, and children to age 5)
- Special Education
- School-based health services for school-aged kids
- Social Security Retirement
- School lunch and Pandemic EBT
- Medicare
- Unemployment Insurance
- Food from the food bank or food boxes
- COVID-19 testing, care, and vaccination
- Disaster or emergency assistance or benefits

The immigrant groups below do not have to worry about Public Charge:

- Refugees & Asylees
- T or U Visa applicants/holders (some survivors of trafficking, domestic violence, or other crimes)
- Active military duty families
- People who are already LPRs (green card holders) including those renewing their LPR card (as long as they don't leave the U.S. for more than 6 months)
- Special Immigrant Juveniles
- Special Immigrant Visas (SIV) from Iraq and Afghanistan
- Violence Against Women Act (VAWA) self-petitioners

### **Available resources**

The Oregon Law Center has created a fact sheet in eight languages. The fact sheets are available [here](#) or on the [SSP OWL](#). Staff can print these and provide them to anyone who asks about Public Charge.

Staff should advise those with questions to:

- Seek advice from an immigration attorney. Find immigration attorneys [here](#)
- Seek public benefits/public charge legal advice from Legal Aid/Oregon Law Center's Public Benefits Hotline at 1-800-520-5292.
- Stay informed about changes to Public Charge by checking [Oregon Immigration Resource](#) and [Protecting Immigrant Families](#).

*If you have any questions about this information, contact:*

Contact(s): ERDC, HSD Medical, TANF, SNAP, TADVS and Refugee Policy Teams

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