



Public Charge: Does This Apply to Me?

We want you to have the correct information so that you can continue to keep your family stable and healthy. We are a stronger Colorado when all of our residents have access to critical programs that support a healthy community.

What is Public Charge?

Some people must pass a public charge test when they apply for a green card (lawful permanent residence) or a visa to enter the U.S. The test looks at whether the person is likely to use certain government services in the future. In making this determination, immigration officials review all of a person's circumstances, including age, income, health, education/skills, and their sponsor's affidavit of support or contract. They can also consider whether a person has used certain public programs.

Who does the Public Charge Rule Apply to?

Not all immigrants are affected by the public charge rule.



US citizens

Public charge does **NOT** apply to you.



Lawful Permanent Residents /
Green card holders

Public charge does **NOT** apply to you. It will **NOT** affect applications for citizenship or green card renewals. (*However, if you plan to leave the U.S. for more than 180 days, consult a legal expert.)



Individuals with Temporary Protected Status (TPS), a U or T visa, Asylum, Refugee, other refugee-eligible populations, or Special Immigrant Juvenile Status, including those applying for these statuses

Public charge does **NOT** apply to you.



Individuals who are planning to apply for a green card or visa from inside the US

Public charge **MAY** apply to you. Only the use of some government programs (listed below) will be considered in the application, along with other factors like income.



Individuals who are applying for a green card or visa from outside the US

Public charge **MAY** apply to you. Talk with an expert before making decisions.

Which public benefit programs are included in the public charge test?

INCLUDED PROGRAMS*

EXCLUDED PROGRAMS

1. Supplemental Nutrition Assistance Program (SNAP, Food Assistance, or Food Stamps)
2. Federal Public Housing & housing vouchers (Section 8/Housing Choice Vouchers and Continuum of Care)
3. Medicaid/Health First Colorado (except for emergency services, kids under 21, pregnant women, and new moms)
4. Cash assistance programs (SSI, Colorado Works/TANF, OAP (Old Age Pension), AND (Aid to the Needy and Disabled)

1. WIC
2. CHIP and CHP+
3. School breakfasts & lunches
4. Emergency Medicaid
5. Energy assistance (LEAP)
6. Tax credits (such as EITC)
7. All other benefit programs

* “Included programs” refers to the government programs considered during the public charge test, alongside other factors like income, for certain individuals during certain immigration processes. “Excluded programs” are not considered.

What else do I need to know?

- Many services important to you and your family, such as WIC, school breakfasts and lunch, food banks, and LEAP are not considered.
- Use of included programs by children will not count against their parents’ green card/legal permanent residence application.
- Medicaid used by children (under age 21) and by pregnant/postpartum women is not considered.
- If you are concerned about the public charge rule, please reach out to a legal expert, a staff member here at our center, or a trusted community agency. We want your family to stay safe and healthy, and our programs can help you do that.
- You can also find more information about the public charge rule on our website, as well as list of legal counsel options, on the Colorado Department of Human Services website at <https://www.colorado.gov/pacific/cdhs/news/public-charge-rule-and-colorado-immigrants>.