



Updated: February 26, 2020

Background and Overview

Changes to the Federal Public Charge Rule, explained below, went into effect on February 24, 2020.

The U.S. Citizenship and Immigration Services (USCIS) announced implementation of the rule change on January 30, 2020. This announcement followed the U.S. Supreme Court action on January 27, 2020, to set aside the last of three federal injunctions that had blocked the rule changes from taking effect on October 15, 2019 as previously planned.

Changes that took effect on February 24 include, but are not limited to, expanding the kinds of public benefits considered in the public charge test. Under the current rule, the only public benefits considered when determining who is likely to become a “public charge” are cash-assistance programs and Medicaid-funded long-term care.

The new rule, which will not be retroactive, expands the list of benefits to include nutrition assistance (Supplemental Nutrition Assistance Programs); housing assistance (public housing and Section 8); and non-emergency Medicaid for non-pregnant adults 21 and older.

Eligibility rules for public benefit programs in Oregon have not changed and many immigrants are exempt from public charge (both under the current and new rule). We realize this federal change may cause concern and confusion for Oregonians who use affected public benefits. We hope that this information clarifies who is affected by public charge and how to get help if needed.

If you have questions, please reach out to legal aid resources. You may also contact Antonio Torres at the Oregon Department of Human Services.
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