

Last reviewed: Sept. 14, 2026

Public charge changes take effect Sept. 18

Many people don't have to worry about public charge at all

The U.S. Department of Homeland Security (U.S. DHS) issued a final rule changing how public charge determinations are made in some immigration cases.

This change will allow immigration officers to look at more types of public benefits when making a public charge determination.

This will include all income-based (also known as “means tested”) local, state, or federal benefit programs such as health care, food assistance, housing help, cash aid, and childcare assistance.

The public charge requirements do not apply to everyone. Many immigrants are exempt because of their immigration status and do not have to worry about the public charge determination. Because immigration laws are complex, people should understand how the rule applies to their specific immigration status before deciding whether to apply for or use benefits.

What this means for you

- The federal rule change does not change who is eligible to receive benefits.
- If you qualify for benefits, you can still apply and receive those benefits.
- Public charge MAY apply to you if:
 - You plan to apply for a family-based green card
 - You have a green card or are a Lawful Permanent Resident (LPR) but leave the country for more than 6 months
- Public charge DOES NOT apply to you if you are a U.S. citizen, or if you are applying for or renewing:
 - Deferred Action for Childhood Arrivals (DACA)
 - Temporary Protected Status (TPS)

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- Asylum or refugee status
- Survivors of domestic violence, trafficking, or serious crimes (VAWA, T, or U visas)
- Special Immigrant Juvenile Status (SIJ)
- For a person subject to a public charge determination who applies for a visa, admission, or adjustment of status before Sept. 18, 2026, U.S. DHS will apply the 2022 rule. That means U.S. DHS will consider only SSI, TANF, and Long-Term Care in an Institution in their public charge test. Benefits received by the person's family members will not count in their public charge test.

Where to get help

- People with questions about their individual circumstances should contact the [Oregon Law Center and Legal Aid Services of Oregon Public Benefits Hotline](#) at 1-800-520-5292. Hotline hours:

Monday: 1–4 p.m.

Tuesday: 9:30 a.m.–12:30 p.m.

Wednesday: 9:30 a.m.–12:30 p.m.

Thursday: 1–4 p.m.

- We will share additional guidance and resources for staff and community partners as verified information becomes available.
- Read [ODHS policy](#) about how we handle immigration and citizenship information
- Use ["Know Your Rights" red cards](#) to help you understand your rights
- You can also find trusted information and resources on the [Office of Immigrant and Refugee Advancement \(OIRA\) webpage](#), including resources for immigrants, refugees, and mixed-status families in Oregon.

The materials on this page, also found on the [ODHS Federal Updates webpage](#), are not intended to be and should not be construed as legal advice.