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New “Public Charge” Rule Threatens the Well-being of King County Residents

HealthierHere urges community leaders, businesses and individuals to voice opposition

HealthierHere, a non-profit organization dedicated to improving health and health equity in King County, and its 26-member multi-sector Governing Board join with advocates, individuals and families across the state to condemn the proposed “Inadmissibility on Public Charge Grounds” rule proposed by the Department of Homeland Security on September 22, 2018.

If finalized, this new rule would have a significant and detrimental effect on the health and safety of our communities. People who have legally immigrated to the United States, their families and their U.S. born children will be forced to give up the basic assistance for which they are lawfully eligible – such as healthcare, food, and housing – or risk being separated from each other.

This new rule proposes to change the way the “public charge test” in federal law is applied to people immigrating and seeking to obtain legal status. Under the current rule, the government can deny admission to the U.S. or refuse an application for lawful permanent residency (i.e. a green card) if it determines the applicant is likely to become a “public charge” — in other words, if they are likely to use certain types of government assistance. Until now, the government has limited their review of an applicant's use of public benefits programs to only those that provide cash assistance, but the new rule will change that.

This proposed rule would greatly expand what is considered “assistance” to include previously excluded health, nutrition and housing programs. Under the new rule, immigration officials could consider the applicant's use of a broader array of programs such as:

- Supplemental Nutrition Assistance Program (SNAP or food stamps)
- Temporary Assistance for Needy Families (TANF)
- Medicaid, and Medicare Part D (prescription drug subsidies)
- Section 8 Housing and Rental Assistance Programs
- Subsidized public housing

These are all programs intended to help promote access to nutritious food, health care, and to promote economic stability.

It is important to understand that these programs are already limited to *lawfully present* individuals, who often have U.S. born children. It will most affect individuals who are seeking green card status through a family-based petition. These individuals and families, facing a very real fear of being separated from one another, may feel they have no choice but to forgo vital assistance, putting their households at risk of hunger, homelessness, and illness. Also, although the rule does not apply to some groups of people (*see note below*), it would likely cause fear and confusion among all individuals who legally immigrate and their families, causing many to drop Medicaid coverage – even if they are not affected by the policy changes.

The proposed rule also considers income as part of public charge determinations. It disadvantages those who are already most vulnerable. Individuals with a household income of less than 125% of the Federal Poverty Level (FPL) will need to meet additional asset requirements while income above 250% of FPL will be considered as a heavily weighed positive factor.

The ramifications would be felt throughout our communities, having a substantial and detrimental impact on the health and safety of individuals and families in King County and across Washington State.

- More than 20,000 households in King County include at least one adult immigrant who receives health insurance through Medicaid, or a child who receives health coverage through Medicaid.¹
- More than 30,000 households in King County have at least one immigrant who accesses basic food assistance. It is unknown how many people in the Supplemental Nutrition Assistance Program may also be receiving Medicaid.¹
- In Washington State, 240,000 citizen children who are currently enrolled in Medicaid/CHIP coverage live with an immigrant parent.²

If this proposed rule is allowed to go forward, these individuals and families are at serious risk – and so is our community. We need your help to stop it.

Please join us in condemning this proposed rule. Publication of the rule in the Federal Register will trigger a public comment phase, which usually lasts 60 days. During this time, we need as many people as possible to tell the Department of Homeland Security that we oppose this rule for the risk it poses to our nation's health and well-being. Every comment counts. As soon as the public posting period begins, we will post a link [here](http://www.healthierhere.org/news-resources) (www.healthierhere.org/news-resources). In the meantime, we encourage you to learn more about this rule and to spread the word about it.

Learn More At:

<https://www.clasp.org/publications/fact-sheet/public-charge-new-threat-immigrant-families>

<https://www.kff.org/disparities-policy/fact-sheet/proposed-changes-to-public-charge-policies-for-immigrants-implications-for-health-coverage/>

WASHINGTONIANS: STAND WITH US IN SUPPORT OF YOUR NEIGHBORS AND CONDEMN THIS RULE!

Note: This change will **not** affect some groups of immigrants—such as refugees, asylees, people fleeing from domestic violence and other protected groups. The public charge rule also does not apply to lawful permanent residents (green card holders) applying to become U.S. citizens.

¹ Data prepared by Public Health – Seattle & King County, September 2018

² Kaiser Family Foundation analysis of March 2017 Current Population Survey, Annual Social and Economic Supplement