



HEALTH CARE FOR ALL

Health Care For All (HCFA) advocates for health justice in Massachusetts by working to promote health equity and ensure coverage and access for all.

Important Update Regarding Immigrants' Use of Benefits: Access to Health Care and Changes to the "Public Charge" Rule

You may have heard about policy changes that could penalize immigrants for using public benefits (government programs that may help you pay for food, housing or health care). The new "**public charge**" rule announced in August 2019 is complex and confusing, and there's a lot of misinformation out there. This factsheet is meant to help you understand the rule, determine whether it applies to you, and make informed decisions about health care options for you and your family.

What is "public charge"

Federal immigration uses a "public charge" test to determine which low-income people may be denied a visa or adjustment of status to lawful permanent residence (a "green card"). The meaning of "public charge" may soon change.

BEFORE MAKING ANY DECISION REGARDING YOUR USE OF BENEFITS, PLEASE TAKE THE FOLLOWING INFORMATION INTO ACCOUNT:

- **Many immigrants don't have to worry about the "public charge" changes**, for example:
 - Refugees and asylees, including people applying for asylum
 - Lawful Permanent Residents (green card holders) applying for US citizenship
 - Lawful Permanent Residents (green card holders) applying to renew their expired cards
 - People applying for or re-registering for Temporary Protected Status (TPS)
 - VAWA self-petitioners
 - U and T visa holders
 - People with Special Immigrant Juvenile Status, including people applying for this status
- **Changes to the "public charge" rule are not effective until October 15, 2019:**
 - For applications to adjust to legal permanent resident status filed before October 15th, the only benefits considered under "public charge" are:
 - Cash benefits such as:
 - Emergency Aid to the Elderly, Disabled, and Children (EAEDC) from the Department of Transitional Assistance (DTA)
 - Transitional Aid to Families with Dependent Children (TAFDC) from the Department of Transitional Assistance (DTA)
 - Supplemental Security Income (SSI)
 - Government payment for long-term institutional care

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- For applications to adjust to legal permanent resident status filed on or after October 15, the following additional benefits will be counted in the “public charge” test:
 - Supplemental Nutrition Assistance Program (SNAP)
 - Federal housing assistance: Section 8 and federal public housing
 - Non-emergency Medicaid for people ages 21 and above (except pregnant women, including 60 days after pregnancy)
- **The “public charge” test ONLY considers the public benefits listed in the rule.**
 - For example, the Women, Infants, & Children Nutrition Program better known as WIC is not included in the rule and it is safe for eligible participants to enroll.
- **The following health care programs are not counted in the “public charge test”:**
 - Health Safety Net
 - MassHealth Limited (Emergency Medicaid)
 - MassHealth coverage for pregnant women (including 60 days after pregnancy)
 - MassHealth coverage for children and young people under age 21
 - MassHealth coverage paid by state-only funding
 - Coverage through the Health Connector, including ConnectorCare
 - Children’s Medical Security Plan (CMSP)
 - Medicare
 - COBRA
 - Veterans Administration Coverage and Tricare

WOULD YOU LIKE TO KNOW IF YOUR HEALTH COVERAGE COUNTS FOR THE “PUBLIC CHARGE” TEST?

CALL HEALTH CARE FOR ALL’S HELPLINE AT 800-272-4232

- **Most immigrants who will be subject to the “public charge” test already do not qualify for the federal public benefits that are counted negatively under the new rule.**
- Because the test is forward-looking, immigrants’ **income, health status, age or other factors may make it more difficult to get a green card** even if they have never used one of the public benefits included in the new rule.
- The “public charge” changes **do not consider the use of public benefits by other family members** (including children) who are not applying for an immigration status.
- After October 15th, **the length of time immigrants use the public benefits listed in the rule will be considered** in immigration decisions.
 - Using 1 or more of the benefits (listed above) for 12 months over a 3-year period will count very negatively when determining if someone is a “public charge.”
 - Using multiple public benefits will count for multiple months; for example, using 2 of the public benefits included in the rule will count for 2 months.

OTHER CONSIDERATIONS REGARDING CHANGES TO THE “PUBLIC CHARGE” RULE:

- Six lawsuits have already been filed in federal district courts challenging the legality of the new rule, including a lawsuit brought by Massachusetts and 12 other states. The **lawsuits may delay implementation of the regulation** beyond the October 15th effective date.
- **Lawful Permanent Residents (green card holders) who leave the U.S. in some situations** (such as being continuously out of the country for 6 months or more) **may be subject to a “public charge” test** when they return and may want to get advice from an immigration attorney before leaving the country.
- **These changes apply to immigration applications only for people who are already in the United States.** If you are sponsoring a family member who is currently living outside the country or will need to leave the U.S. to apply for a green card abroad, you should check with an immigration attorney about whether receiving public benefits could affect your application, as some of the policies for overseas visa applicants changed in January 2018. You can read more about these changes here: <https://www.nilc.org/wp-content/uploads/2018/02/PIF-FAM-Summary-2018.pdf>

**THIS RESOURCE IS NOT A REPLACEMENT FOR LEGAL ADVICE
FROM A TRAINED IMMIGRATION ATTORNEY.**

IF YOU ARE APPLYING TO BRING A FAMILY MEMBER TO THE U.S. FROM ANOTHER COUNTRY OR SEEKING TO ADJUST STATUS IN THE U.S., YOU SHOULD CONSULT WITH AN IMMIGRATION ATTORNEY.

Health Care For All (HCFA), the Massachusetts Immigrant Refugee Advocacy Coalition (MIRA), Health Law Advocates (HLA), Massachusetts Law Reform Institute (MLRI) and many other organizations work to protect Massachusetts immigrants and ensure they have the right to access public benefits, including health care.

To learn more about changes regarding the “Public Charge” determination and how to be part of the campaign to oppose these changes, you can send an email to organizing@hcfama.org.

Attached is a list of organizations that are trusted in the community and provide free immigration services. Some of these organizations may have limited capacity and may not accept new cases or may not be able to answer specific questions about “public charge”. Please call first to ensure that they can help you.



Immigration Resources in Greater Boston/ Eastern Massachusetts

Legal Services		
Action for Boston Community Development (ABCD)/Fenway Neighborhood Service Center	714 Parker Street Roxbury, MA 02120	Ph: (617) 445-6000
African Community Health Initiatives (ACHI)	101 Tremont Street, Suite 41 Boston, MA 02108	Ph: (857) 753-4886
Agencia ALPHA	62 Northampton Street, Suite 203 Boston, MA 02118	Ph: (617) 541-4455 x16
Asian American Civic Association	87 Tyler St, 5 th Floor Boston, MA 02111	Ph: (617) 426-9492
Catholic Charities (Refugee and Immigrant Services)	275 West Broadway South Boston, MA 02127	Ph: (617) 464-8100
Centro Presente	12 Bennington Street, Suite 202 East Boston, MA 02145	Ph: (857) 256-2981
Children's Law Center of Massachusetts ** for children and youth	298 Union Street, 2 nd Floor Lynn, MA 01901	Ph: (781) 581-1977
Community Legal Services and Counseling Center	47 Thorndike Street Cambridge, MA 02141	Ph: (617) 661-1010
Community Legal Services and Counseling Center	1 West Street Cambridge, MA 02139	Ph: (617) 661-1010
Compassion Immigration Services, Inc.	77 Kennedy Dr Malden, MA 02148	Ph: (781) 480-4179
De Novo	1 West St Cambridge, MA 02139	Ph: (617) 661-1010
Dominican Development Center	42 Seaverns Ave Boston, MA 02130	Ph: (617) 524-4029
East Boston Ecumenical Community Council	50 Meridian Street, Suite B1 East Boston, Ma 02128	Ph: (617) 567-2750
Ethiopian Community Mutual Assistance Association	614 Massachusetts Ave, Suite 202 Cambridge, MA 02139	Ph: (617) 492-4232
Freedom Hill Community Church	77 Kennedy Dr. Malden, MA 02148	Ph: (781) 480-4179
Greater Boston Legal Services (Immigration Unit)	197 Friend Street Boston, MA 02114	Ph: (617) 371-1234 (800) 323-3205
Haitian American Public Health Initiatives	1601-1603 Blue Hill Avenue Mattapan, MA 02126	Ph: (617) 298-8076
Harbor Communities Overcoming Violence for Domestic Abuse Survivors	148 Shawmut Street Chelsea, MA 02150	Ph: (617) 884-9799
Harvard University Law School (Immigration and Refugee Clinic)	6 Everett St, Suite 3103 Cambridge, MA 02138	Ph: (617) 384-8165
Mayor's Office for Immigrant Advancement	1 City Hall Square, Room 806 Boston, MA 02111	Ph: (617) 635-2980
International Institute of New England (Boston Office)	2 Boylston Street, 3 rd Floor Boston, MA 02116	Ph: (617) 695-9990
Irish International Immigrant Center	One State Street, Suite 800 Boston, MA 02109	Ph: (617) 542-7654
Justice Bridge Legal Center UMASS School of Law, Boston Office	67 Battery March Street, Lower Level Boston, MA 02110	Ph: (617) 860-3414

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Kids in Need of Defense (KIND) ** for unaccompanied minors	155 Seaport Boulevard, 5 th Floor Boston, MA 02110	Ph: (617) 207-4138
Latinos Unidos en Massachusetts (LUMA)	198 Ferry Street Everett, MA 02149	Ph: (617) 381-0015
Legal Justice Access, Inc.	60 Island Street, Suite 106 Boston, MA 02114	Ph: (857) 264-2381
Massachusetts Alliance of Portuguese Speakers	1046 Cambridge Street Cambridge, MA 02139	Ph: (617) 864-7600
Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA)	105 Chauncy Street, Suite 901 Boston, MA 02111	Ph: (617) 350-5480
North Shore Assembly of God Church (Compassion Immigration)	77 Kennedy Drive Malden, MA 02148	Ph: (781) 480-4179
Political Asylum/Immigration Representation (PAIR) Project	98 North Washington St., Suite 106 Boston, MA 02114	Ph: (617) 747-9296
Project Citizenship	4 Faneuil Hall, South Market Bldg., Boston, MA 02109	Ph: (617) 694-5949
The Right to Immigration Institute	24 Crescent Street, Suite 201 Waltham, MA 02453	Ph: (781) 891-6689
Somali Development Center	10 Malcolm X Boulevard, 2 nd Floor Roxbury, MA 02119	Ph: (617) 522-0700
Suffolk Law School- Immigration Law Clinic	120 Tremont Street, Suite 150 Boston, MA 02108	Ph: (617) 573-8100
Victim Rights Law Center	115 Broad Street, 3 rd Floor Boston, MA 02110	Ph: (617) 399-6720 x19

Immigration Resources in MetroWest/Central Massachusetts

Legal Services		
Ascentria Care Alliance	11 Shattuck Street Worcester, MA 01605	Ph: (774) 243-3100
	94 North Elm Street, Suite 401 Westfield, MA 01085	Ph: (413) 787-0725
Catholic Charities of Worcester (CCW)	11 Hammond Street Worcester, MA 01610	Ph: (508) 755-2261
Central West Justice Center an Affiliate of Community Legal Aid	405 Main Street, 4 th Floor Worcester, MA 01608	Ph: (508) 755-3260 800-696-1501
Friendly House	36 Wall Street Worcester, MA 01604	Ph: (508) 755-4362
MetroWest Legal Services	63 Fountain Street, Suite 304 Framingham, MA 01702	Ph: (508) 620-1830

Immigration Resources in Western Massachusetts

Legal Services		
Berkshire Immigrant Center	88 South Street Pittsfield, MA 01201	Ph: (413) 445-4881
Center for New Americans	42 Gothic Street Northampton, MA 01060	Ph: (413) 587-0084
Community Legal Aid	One Monarch Place, Suite 400 Springfield, MA 01144	Ph: (413) 781-7814
	20 Hampton Avenue, Suite 100 Northampton, MA 01060	Ph: (413) 584-4034
	152 North Street, Suite E-155	Ph: (413) 499-1950

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	Pittsfield, MA 01201	
Jewish Family Service- New American Program	15 Lenox Street Springfield, MA 01108	Ph: (413) 737-2601
Lutheran Social Services of New England/West Springfield	593 Main Street West Springfield, MA 01089	Ph: (413) 787-0725
Multicultural Resource Center	425 Union Street West Springfield, MA 01089	Ph: (413) 726-2352

Immigration Resources in Southeastern Massachusetts/ Cape Cod and Islands

Legal Services		
Catholic Social Services of Fall River	1600 Bay St./PO Box M/So. Station Fall River, MA 02724 261 South Street Hyannis, MA 02601 238 Bonney Street New Bedford, MA 02744	Ph: (508) 674-4681 Ph: (508) 771-6711 Ph: (508) 997-7337
Community Action Committee of Cape Cod and Islands, Inc.	372 North Street Hyannis, MA 02601	Ph: 508-771-1727 x236 Fax: 508-771-1073
Immigrant's Assistance Center, Inc.	58 Crapo Street New Bedford, MA 02740	Ph: (508) 996-8113
Justice Center of Southeast Massachusetts, LLC	231 Main Street, Suite 201 Brockton, MA 02301	Ph: (508) 586-2210
UMass at Dartmouth- Immigration Law Project	33 Faunce Corner Road Dartmouth, MA 02747	Ph: (508) 985-1174
Community Economic Development Center	1285 Acushnet Ave New Bedford, MA 02746	Ph: (508) 979-4684
South Coastal Counties Legal Services Inc.	22 Bedford Street Fall River, MA 02720 460 West Main Street Hyannis, MA 02601	Ph: (508) 676-6265 Ph: (508) 775-7020

Immigration Resources in Northeastern Massachusetts /North Shore

Legal Services		
International Institute of New England- Lowell Office	155 Merrimack Street, 5 th Floor Lowell, MA 01852	Ph: (978) 459-9031
Lawrence Family Development and Education Fund, Inc.	404 Haverhill Street Lawrence, MA 01841	Ph: (978) 794-5399
Legal Justice Access, Inc.	60 Island Street, Suite 105 Lawrence, MA 01840	Ph: (857) 264-2381
Northeast Legal Aid-Lawrence	50 Island Street, Suite 203A Lawrence, MA 01840	PH: (978) 458-1465
Northeast Legal Aid-Lowell	35 John Street, Suite 302 Lowell, MA 01852	Ph: (978) 458-1465
Northeast Legal Aid-Lynn	181 Union Street, Suite 201A Lynn, MA 01901	Ph: (978) 458-1465
Open Door Immigration Services	57 Wharf Street, Suite 3A, Salem, MA 01970	Ph: (978) 21902355
Refugee and Immigrant Assistance Center-Lynn	20 Wheeler Street, Suite 401 Lynn, MA, 01902	Ph: (617) 238-2430
Russian Community Association of Massachusetts	330 Lynnway, Suite 302 Lynn, MA 01901	Ph: (781) 593-0100

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