



Oregon

Kate Brown, Governor

Department of Consumer and Business Services
Oregon Health Insurance Marketplace

350 Winter St. NE
P.O. Box 14480
Salem, OR 97309-0405
855-268-3767
Fax: 503-373-9422
oregonhealthcare.gov

Public Charge Proposed Rule

Public charge is a term used in immigration law to describe an individual who is likely to become financially dependent on the government in the future. Being considered a public charge can result in the denial of a green card (permanent residency) application or of entry into the United States.

Currently, the only public assistance that can be considered when determining whether a person will become a public charge is cash assistance (e.g., Temporary Assistance for Needy Families and Social Security Income) and assisted long-term care at the government's expense.

The proposed rule would expand the list of programs that could affect public charge determinations to include non-emergency Medicaid (full Oregon Health Plan), Supplemental Nutrition Assistance Program (food stamps), and housing assistance. The U.S. Department of Homeland Security is also considering including the Children's Health Insurance Program on the list and has requested public comment on that aspect.

Premium tax credits under the Affordable Care Act are NOT included in the public charge determination. The proposed rule does NOT change this.

It is important to keep in mind that the rule is only PROPOSED at this time and NO changes have been made. However, we know that families are concerned, fearful, and face difficult choices.

We will continue our work with advocates, our attorneys, community leaders, and other stakeholders to address the fears and respond to the proposed changes.

The Department of Consumer and Business Services, led by Gov. Kate Brown's office, is closely monitoring the proposed rule and studying its possible effect. We are committed to working with stakeholders to support affected Oregonians.

You may submit comments to the Federal Register on the proposed rule change until Dec. 10, 2018. You can view the rule and submit comments by visiting the Federal Register website at <https://www.federalregister.gov/documents/2018/10/10/2018-21106/inadmissibility-on-publiccharge-grounds>.