



PUBLIC CHARGE

Make the Road New York

Impact on Immigrant Families

What do public charge questions look like from members/clients?



- ☐ I am afraid of being a public charge
- ☐ I want to stop receiving benefits
- ☐ I don't want to apply for benefits because of immigration
- ☐ I need help because I can't take benefits anymore
- ☐ I want to take my child off of benefits

Make the Road New York's Response

LITIGATION



- MRNY, with our partner organizations and legal team as well as the NY Attorney General are fighting this rule with a lawsuit!

- On October 11, 2019, Judge Daniels issued a preliminary injunction in the *Make the Road NY vs. Cucinelli* case and the AG's case (preventing the rule from taking effect while its under review!)

- MRNY organized members for a press event announcing the litigation, and to attend the oral arguments for the preliminary injunction.



Training for Staff/Materials

- Make the Road New York (MRNY) ensured that frontline staff were trained in the new public charge rule and are prepared to answer questions from community members.
- Developed materials for staff to distribute to community members if they come with questions.



Community Education



- In 2018, MRNY conducted over 29 workshops to over 400 community members about the rule.
- Since the final rule was published on August 15, 2019 MRNY conducted over 13 community presentations to over 400 individuals.
- MRNY continues to organize community presentations about the rule.
- Robo calls to MRNY members.



1-1 Screenings



- In partnership with Legal Aid and Empire Justice Center, MRNY developed a screening tool for advocates.
- MRNY Health Advocates and Promotoras have been meeting 1-1 with individuals if they want an individual screening after attending a workshop.
- Health Advocates and Promotoras conduct a screening with community members, and then refer individuals to MRNY's legal team for an immigration consult if needed.

Screening Tool: 3 steps



- ☐ **Step 1-** Check to see if the person being screened is subject to a public charge determination based on current immigration status (ex- LPR, Citizen, Exempt category, etc.)
- ☐ **Step 2-** Check to see if the person being screened has already applied for an immigration status that requires a public charge determination (ex- already submitted their green card application/I-485)
- ☐ **Step 3-** Determine if the person being screened is possibly eligible for a green card through a family member*
- ☐ **Referrals-** While going through the tool, referrals may be made to immigration attorneys at several places.

*This determination may require an immigration consult

KEY MESSAGES TO COMMUNITY MEMBERS



1. Many groups of immigrants **will not be impacted** at all by these changes (asylees, U Visa, SIJS, etc.) (benefits that these people have will not negatively impact them now or in the future). Remember that folks who have green cards already or who apply before the effective date will not be impacted!
2. Changes **have not happened yet and we don't know when or if they will**. If you are eligible for your green card today, you should send in your application ASAP.
3. Services at Hospitals and Clinics are not included and people should continue to access health services at the doctor. Also, Medicaid for people under 21 years old, Emergency Medicaid, and Medicaid for pregnant people are not included in this rule.
4. You should speak with an expert, BEFORE you disenroll in benefits, and we can give you a referral for an immigration consult if necessary.

Key Resources



- ☐ [Protecting Immigrant Families \(PIF\)](#)
- ☐ [Make the Road New York \(MRNY\)](#)
- ☐ [NYC Mayor's Office of Immigrant Affairs \(MOIA\)](#)
- ☐ [New York Immigration Coalition \(NYIC\)](#)
- ☐ [Screening tool](#)
- ☐ Sample one pagers:
 - ☐ [MRNY](#)
 - ☐ [MOIA](#)
 - ☐ [H+H/Legal Health](#)

Hotline numbers for 1-1 Consults



- ❑ Action NYC- (800) 354-0365 and say "public charge" from 9:00 am to 6:00 pm, Monday to Friday.
- ❑ Office of New Americans (ONA)- (800) 566-7636
- ❑ The Legal Aid Society Immigration Helpline, 844-955-3425, M-F, from 9am - 5pm

For More Information



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FOR UPDATES



Q&A