

Public Charge: Insulating the “Chilling Effect”

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University of Colorado School of Medicine: Mentored Scholarly Activity

Host Organizations:



The Mayor's Office for Immigrant Advancement (MOIA) works to ensure the full participation of immigrants within the civic, economic, social and cultural life of Boston.



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

Background:

A "Public Charge" is someone considered likely to become primarily dependent on the government for subsistence.

Public Benefits considered under Old Rule:

1. Cash assistance
2. Payments for long term, institutionalized care

Additional Public Benefits considered under New Rule:

1. Supplemental Nutrition Assistance Program (SNAP)
2. Government subsidized housing
3. Some Federal Medicaid

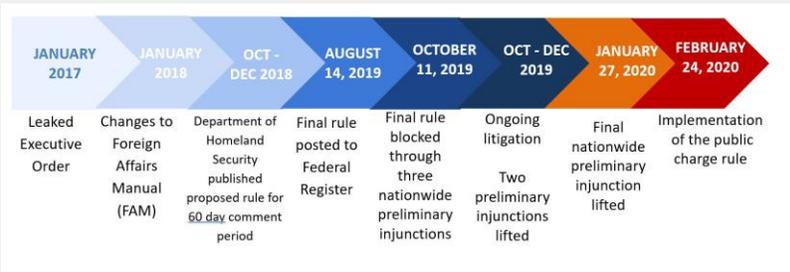
Methods:

Conducted qualitative interviews with eleven key stakeholders within the immigrant community to identify key themes contributing to the Chilling Effect and subsequent propagation of misinformation.

Questions aimed to address:

- What is the understanding of the new Public Charge Rule among immigrant communities and the agencies that serve them?
- How have proposed changes to the Public Charge Rule impacted immigrant use of public benefits and overall well-being?
- What is the best method of ensuring accurate Public Charge information reaches community members?

Key Findings:



PUBLIC CHARGE: Visas and green card processing outside the U.S. <small>(DOS - Foreign Affairs Manual (FAM) DOS Proposed rule)</small>	PUBLIC CHARGE: Green card processing, Visa extensions & Status changes <small>(DHS Rule)</small>	REFUGEE CAPS: Lowering number of refugees accepted by US <small>(Executive Order)</small>	OVERSEAS BIRTHS: More difficult to become a citizen if born overseas to US Citizen parent <small>(USCIS Memo)</small>	DEPT OF JUSTICE (DOJ): Grounds for deportation based on Public Charge <small>(Anticipated DOJ NPRM)</small>	SPONSOR DEEMING & LIABILITY: Potential application to more programs <small>(White House memo)</small>
CITIZENSHIP QUESTION IN CENSUS 2020: Chills civic participation and will limit funding for basic needs programs that depend on accurate count <small>(SCOTUS decision)</small>	PUBLIC HOUSING ACCESS: Closes door to mixed status families <small>(HUD Proposed Rule)</small>	FEE WAIVER: Removing receipt of means-tested benefits from eligibility list <small>(DHS Rule)</small>	MEDICAL DEFERRED ACTION: Immigrants with chronic illnesses no longer permitted to remain in US for medical care - Reversed		

“The Invisible Wall”

Graphic Adapted from the Protecting Immigrant Families Campaign

Theme	Illustrative Quotes
Confusion	• “They think the safety net will be eliminated, they think that they should not ask for anything. Especially when they are applying for a new immigrant status.”
Fear	• People are so scared that they can't really hear the information or process it. Even if someone hears that something doesn't apply to them it's hard to believe it when they see things in their news or things happening to their friends. It's hard to hear anything else than “they're coming after me.”
Distrust	• They are very upset with the government right now. They know the government does not want them. They are afraid that the government will come after them. They are scared that something that was not a problem today, will be a problem of the future.
Community Engagement	• “The best way is direct contact.” “It is about relationships. We must build trust. The information must be simple. Moreover, it is not a single conversation. It needs to be a continuous culture.”

Recommendations:

Ultimate Goal:

- Mitigate the “chilling effect” (unaffected people disenrolling from programs, or people disenrolling from unaffected programs, or not enrolling in the first place) of the public charge rule changes.

Next steps & Future Directions:

- US Citizen and Immigration Services made a public announcement that aliens with Covid-19 symptoms should seek necessary medical treatment and that such treatment or preventive services will not negatively affect any alien as part of future public charge analysis.
- On Feb 4th 2021, President Biden signed an executive order requiring a “top-to-bottom review” of the public charge rule and is the first step in dismantling the damaging changes to public charge.
- Work with local community organizations to develop a public awareness campaign on what public charge does/does not cover. Distribute translated community surveys by partnering with immigrant-serving community organizations.



Immigrants from each country above were represented in our outreach

Lessons Learned:

- Fear fuels distrust which ultimately impacts the health of the most marginalized communities
- Regulatory changes have been an effective tool to hurt vulnerable communities
- Advocates can't serve a community well if they don't take the time to ask what the community needs
- Continuous, direct, face-to-face, contact is the best way to provide communities with information they trust.

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