

PUBLIC CHARGE: STARTING THE CONVERSATION

Set the Stage

- Sit down, set adequate time to discuss potentially sensitive topics
- Use an interpreter if indicated
- Remind families of HIPAA and their rights. Review/Give "Know your Rights" Red Card

Examples

"I will not write your immigration status in the medical record. Only health-related issues will be recorded."

- Start with Open-Ended Questions
- Provide Reassurance
 - Contextualize
 - Explain your motive

"Many of our patients have concerns surrounding topics such as food, housing, health care access, and immigration. We ask all of our patients if they have concerns related to these topics so that we can help them connect with resources. Do you have any concerns?"

If "No concerns": Stop. Let them know you are available if new concerns arise.

If "Yes concerns": Discuss details.

*"Many people are going through similar struggles right now. You are not alone."
"These concerns can impact your health. You are safe to express your concerns here."*

Assess for Public Charge Related Concerns

"Have you ever had any challenges or difficulty using public benefits or healthcare services related to immigration?"

If no concerns about public or healthcare benefits: Counsel on their other immigration concerns

If has concerns about public or healthcare benefits:

- Identify fears and barriers

*"Can you tell me more about your concerns with using public benefits/using health care services?"
"Which benefits have you been afraid to use"*

Review key points about public charge

Connect to resources

Do NOT give legal advice

"While I cannot give you legal advice, I can tell you that the public charge rule does not apply to US citizenship applications, but does apply to green card and visa applications. For more advice on your specific case, please seek legal counsel. I can provide you with some legal resources."

Key Points:

- 1) The public charge test looks at whether a person is likely to become dependent on government benefits in the future.
- 2) Public charge rule does not apply to all immigrants.
- 3) The rule applies to people applying for certain green cards and visas.
- 4) Benefits used by children do not impact their parents' public charge tests.
- 5) The public charge rule does not affect eligibility for public benefits.
- 6) No two immigration cases are the same: seek legal resources.

Legal assistance:

- [CA Rural Legal Assistance Foundation \(CRLAF\)](#). Provides free legal services. 916-446-7901.
- [East Bay Naturalization Collaborative](#). Provides free to low cost legal services. English: 510-251-2846, Spanish: 510-952-7933
- [National Immigration Legal Services Directory](#): <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>
- [SF Bar Lawyer Referral & Information Service](#). Provides free to minimal fee (\$35) 415-989-1616
- [National Immigration Law Center](#). 510-663-8282.
- [Central American Resource Center](#). Attorneys and paralegal team provide low-cost and pro-bono immigration legal services to low-income families. 415-642-4400 9am-12pm.
- [Pangea Legal Services \(Deportation Defense\)](#). 415-254-0475.
- [Centro Legal de la Raza](#). Immigrant rights, workers' rights, litigation, & tenant's rights. 510-437-1554.

Public Charge

Self-Assessment:

- Protect Immigrant Families (PIF)
- Self-Assessment tool: [KeepYourBenefitsCA.org](https://keepyourbenefitsca.org), [TusBeneficiosPublicos.org](https://tusbeneficiospublicos.org)
- Know Your Rights: <https://protectingimmigrantfamilies.org/know-your-rights/>
- General support:
 - Good Samaritan: Spanish/English speaking Family Resource Center that can work with undocumented families. 415-401-4253.

Greta Peng, Greta.Peng@ucsf.edu
Ali Valdrighi, Alexandra.Valdrighi@ucsf.edu
Allison Lai, Allison.Lai@ucsf.edu
Priya Pathak, Priya.Pathak@ucsf.edu