## PUBLIC CHARGE: STARTING THE CONVERSATION

## Examples Set the Stage Sit down, set adequate time to discuss potentially sensitive topics "I will not write your immigration status in the Use an interpreter if indicated medical record. Only health-related issues will be Remind families of HIPAA and their rights. Review/Give "Know your Rights" Red Card recorded." Start with Open-Ended Questions "Many of our patients have concerns surrounding topics such as food, - Provide Reassurance 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 - Contextualize connect with resources. Do you have any concerns?" Explain your motive "Many people are going through similar struggles right now. You are not If "No concerns": Stop. If "Yes concerns": alone." Let them know you are Discuss details. "These concerns can impact your health. You are safe to express your available if new concerns here." "Have you ever had any challenges or difficulty using Assess for Public Charge Related Concerns public benefits or healthcare services related to immigration?" If no concerns about public If has concerns about public "Can you tell me more about your concerns with using or healthcare benefits: or healthcare benefits: public benefits/using health care services?" "Which benefits have you been afraid to use" Identify fears and barriers "While I cannot give you legal advice, I can tell you that the public charge rule does not apply to US citizenship

Review key points about public charge

Connect to resources

Do NOT give legal advice

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.

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

### Legal assistance:

- <u>CA Rural Legal Assistance Foundation (CRLAF).</u> Provides free legal services. 916-446-7901.
- <u>East Bay Naturalization Collaborative</u>. Provides free to low cost legal services. English: 510-251-2846, Spanish: 510-952-7933
- <u>National Immigration Legal Services Directory</u>: https://www.immigrationadvocates.org/nonprofit/legaldirect
- <u>SF Bar Lawyer Referral & Information Service</u>. Provides free to minimal fee (\$35) 415-989-1616
- National Immigration Law Center. 510-663-8282.
- <u>Central American Resource Center</u>. 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.
- <u>Centro Legal de la Raza.</u> Immigrant rights, workers' rights, litigation, & tenant's rights. 510-437-1554.

# Public Charge

Self-Assessment:

- Protect Immigrant Families (PIF)

Self-Assessment tool:

KeepYourBenefitsCA.org, TusBeneficiosPublicos.org

- Know Your Rights:

https://protectingimmigran tfamilies.org/know-your-rig hts/

### General support:

Good Samaritan:
Spanish/English speaking
Family Resource Center that can work with undocumented families.
415-401-4253.