

# SPREAD THE WORD!

## United States Citizenship and Immigration Services (USCIS) Clarifies Definition of Public Charge!

**\*Receiving most public benefits (like AHCCCS and KidsCare benefits)  
WILL NOT affect your Immigration Status!**

Non-citizens may receive **MOST** public benefits without becoming a "public charge" for purposes of admission into the United States, adjustment of status to legal permanent resident, becoming a naturalized citizen and deportation. These guidelines are published in the Federal Register: 8 CFR Parts 212 through 237.

### Benefits NOT Affecting Public Charge Determination

- KidsCare/Children's Health Insurance Program (CHIP)
- AHCCCS/Medicaid (except when residing in an institution for long-term care)
- Prenatal care
- Emergency medical assistance (FES)
- Immunizations
- Child Care services
- Non-cash benefits funded under the Temporary Assistance for Needy Families (TANF) program
- Testing and treatment of communicable disease
- Food stamps
- Job training programs
- Housing assistance
- The Special Supplemental Nutrition for Women, Infants and Children (WIC)
- Foster care and adoption assistance
- Transportation vouchers
- Educational assistance
- Nutrition programs
- Emergency Disaster Relief

### Benefits that May Affect Public Charge Determination

- Supplemental Security Income (SSI) cash benefits
- Cash assistance from the Temporary Assistance for Needy Families (TANF) program
- State or local cash assistance programs for income maintenance, i.e., General Assistance (GA)
- Arizona Long-Term Care (ALTC) (nursing home or mental health institution)

### Additional Clarifications

- There is **NO** public charge test for naturalization.
- Using Cash Assistance (CA) or other non-cash benefits **WILL NOT** affect an individual's ability to sponsor an immigrant into the United States, if that sponsor can meet the Income Test.
- Cash benefits received by U.S. citizen children or other family members of the non-citizen applicant do not make the non-citizen applicant a public charge, unless the non-citizen applicant relies on the cash benefits as their sole means of support. For example, if a child gets SSI, that would not stop a (working) parent from becoming a naturalized citizen, unless the family relies on the SSI as it's sole means of support.

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Arizona Department of Economic Security  
Quality Service, Organizational Pride,  
Client Self-Sufficiency

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## Declarations

Application ID: 20\_\_\_\_\_

Applicant: Organization

### Cooperation:

I understand that eligibility specialists from AHCCCS, DES/FAA, or KidsCare will review my application for AHCCCS Health Insurance, Food Stamps, and/or TANF Cash Assistance and will contact me if they need more information.

### Rights and Responsibilities:

#### You have the right to:

- Talk about your case with your worker or the supervisor if you are not happy with our decision.
- Be told in writing before your benefits are reduced or stopped.
- Have the information you give used only as authorized by law.
- Ask for a fair hearing, verbally or in writing, for any action or failure to take action by AHCCCS or DES/FAA. You have the right to ask for a hearing if:

You have given all information and proof requested and you have not been told in writing within 45 days whether your application is approved or denied.

We deny your application, or stop or reduce your services.

You disagree with the amount of your co-payment or premium or an increase in your premium, if a premium is required.

The notice AHCCCS or DES/FAA sends you will tell you how to request a hearing, the date by which you must ask for a hearing, and will ask for the reason you want a hearing.

- Look at your file before the fair hearing.
- Bring an attorney or any other person to the fair hearing.
- Request a Claim for Good Cause for not giving us information about an absent parent if giving us the information might put you, your family or anyone you are applying for in danger.

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Room 326-W, Whitten Building  
1400 Independence Ave., SW  
Washington, D.C. 20250-9410  
(202) 720-5964 (voice and TDD)

Attention: Regional Manager  
U.S. Department of Health and Human Services  
Office for Civil Rights/Region IX  
50 United Nations Plaza, Room 322  
San Francisco, CA 94102  
1-800-368-1019 (voice)  
1-415-437-8311 (TDD)

**IMPORTANT!** If your child is approved for Cash Assistance or Food Stamps, he/she is eligible for free school breakfast and lunch through the National School Lunch Program. Ask your child's school about this benefit.

#### You are responsible for the following:

- You must report changes in your household. Your worker will explain your change reporting requirements.
- Everyone receiving benefits must cooperate with state and federal personnel in the completion of a Quality Control (QC) review of eligibility.
- You are responsible for the use of your Electronic Benefit Transfer (EBT) card and Personal Identification Number (PIN). Your Food Stamp and Cash Assistance benefits will not be replaced if your account is used with your card or your representative's card and the proper PIN. When you do not access your Food Stamp and Cash Assistance benefits that are in your EBT account within a 90-day period, and you have an overpayment, these benefits can be used to pay back any overpayment. Contact the Office of Accounts Receivable and Collections at (602) 252-0024 or 1-800-236-1475.
- All adult household members and minor parents who are eligible for Food Stamp or Cash Assistance benefits must be fingerprint imaged. (Exceptions may apply.)