

The Public Charge Rule Is Now in Effect Nationwide— What Does that Mean and What Can You Do?

Today, the Department of Homeland Security's discriminatory public charge rule [goes into effect](#). The rule puts in place a new test for people who are applying for visas or green cards. It looks at people's health, including whether they have a disability, and whether they have used or might one day use public benefits, including Medicaid-funded home and community-based services on which many people with disabilities rely because they are not covered by private insurance. This rule will have a disproportionate impact on people with disabilities and will discourage people already in the US from using critical public benefits to which they are legally entitled.

Now that the new public charge rule is in place, it is vital that people understand what it does and does not mean. The new rule only applies to certain changes in immigration status, to the use of specific government benefits, and only to immigration (and not deportation) determinations. You should consult an immigration lawyer before deciding not to use benefits to which you are entitled. **See below for upcoming webinars and additional resources to learn more about the rule.**

The rule's implementation had initially been [halted](#) by several federal courts that found that the rule was likely illegal and issued preliminary injunctions. However, last month, the US Supreme Court issued a 5-4 [decision](#) staying the nationwide injunction against the public charge rule, leaving only one statewide injunction in Illinois in effect, which the Court then also [stayed](#) on Friday in another 5-4 decision. That means that the rule will now go into effect across the entire country today while the lawsuits about its legality continue.

The Supreme Court's decision and the ensuing implementation of the rule will undoubtedly spread confusion and fear among immigrant communities and will allow illegal discrimination to go unchecked while litigation is ongoing but it is important to remember that although the rule is now in effect, efforts to overturn it continue.

CPR and other disability organizations have filed several amicus briefs in the litigation, detailing the discrimination disabled immigrants may face as a result of the rule, which the amicus briefs argue will prevent people with disabilities from entering this country or becoming legal residents in violation of federal disability law. The amicus briefs and the latest on the litigation efforts can be found [here](#). CPR remains committed to putting a stop to this dangerous rule and will continue, along with our allies, to fight for the rights of immigrants with disabilities and their families.

A fact sheet reviewing the basics of the rule and its impact on people with disabilities can be found [here](#) and we also have a more in-depth [explainer](#), detailing the rule and the lawsuits challenging it. Additional background information on the rule, resources, and media can be found on our [website](#).