



NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE.
Alister F. Martin, MD, MPP
Commissioner

A Letter to Our Healthcare Professionals

“Public Charge” Concerns and Resources for Immigrants

September 18, 2026

Dear Colleague,

The federal government has finalized changes to the “public charge” policy, which affects some individuals applying for green cards and certain visas, and may lead to additional scrutiny of their use of certain public benefits. **As of Friday, September 18, 2026, these changes are now in effect.**

Under the new policy, the federal government is now able to consider the use of any federal, state, or local “means-tested” public benefits when reviewing certain green card/visa applications. The federal government generally understands “means-tested” public benefits to refer to programs or benefits where your eligibility is based on your individual or family income. Previously, the federal government only considered the receipt of certain types of cash assistance and government-funded institutionalization for long-term care to make a decision on whether someone is a “public charge.”

The new policy does *not* change which types of applicants are considered, and many New Yorkers are not subject to public charge. However, there are widespread concerns about what this policy means for immigrant New Yorkers and their families. These concerns may affect care-seeking behavior because of perceptions about the federal government’s scrutiny of public benefits as part of its public charge evaluation.

To support community members concerned about their ability to access needed services and supports, the NYC Health Department offers key points and resources around public charge.

Top message for the public: Do not stop using the public benefits, City government services, or health care services you or your family members need without speaking with an immigration legal services provider.

Key Points

- The updated policy is in effect as of September 18, 2026.
- The federal government may consider the use of any federal, state, and local “means-tested” public benefits, used on or after September 18, 2026, in making a public charge determination.
 - The new policy does not allow the federal government to consider the past use of other public benefits received before September 18, 2026.

- The new policy does not allow federal officials to base a public charge determination **ONLY** on your dependent's use of benefits.
- The public charge test does not apply to all immigrants. For example, it does not apply to people who already have green cards and are renewing them, people applying for U.S. citizenship, and people applying for a green card through certain humanitarian protections, such as asylum or refugee status.
- The public charge test does apply to people seeking green cards through family-based petitions (eg, certain relatives of U.S. citizens and legal permanent residents) and employment-based petitions (eg, priority workers, skilled workers, professionals).
- The City of New York has filed a joint lawsuit alongside other localities to challenge these changes, but for now, the new policy is still in effect (as of September 18, 2026).

Resources

- To connect members of your practice to trusted legal services, please urge them to call the Mayor's Office of Immigrant Affairs' (MOIA) free and confidential Immigration Legal Support Hotline at: 1-800-354-0365.
- MOIA maintains up-to-date information on public charge messaging, policy, and resources at www.nyc.gov/publiccharge.
- The NYC Health Department maintains up-to-date information about access to care for immigrant New Yorkers at www.nyc.gov/immigranthealth.

Thank you for your continued commitment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Toni Eyssallenne', with a stylized, flowing script.

Toni Eyssallenne, MD, PhD
Chief Medical Officer
Office of the Chief Medical Officer