



## Health First Colorado (Colorado’s Medicaid Program) and Public Charge

April 2023

There are some important changes to Health First Colorado and the public charge rule. You can now use most public benefits, including Health First Colorado and Child Health Plan *Plus* (CHP+) and it will not harm your immigration status.

### What is Public Charge?

- The public charge test decides if a person might use government services in the future. The test includes your age, income, health, education/skills, and your sponsor’s affidavit.
- Some people must pass a public charge test when they apply for a green card (lawful permanent residence) or a visa to enter the United States.

### Does Public Charge Rule Affect Me?

- **Using** most public benefits is not considered in a public charge test (Table 1).
- **Applying** for any public benefits is not considered in a public charge test.
- Benefits used by family members are not considered in **your** public charge test.
- The public charge rule does not apply to all immigration statuses (Table 2).

Table 1: Public Benefits Considered in Public Charge Test

Benefits Considered in Public Charge Test	Benefits NOT Considered in Public Charge Test
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<ul style="list-style-type: none"> <li>• Government programs that support long-term, institutional care (such as a skilled nursing facility)</li> <li>• Government-funded cash assistance programs: <ul style="list-style-type: none"> <li>○ Supplemental Security Income (SSI)</li> <li>○ Colorado Works</li> <li>○ Colorado's Temporary Assistance for Needy Families (TANF)</li> <li>○ Old Age Pension</li> <li>○ Aid to the Needy Disabled</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Medicaid/Health First Colorado <ul style="list-style-type: none"> <li>• Emergency Medical Services (EMS)</li> <li>• Children's Health Insurance Program (CHIP)</li> <li>• Child Health Plan <i>Plus</i> (CHP+)</li> </ul> </li> <li>• Supplemental Nutrition Assistance Program (SNAP, Food Assistance, or Food Stamps)</li> <li>• Supplemental Nutrition Program for Women, Infants and Children (WIC)</li> <li>• Federal Public Housing &amp; housing vouchers (Section 8/Housing Choice Vouchers and Continuum of Care)</li> <li>• School breakfasts &amp; lunches</li> <li>• Low-income Energy Assistance Program (LEAP)</li> <li>• Tax credits such as Earned Income Tax Credit (EITC)</li> <li>• Colorado Child Care Assistance Program for Families (CCCAP)</li> </ul>
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**Table 2: Immigration Status and Public Charge**

U.S. citizens	Public charge rule does <b>NOT</b> affect you.
Temporary Protected Status (TPS), U or T visa, Asylum, Refugee, or Special Immigrant Juvenile Status	
Lawful Permanent Residents/Green Card Holders	Public charge rule does <b>NOT</b> affect you. <i>Consult a legal expert if you plan to leave the U.S. for over 180 days.</i>
People applying for a green card or visa from inside the U.S.	Public charge rule <b>MAY</b> affect you. <i>Only the use of very few government programs (listed above) will be considered in the application, along with other factors like income.</i>
People applying for a green card or visa from outside the U.S.	

Contact a legal expert or a trusted community organization if you are concerned about the public charge rule.

**How Has the Public Charge Rule Changed?**

- The public charge rule changed in December 2022 and limited the benefits considered in a public charge test.
- The new policy does **not** change eligibility rules for public benefits programs.

### **Will my Information Be Shared?**

Information you provide on an application is confidential and cannot be shared with U.S. Citizenship and Immigration Services. Colorado law protects your personal information when applying for or enrolling in most public benefits. Your information may only be shared with some federal agencies if there is an audit from the Centers for Medicare and Medicaid Services and the Office of the Inspector General. If shared, the information does not impact your immigration status and can't be used in a public charge determination.

### **State of Colorado Resources**

- 1-800-221-3943: Health First Colorado Member Contact Center
- 1-800-536-5298: SNAP or cash assistance programs
- Contact your [local county office](#) for help with Child Care Assistance Program (CCAP) applications.
- The [Office of New Americans](#) is a contact for state agencies, private sector organizations, and the public.
- Additional questions or feedback on this document can be sent to [hcpf\\_coverall@state.co.us](mailto:hcpf_coverall@state.co.us)

### **Community Resources**

- [The Colorado Immigrant Rights Coalition \(CIRC\)](#)
- [The Colorado Organization for Latina Opportunity and Reproductive Rights \(COLOR\)](#)
- [Rocky Mountain Immigrant Advocacy Network \(RMIAN\)](#)