



## Research Documents Harm of Public Charge Policy During the COVID-19 Pandemic Updated: January 2022

The Biden Administration ended the Trump-era public charge policy in March 2021. This was a critical first step toward addressing the damage this policy has caused, but more must be done to overcome its lasting “chilling effect.”

Research has confirmed that the lead up to and rollout of the Trump public charge policy created a pronounced and persistent “chilling effect,” with immigrants and their family members disenrolling from or failing to enroll in critical health, nutrition, and economic supports for which they were eligible. The Trump policy took effect just weeks before the COVID-19 pandemic hit the United States, which has amplified the health and economic harm of the pandemic. Public health experts now warn that its lasting effects threaten COVID-19 vaccination efforts.

The latest available data reveals that there continues to be low awareness of this policy reversal among individuals in immigrant and mixed-status families. This misinformation deters many from accessing critically-needed safety-net programs for fear of jeopardizing themselves or their loved ones. Since this document was last updated in August 2021, new research has been released with the following findings:

- In a longitudinal study that ran from January 2018 to March 2021, Children’s Health Watch interviewed the caregivers of young children and found that while the likelihood of household food insecurity went up 40% during the COVID-19 pandemic for households with U.S.-born mothers, households with immigrant mothers saw their likelihood more than doubling (2.2 times). Households with U.S.-born mothers were 2.2 times more likely to be behind on rent than before the pandemic, but households with immigrant mothers were 4.1 times more likely.<sup>1</sup>
- Households with immigrant mothers were significantly more likely to miss out on benefits from SNAP and Economic Impact Payments than households with U.S.-born mothers (24.5% vs. 3.9%).<sup>2</sup>
- In September 2021, with support from No Kid Hungry, PIF fielded a poll of 1,000 mostly Latinx and AAPI individuals in immigrant families. This poll found that nearly half (46%) of families who needed assistance during the COVID-19 pandemic abstained from applying due to concerns over implication for their immigration status or that of their family member(s).<sup>3</sup>
- In the September 2021 PIF poll, two in five respondents (41%) polled continued to believe that “applying for assistance programs could cause immigration problems.” Comparatively, only one in four (25%) did not believe that seeking assistance would cause immigration problems. AAPI communities are particularly likely to have low clarity on how public charge rules affect immigration status.<sup>4</sup>

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<sup>1</sup> Children’s Health Watch. [“A Bulwark Against the Storm: The unequal impact of COVID relief policies on families with young children.”](#) September 2021.

<sup>2</sup> Ibid.

<sup>3</sup> Protecting Immigrant Families (PIF), [“Public Charge was Reversed— But Not Enough Immigrant Families Know.”](#) Research conducted by BSP Research. December 2021.

<sup>4</sup> Ibid.

This fact sheet describes research documenting the damage done by public charge. It strongly supports swift rulemaking—to cement and clarify the policy details—as well as accompanying outreach efforts by the Biden administration to make clear that it is safe for immigrant families to access health care, nutrition, housing, and other economic support programs.

### Heading into the COVID-19 pandemic, survey and program data confirmed that the chilling effects of public charge policy are real.

- Researchers from UCLA found that one out of four (25%) low-income adults in California reported avoiding public programs out of fear that participating would negatively impact their own immigration status or that of a family member in 2019. Researchers also found evidence that these chilling effects are associated with adverse health outcomes, including higher food insecurity and uninsured rates.<sup>5</sup>
- The Migration Policy Institute analyzed American Community Survey data for 2016 through 2019 and found that participation in TANF, SNAP, and Medicaid declined far more rapidly for noncitizens than U.S. citizens. This trend held for both the overall and low income populations. In addition, the share of children receiving benefits under TANF, SNAP, and Medicaid fell about twice as fast among U.S. citizen children with noncitizen household members as it did among children with only U.S. citizens in their household. Eligibility for these programs did not change during this time period.<sup>6</sup>
- An analysis of the U.S. Department of Agriculture’s SNAP Quality Control data found that national participation in SNAP among children in mixed-status households dropped by 22.5 percent (more than 718,000 children) between fiscal years 2018-2019. This drop represents a decrease that is five times that of the decrease among U.S. children in citizen-only households.<sup>7</sup>
- Research published in *Health Affairs* found evidence of the causal effect of the announcement of the Trump public charge regulations on access to public benefits. The researchers’ analysis of state-reported data shows that the announcement of the public charge regulations was associated with a decrease in Medicaid enrollment of approximately 260,000 children from 2017 levels.<sup>8</sup>
- In a subsequent special immigrant-focused edition of *Health Affairs*, research shows that the Trump-era public charge regulation likely deterred essential workers from seeking needed care and aid during the COVID-19 pandemic. Using Census Bureau data, researchers found that the

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<sup>5</sup> Suan H. Babey, Joelle Wolstein, Riti Shimkhada, Nine A. Ponce, “One in 4 Low-Income Immigrant Adults in California Avoided Public Benefit Programs, Likely Worsening Food Insecurity and Access to Health Care” UCLA Center for Health Policy Research, March 2021 <https://healthpolicy.ucla.edu/publications/search/pages/detail.aspx?PubID=2072>.

<sup>6</sup> Randy Capps, Michael Fix, and Jeanne Batalova, Migration Policy Institute, “Anticipated ‘Chilling Effects’ of the Public Charge Rule Are Real: Census Data Reflect Steep Decline in Benefits Use by Immigrant Families,” December 2020. <https://www.migrationpolicy.org/news/anticipated-chilling-effects-public-charge-rule-are-real>.

<sup>7</sup> Alexandra Ashbrook, Food Research and Action Center. “New Data Reveal Stark Decreases in SNAP Participation Among U.S. Citizen Children Living With a Non-Citizen”. May 2021

<sup>8</sup> Jeremy Barofsky, Ariadna Vargas, Dinardo Rodriguez, Anthony Barrows, “Spreading Fear: The Announcement of the Public Charge rule Reduced Enrollment in Child Safety-Net Programs” *Health Affairs*, October 2020, <https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00763>.

public charge policy likely caused 2.1 million essential workers and household members to forgo Medicaid and 1.3 million to forgo SNAP.<sup>9</sup>

- New York City analyzed SNAP program data and found that from January 2018 to January 2019, the SNAP caseload for non-citizens fell by more than three times the caseload for citizens (the caseload dropped 10.9% for non-citizens and 2.8% for citizens). From January 2017 to 2018, the SNAP caseload for noncitizens dropped by nearly double that of citizens (the caseload dropped 6.2% for non-citizens and 3.2% for citizens).<sup>10</sup>
- In a series of focus groups conducted in 2019 and into January 2020 by FRAC and the National Immigration Law Center, more than one-quarter of immigrant parents who were surveyed reported that they stopped using the Supplemental Nutrition Assistance Program (SNAP) or other food programs in the last two years; this was due to immigration-related concerns, and was echoed by nutrition service providers.<sup>11</sup>

### **Since COVID-19 began, research continues to document that immigrant families are forgoing critical health and economic support programs because of public charge concerns.**

- In December 2020, the Urban Institute found that adults in low-income immigrant families had suffered serious employment impacts from the economic crisis (51.8 percent), had experienced high rates of food insecurity in the past year (41.4 percent), and were worried about meeting their basic needs in the next month, including having enough to eat (43.2 percent) and being able to pay rent or a mortgage (50.8 percent), utility bills (49.1 percent), or medical costs (52.1 percent). Despite facing disproportionate hardships throughout the pandemic, more than 1 in 4 adults in low-income immigrant families (27.5 percent) reported they or a family member avoided noncash benefits or other help with basic needs because of green card or other immigration concerns in 2020.<sup>12</sup>
- The Urban Institute found that in 2020, adults in immigrant families with children were more likely to report chilling effects than their counterparts without children (20.0 percent versus 15.0 percent)<sup>13</sup>. Nonpermanent residents were most likely to report that they or a family member experienced chilling effects at 42.3%. This group of respondents would have been more likely than other immigrant families to be affected by the public charge rule.<sup>14</sup>

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<sup>9</sup> Sharon Touw, Grace McCormack, David Himmelstein, Steffie Woolhandler, and Leah Zallman. "Immigrant Essential Workers Likely Avoided Medicaid And SNAP Because Of A Change To The Public Charge Rule," Health Affairs, July 2021, <https://www.healthaffairs.org/doi/pdf/10.1377/hlthaff.2021.00059>.

<sup>10</sup> New York City, "[Department of Social Services and Mayor's Office of Immigrant Affairs, Fact Sheet: SNAP Enrollment Trends in New York City](#)," June 2019.

<sup>11</sup> Alexandra Ashbrook, Jackie Vimo, Food Research and Action Center, National Immigration Law Center. "[Food Over Fear: Overcoming Barriers to Connect Latinx Immigrant Families to Federal Nutrition and Food Programs](#)," December 2020

<sup>12</sup> Hamutal Bernstein, Dulce Gonzalez, Michael Karpman, Urban Institute. "[Adults in Low-Income Immigrant Families Were Deeply Affected by the COVID-19 Crisis yet Avoided Safety Net Programs in 2020](#)" May 2021.

<sup>13</sup> Jennifer M. Haley, Genevieve M. Kenney, Hamutal Bernstein, Dulce Gonzalez, Urban Institute. "[Many Immigrant Families with Children Continued to Avoid Public Benefits in 2020, Despite Facing Hardships](#)". May 2021.

<sup>14</sup> Jennifer M. Haley, Genevieve M. Kenney, Hamutal Bernstein, Dulce Gonzalez, Urban Institute. "[Many Immigrant Families with Children Continued to Avoid Public Benefits in 2020, Despite Facing Hardships](#)". May 2021.

- In 2020, the Urban Institute found that approximately one in seven adults in immigrant families (13.6%) reported that they or a family member avoided public benefit programs, such as Medicaid, CHIP, SNAP, or housing assistance, because of concerns about future green card applications. Among families in which one or more members did not have a green card, the chilling effect was more severe - more than one in four (27.7%) adults in these families reported avoiding benefits because of green card concerns.<sup>15</sup>
- In a 2021 poll from the Kaiser Family Foundation among Hispanic adults in the United States, one in ten (11%) respondents reported that they or their family member have avoided participating in a government assistance program that helps with food, housing, or health care because they were afraid it might negatively affect their or a family member's immigration status. That figure more than doubles to 26% among potentially undocumented Hispanic adults.<sup>16</sup>
- A survey of community-based organizations conducted by the Urban Institute found evidence of avoidance of COVID-19 relief programs because of immigration concerns. Despite not being implicated in Trump's public charge regulation, immigrant-serving organizations reported chilling effects in Pandemic EBT, a program designed to feed children who were receiving free or reduced priced meals at school, as well as other key federal relief programs.<sup>17</sup>

### **Research and providers report that immigrants are afraid to access medical treatment for COVID-19 due to public charge concerns.**

- Based on a survey of immigrant households in Massachusetts conducted by the Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition, of all survey respondents who got sick and didn't seek COVID-19 testing and treatment, approximately 10% reported fears being labeled a public charge and another 6% reported fears that their information would be shared with immigration agents as reasons why they didn't get tested. Among respondents with undocumented members in the household, nearly 18% reported fears of being labeled a public charge and about 13% reported fears that their information would be shared with immigration agents.<sup>18</sup>
- Based on a survey of community-based organizations conducted by the Urban Institute, nearly 70% reported that public charge and other anti-immigrant policies deterred the people they serve from seeking COVID-19 testing and treatment. That survey found that 43% of service providers reported that "some" clients are avoiding COVID-19 testing or treatment because of immigration enforcement or immigration status concerns. An additional 26 percent indicated

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<sup>15</sup> Hamutal Bernstein, Michael Karpman, Dulce Gonzale, and Stephen Zuckerman, Urban Institute, "Immigrant Families Continued Avoiding the Safety Net during the COVID-19 Crisis" February 2021 <https://www.urban.org/sites/default/files/publication/103565/immigrant-families-continued-avoiding-the-safety-net-during-the-covid-19-crisis.pdf>.

<sup>16</sup> Liz Hamel, Samantha Artiga, Alauna Safarpour, Mellisha Stokes, Mollyann Brodie, Kaiser Family Foundation. [KFF COVID-19 Vaccine Monitor: COVID-19 Vaccine Access, Information, and Experiences Among Hispanic Adults in the U.S.](#) May 2021.

<sup>17</sup> Hamutal Bernstein, Jorge Gonzale, Dulce Gonazalez, Jahnavi Jagannath, Urban Institute, "Immigrant-Serving Organizations' Perspectives on the COVID-19 Crisis" August 2020 <https://www.urban.org/research/publication/immigrant-serving-organizations-perspectives-covid-19-crisis>.

<sup>18</sup> MIRA (2020). The Impact of COVID-19 on Immigrants in Massachusetts: Insights from our Community Survey. Written by Marion Davis for the Massachusetts Immigrant and Refugee Commission. Boston, Mass. Available at <http://www.miracoalition.org/cvsurvey>.

that “almost everyone” or “many” had been deterred from testing or treatment by immigration concerns.<sup>19</sup>

- A physician who provides medical care to farmworkers in California stated that his patients are “afraid to seek medical care” and are “fearful of negative immigrations consequences if they use publicly subsidized medical services due to the public charge rule” during the pandemic. People who harvest and process the crops that keep our nation fed are working while sick because they cannot afford to feed their own families if they stay home and are “afraid to apply for nutrition assistance programs... due to the fear that if they receive those benefits, the public charge rule will negatively affect their immigration status in the future.”<sup>20</sup>
- A medical resident working at a community health center in Connecticut reported patients with COVID-19 symptoms who were afraid to go to the hospital or seek testing because of public charge.<sup>21</sup> An attorney in California reported that survivors of human trafficking and crime victims who lost their jobs or experienced reduced income because of COVID-19 were afraid to apply for unemployment and receive nutrition assistance programs to support their families.<sup>22</sup>

### **Research shows that anti-immigrant policies, like public charge, are creating misinformation about eligibility and undermining vaccination efforts.**

- In a poll conducted by the Kaiser Family Foundation, over a third (35%) of respondents, rising to 63% of potentially undocumented Hispanic adults, reported concerns that by getting the COVID-19 vaccine, they will negatively affect their own or a family member’s immigration status.<sup>23</sup>
- The Kaiser Family Foundation also found that there are gaps in information about who is eligible for the vaccine and how to get it among the Hispanic population. At least half of surveyed respondents were unaware that the vaccines are free for all U.S. residents and that all adults are eligible regardless of immigration status.<sup>24</sup>
- Social epidemiologist Amanda Latimore at the Johns Hopkins Bloomberg School of Public Health cites public charge specifically as a driver of vaccine hesitancy among Latinx families.<sup>25</sup>

### **Despite being reversed, the harm of the Trump-era public charge policy continues.**

- Undermining COVID-19 vaccination efforts. Public charge continues to drive vaccine hesitancy among immigrant families, Roll Call reported in June.<sup>26</sup> A UCLA public health expert quoted in that story warned that “There’s still a lot of confusion about this notion that a reliance on government services may threaten your ability to stay here and work or may threaten the future of your children, your family and getting a green card and eventually becoming a citizen.”
- Deepening hunger disparities. Despite pandemic-driven food insecurity increases, public charge continues to drive down SNAP access among Latino families in Northern California. As the

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<sup>19</sup> Hamutal Bernstein, Jorge Gonzale, Dulce Gonazalez, Jahnvi Jagannath, Urban Institute, [“Immigrant-Serving Organizations’ Perspectives on the COVID-19 Crisis”](#) August 2020.

<sup>20</sup> [Motion by Government Plaintiffs to Temporarily Lift or Modify the Court’s Stay of the Orders Issued by the United States District Court for the Southern District of New York](#). Department of Homeland Security, et al. v. New York, et al. (April 13, 2020). Retrieved April 27, 2020..

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Liz Hamel, Samantha Artiga, Alauna Safarpour, Mellisha Stokes, Mollyann Brodie, Kaiser Family Foundation. [KFF COVID-19 Vaccine Monitor: COVID-19 Vaccine Access, Information, and Experiences Among Hispanic Adults in the U.S.](#) May 2021.

<sup>24</sup> Ibid.

<sup>25</sup> The Baltimore Sun, [“Building Community trust essential to COVID vaccine acceptance” December 2020.](#)

<sup>26</sup> Caroline Simon, Roll Call. [“Immigrants crucial to vaccinating US, but gaps remain”](#). June 2021.

national food trade outlet Civil Eats reported in April, “although the rule has recently been rescinded, the fear remains within immigrant communities.”<sup>27</sup> And as the Woodland Daily Democrat reported in late July, “experts said it will take years and concerted effort to rebuild trust between government and immigrants after the public charge rule.”<sup>28</sup>

- Driving up the child uninsured rate. A Georgetown Center on Children & Families analysis cited by Stateline in June cites public charge as a driver of the spike in uninsured Latino kids. A Texas advocate validates the statistics with real-world experience: “we saw many families not applying or not renewing or literally pulling out of these services even though they were entitled to them.”<sup>29</sup>
- Amplifying the housing crisis. As the National Low-Income Housing Coalition warned the Atlanta Journal-Constitution in July, “Immigrant communities, often rightfully so, are very fearful of applying for assistance,” due to public charge and anti-immigrant state policies.<sup>30</sup> Across the country, a California advocate warned the Fresno Bee that immigrant families who struggled to cover rent and other basic needs “don’t seek help or government assistance, even when they qualify, because they fear doing so could jeopardize their status in the country.”<sup>31</sup>

### Research and providers’ reports, in concert with our nation’s interest in ensuring that everyone can access health care and economic supports during the pandemic, support the following actions:

- **Swift rulemaking.** Given the chilling effects experienced over the last four years and during the COVID-19 pandemic as well as the time-consuming nature of regulatory development, the Biden administration must take quick action to modernize the policies in the 1999 Field Guidance.
- **Immediate communication to immigrants and their family members that they can feel safe accessing public services.** The Biden administration must take steps to curb the chilling effect, making clear that the Trump public charge policy has permanently ended and immigrants and their family members can get the care and help they need. The PIF poll reveals that communicating policy changes clearly makes a difference; finding that the public charge rule has changed made 50% of respondents more likely to apply for assistance when needed.<sup>32</sup>

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<sup>27</sup> Megan Carney & Terea Mares, Civil Eats. [“Op-ed: How the Pandemic Made it Harder For Immigrants to Access Food”](#). April 2021

<sup>28</sup> Leonardo Castañeda & Jesse Bedayn, Woodland Daily Democrat. [“‘I was looking at a nightmare:’ Spanish-speakers hard hit by COVID relied on food banks instead of government assistance”](#). July 2021

<sup>29</sup> Michael Ollove, Stateline. [“Enrollment in Health Insurance Lags Among Latino Children.”](#) June 2021

<sup>30</sup> Lizzie Kane & Lautaro Grinspan, The Atlanta Journal-Constitution. [“Pandemic brings more hardships for Georgia’s unauthorized immigrants”](#). July 2021

<sup>31</sup> Nadia Lopez, the Fresno Bee. [“They paid rent through COVID-19. Now they’re broke and can’t get help from California programs”](#). July 2021

<sup>32</sup> Protecting Immigrant Families (PIF), “Public Charge was Reversed— But Not Enough Immigrant Families Know.” Research conducted by BSP Research. December 2021.