

Public Charge Guidance and Public Benefits Administered by NCDHHS

Current as of Sept. 25, 2026

What is Changing?

On Sept. 18, 2026, the U.S. Citizenship and Immigration Services (USCIS) changed the way it looks at some green card applications. It does not change any North Carolina benefit program or who can get those benefits.

What the Guidance Does

Starting Sept. 18, 2026, when someone applies for a green card from inside the United States, USCIS may consider or “count” benefits that the person applies for or gets for themselves on or after that date. Benefits that go to the person’s children or other family members are not counted as that person’s benefits, though USCIS may look at the family’s income. USCIS makes these decisions. North Carolina agencies do not.

Types of Benefits This Guidance May Consider

The new guidance, known as the public charge guidance, may affect people applying for a green card who get help from programs based on income. The government might look at or consider your use of these programs when deciding whether you qualify for a green card or not. In North Carolina these programs include NC Medicaid, Food and Nutrition Services (SNAP), Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Work First Family Assistance, State/County Special Assistance, energy assistance, subsidized child care, and SUN Bucks.

The government will not consider any benefits you earned by working. Benefits earned by working include Medicare, Social Security retirement, Social Security Disability Insurance and unemployment insurance.

Important Facts

1. The new guidance does not change who can get benefits through these programs. If you qualify, you can still get them if you choose.
2. Benefits you got before Sept. 18, 2026, do not count. The only exceptions are cash assistance for living costs (such as Supplemental Security Income and Work First Family Assistance), and government-paid long-term care in an institution, which counted under the former guidance.
3. Getting a benefit does not by itself decide whether someone is approved for a green card. USCIS looks at the whole situation. No single benefit decides the case.
4. Some people are not affected by this new guidance. Refugees, asylees and people in other protected categories are not affected by this guidance. This includes T visa holders (human trafficking survivors) and U visa holders (victims of crime), VAWA self-petitioners, Special Immigrant Juveniles (SIJs), TPS applicants and re-registrants, Afghan and Iraqi allies (Special Immigrant Visas), surviving family of military members and others.
5. People who already have a green card and stay in the United States (in other words, do not leave the United States for more than 180 days at a time) are not affected by this guidance, even when they renew their card or apply for citizenship.

This is not legal advice. If you have specific questions about how public charge affects your situation, consult an immigration attorney.

For a list of community health centers, please use the North Carolina Community Health Center Association’s [Find a Health Center](#) page.



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