



Statement from the Illinois Association of Free and Charitable Clinics on the New Federal Public Charge Rule

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The federal government just made it harder for lawfully present immigrants to access essential services like health care without fear.

On July 16, the U.S. Department of Homeland Security published a final rule rescinding the 2022 public charge regulation. Public charge is a rule that allows immigration officers to deny green card and visa applications to immigrants who are deemed likely to become dependent on the U.S. government. While the 2022 regulation limited the government programs considered to be cash assistance and long-term institutionalization as factors in determining whether someone is likely to become a public charge, the new 2026 rule allows immigration officers broad, largely undefined discretion to weigh nearly anything in someone's file.

When this new rule takes effect September 18, immigration officials will be allowed to consider a wide range of means-tested government programs. For the first time, enrolling in Medicaid, using a Section 8 housing voucher, or signing your child up for subsidized school lunch could count against your application to become a Legal Permanent Resident (LPR) of this country. LPR applications typically take years to move through our legal system, during which time, these individuals are working, contributing to our economy, and paying taxes.

Free and charitable clinics believe that everyone has a right to access health care, and we provide those services every day, regardless of immigration status. We are concerned for the health of our immigrant patients, as this rule change will create a chilling effect that ripples out across many of their families. We have seen individuals afraid to enroll themselves or their children in health insurance programs, and families who aren't getting enough to eat because they fear that signing up for SNAP benefits will negatively impact their green card application. Research by the Urban Institute found that [almost 30% of immigrant families](#) declined to apply for needed benefits for their families during the COVID-19 pandemic due to fears about public charge.



When individuals are afraid to access these benefits, the federal government spends less money, but we all pay in the long run. Eventually, if health conditions worsen, someone can end up in the emergency department, racking up debt that they can't pay and that will be passed along to all of us through our own insurance premiums and medical bills.

IAFCC's 46 member clinics across Illinois see the consequences when fear keeps someone from walking through the door until a manageable condition becomes an emergency. This rule doesn't just affect immigration cases sitting in a federal queue somewhere; it affects whether the person with diabetes in our clinic today will come back next month sicker... or whether they will even come back at all.

Free and charitable clinics don't ask about immigration status, but even so, policies that create fear provide a chilling effect, making people afraid to seek care to which they are legally entitled. Please support your local clinic in continuing to ensure that everyone has access to the care they need. Find the clinic directory at www.illinoisfreeclinics.org.