



Committee on Social Services

~MINUTES~

Tuesday, October 16, 2018

1:00 PM

Committee Chair: Kitley Covill

Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

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CALL TO ORDER

Joint with Environment, Health & Energy

Attendee Name	Title	Status	Arrived
Kitley Covill	Chair	Present	
Nancy Barr	D6 Legislator	Present	
MaryJane Shimsky	D12 Legislator (Majority Whip)	Absent	
David J. Tubiolo	D14 Legislator	Absent	
Alfreda Williams	D8 Legislator (Vice Chair)	Present	

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Public Charge Overview and Update

Invited Guests

Kevin McGuire, Commissioner of Social Services

Jessica Young, Immigration Staff Attorney, Make the Road New York

Chair Covill opened the meeting and introduced the invited guest to discuss Public Charge.

Under current immigration policy, certain non-U.S. citizens who are seeking to enter the U.S. or to

obtain lawful permanent resident (LPR) status (green card) must show that, based on all their circumstances,

they are not likely in the future to primarily rely on government benefits to support themselves. If they are found

to be a public charge, the government may deny their application. In making this determination, the government

may take into consideration past and current receipt of certain government benefits. Currently, the government

looks at 1) receipt of only cash assistance (welfare benefits and SSI) and 2) long-term institutionalized care at

government expense (nursing home or other institutional care).

What is the Update?

On October 10, 2018, the Department of Homeland Security (DHS), published a proposed rule to the Federal

Register detailing changes to the definition and criteria of what is taken into consideration to make someone

deemed a "public charge." The most important changes are:

- Expansion of included benefits: The administration is proposing to expand the list benefits that are part of

the consideration to include Medicaid, Supplemental Nutrition Assistance Program (SNAP, or food

stamps), Medicare Part D subsidies, and federal housing assistance programs such as public housing,

Section 8 vouchers and other Section 8 housing assistance.

- Adjustment of the "weight" of factors considered in public charge determination: Factors to be included

in this determination are: income, resources, age, health status, family size, education, skills, etc. In the

proposed rule, immigration officials identify positive and negative factors used in the determination.

- Income and value of benefits received: An applicant who makes less than 125% of the Federal Poverty

Guidelines for their household size will be evaluated negatively. The amount and/or duration of benefits

received will be considered when analyzing the impact of current or past receipt of benefits.

Please click [here](#) to view the power point presentation

II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator A. Williams seconded by Legislator Barr the Committee adjourned at 2:12 PM.