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Attorney General Brown Joins Multistate Coalition Fighting for Health and Nutrition Stability for Immigrant Families

BALTIMORE, MD (October 28, 2023) – Maryland Attorney General Anthony G. Brown today joined a coalition of 17 Attorneys General in support of the Biden administration’s defense of its revised “public charge” regulations, which determine who can obtain or keep legal immigration status.

The revised regulations reject changes undertaken by the previous administration, which caused hardworking immigrants and their families to avoid or refuse critical health, nutrition, and housing programs for which they qualified. In today’s [amicus brief](#), the coalition emphasized the importance of the Biden administration’s new rule, which supports their states’ efforts to protect the health and well-being of immigrant families and all the states’ residents.

“At the heart of my commitment as a public servant lies a dedication to the well-being of all people,” **said Attorney General Brown**. “Immigrants and their families are an integral part of our communities. It is our responsibility to help them maintain access to essential resources and support, like education, food, and medical assistance, which they need to thrive.”

Longstanding guidance by the federal government has defined a “public charge” as a person who is primarily and permanently dependent on either public cash assistance for income maintenance or institutional long-term care at the government’s expense. Under the U.S. Immigration and Nationality Act, a noncitizen who is likely to become a public charge is generally ineligible to become a lawful permanent resident of the United States. In 2019, the Inadmissibility on Public Charge Grounds Final Rule was issued, which dramatically expanded the definition of a public charge to include even short-term use of supplemental federal government programs like Medicaid or Supplemental Nutrition Assistance – even as little as \$17 a month. Following court decisions across the country blocking this rule, it was formally vacated in March 2021.

In December 2022, a new Public Charge Final Rule issued by the Biden administration came into effect. The new rule sought to undo the sweeping harms of the previous rule by largely restoring the long-standing public charge policy. The rule is now facing a legal challenge in the Southern District of Texas after the state of Texas filed a lawsuit (*Texas v. Mayorkas*) to block its enforcement and resurrect the harmful 2019 rule.

In today's brief, the coalition supports the Biden administration's defense of its rule, arguing that the 2022 rule is consistent with applicable law, and will help encourage their states' residents, including immigrants and their families, to enroll in and access health and nutrition programs for which they are eligible.

This would benefit the states by:

- Supporting the states' efforts to promote the health and general wellbeing of their residents and communities.
- Improving immunization rates and thus allowing states to better respond to infectious disease outbreaks and public health crises.
- Promoting the health and achievement of students by increasing enrollment in school lunch programs and related school-based activities.
- Reducing the financial and administrative burden on states' agencies, public health systems, and safety net providers.

In submitting today's brief, Attorney General Brown joins the Attorneys General of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Oregon, and Washington.

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