



# **Public Charge Ground of Deportability: Possible Impact of U.S. Department of Justice’s Proposed Changes on the City of Boston**

*October 7, 2019*

Based on statutory language at 8 U.S.C. 1227(a)(5) concerning the public charge ground of deportability and the final rule changes to the public charge ground of inadmissibility made by the U.S. Department of Homeland Security (“DHS”) published in August 2019, we believe that the changes to the public charge ground of deportability proposed by the U.S. Department of Justice (“DOJ”) will have significant economic impacts on the City of Boston.

## Population Estimates

The City of Boston has 100,450 residents who are not citizens of the United States<sup>1</sup> of whom 46,335 (approximately 46%) receive one or more of the following forms of public benefits, and therefore may be subject to the public charge ground of deportability under the DOJ proposal:

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<sup>1</sup> Data source throughout: U.S. Census Bureau, 2013-2017 American Community Survey, PUMS, BPDA Research Division Analysis



- Medicaid, Medical Assistance, or any kind of government-assistance plan for those with low incomes or a disability
- Supplemental Nutrition Assistance Program (SNAP), commonly known as “food stamps”
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Institutionalized group quarters population

The first three forms of public benefits listed above were included in DHS’s expansion of public benefits considered in the public charge ground of inadmissibility in its final rule changes. For the purposes of this analysis, we presume that the forthcoming notice of proposed rulemaking (“NPRM”) with respect to the public charge ground of deportability rule will likewise propose expanding the range of public benefits programs considered in the rule to include forms of public health insurance and SNAP.

The final two forms of public benefits listed above are already considered under the public charge ground of deportability, however, as a matter of practice, it is our understanding that the federal government pursues the removal of very few non-citizens on this basis due to additional procedural hurdles. Although we are unaware of the language of the DOJ proposed rule, it is possible that the proposed rule would eliminate some of these procedural hurdles.

39,071 non-citizen residents of Boston receive Medicaid/MassHealth (33,697 adults and 5,374 children). 21,889 non-citizen residents of Boston receive SNAP benefits (18,940 adults and 2,949 children).



## Impact of Detention and/or Deportation

If these 46,335 non-citizen Boston residents plus the 13,862 non-Boston residents who work in Suffolk County, Massachusetts were detained and/or deported, what would be the economic impact on Boston?

- **Loss of Workers:** Boston employers could lose approximately 30,248 workers if affected immigrants lose employment authorization, are detained and deported, including workers who are Boston residents and those who commute into jobs in the city. These workers support the jobs of additional 12,864 workers.
- **Loss of Consumer Demand:** The Boston economy would also lose the purchasing power of the approximately 29,949 affected Boston residents who are not currently employed or who work outside of Boston.
- **Loss of Income for the City as a Whole:** The affected immigrants who live in Boston or commute into Boston generate \$4.7 billion annually through direct, indirect, and induced economic impacts, helping to sustain the region's economy.
- **Loss of Talent:** Of the 39,437 Boston resident adults who would possibly lose their immigration status and face deportation, 2,548 are college or university students, and another 2,367 are college-educated workers.
- **Break-up of Families:** Of the 46,335 Boston residents who would possibly face deportation, 6,898 are minor children, 10,992 are married, and approximately 23,086 are caring for minor children.



## Impact of Disenrollment from or Failure to Enroll in Public Health Care and Nutrition Programs

Since the rule may be retroactive to apply to residents who used public benefits in the past, it is not clear that disenrolling from public benefit programs will protect current recipients. However, over time, non-citizens who would have enrolled in public benefit programs may not do so. This may result in 33,697 adults and 5,374 children losing/going without Medicaid/MassHealth benefits, and 18,940 adults and 2,949 children losing/going without SNAP benefits.

- **Lost Public Insurance Reimbursement:** The loss of public health insurance reimbursement to the local hospitals and community health centers may cost the local Boston economy \$24.6 million per year if 20% of the affected 33,697 Boston adults and 5,374 children disenrolled from Medicaid/MassHealth programs.<sup>2</sup>
- **Health and Nutrition-related Costs:** The loss of SNAP benefits will result in higher health-related costs and substitute food expenditure. The cost to the local Boston economy from the loss of SNAP benefits is estimated at \$12.2 million per year if 20% of the affected 18,940 Boston adults and 2,949 children disenrolled from SNAP.<sup>3</sup>
- **Broader chilling effect:** Populations that are not actually affected by the proposed rule change may be afraid to enroll in public benefits programs. For

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<sup>2</sup> Based on the estimated annual cost of \$3,372 per adult and \$1,720 per child. See *Impact of Proposed Federal Immigration Rule Changes on Boston: Public Charge Test for Inadmissibility* (2019) for the methodology.

<sup>3</sup> Based on the estimated annual cost of \$2,880 per adult and \$2,190 per child. See *Impact of Proposed Federal Immigration Rule Changes on Boston: Public Charge Test for Inadmissibility* (2019) for the methodology.



example, 26,606 U.S. citizen children living in Boston with foreign-born parents are currently enrolled in Medicaid/MassHealth. These children may lose their health coverage if their parents believed, even mistakenly, that enrolling in this benefit will jeopardize their immigration status. Disenrollment of 20% of these children from Medicaid/MassHealth programs will potentially cost the local Boston economy additional \$9.2 million per year.<sup>4</sup>

### Data Limitations and Details

Although the statutory language at 8 U.S.C. 1227(a)(5) concerning the public charge ground of deportability limits the consideration of the use of public benefits to the first five years of entry, we assumed that those who have been in the U.S. 5+ years and currently receive public benefits also received public benefits when they had been in the U.S. less than 5 years, and therefore, would also be affected by changes to the public charge ground of deportability.

Additional detailed breakdowns by length of time in U.S.:

- 41,259 of Boston residents who are non-citizens have lived in the United States less than five years.
  - 16,218 (39%) receive some form of public benefits.
- 59,191 of Boston residents who are non-citizens have lived in the United States five years or more.
  - 30,117 (51%) receive some form of public benefits.

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<sup>4</sup> Based on the estimated annual cost of \$1,720 per child. See *Impact of Proposed Federal Immigration Rule Changes on Boston: Public Charge Test for Inadmissibility* (2019) for the methodology.



The estimates in this document are subject to change pending the final language of the DOJ's proposed rule.

Almost no information is available on the propensity of the affected Boston residents to disenroll from the public health care and nutrition programs. It was assumed in this document that 20% of the affected Boston residents may disenroll due to fears associated with public charge ground of deportability.

### Sources

Impact of Proposed Federal Immigration Rule Changes on Boston: Public Charge Test for Inadmissibility (2019). Boston Planning & Development Agency, City of Boston. Available at

<http://www.bostonplans.org/getattachment/e856c564-bf0f-47d4-9a44-75b430903f82>.