

New Trump directive could deny more visas based on applicants' health and finances

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WASHINGTON — A new directive by President Donald Trump's administration could make it more difficult for foreigners to visit or live in the United States if they have certain medical conditions such as diabetes or obesity or lack the economic resources and assets to support themselves.

The guidance, issued last week in a cable from the State Department and obtained by The Associated Press, directs embassy and consular officials to comprehensively and thoroughly vet visa applicants to demonstrate that they will not need to rely on public benefits from the government any time after their admission in the U.S. Experts say it could further limit who gets to enter the country at a time when the Republican administration is already tightening those rules .

The directive reveals how the Trump administration interprets public charge , the concept in immigration law that foreigners can be refused entry or permanent residency status if they are likely to rely on U.S. government resources, such as certain types of cash and food aid.

While federal law already required those seeking permanent residency or legal status to prove they wouldn't be a public charge, Trump in his first term widened the range of benefit programs that could disqualify applicants, and the guidelines in the cable appear to go further in scope.

"This could lead to a substantial narrowing of immigration," said Julia Gelatt, associate director of the U.S. immigration policy program at the Migration Policy Institute. "The Trump administration is trying to go back to the policies that it worked to implement in its first term related to public charge."

New directive goes further on health requirements

Since returning to office in January, Trump has pursued a government-wide immigration crackdown that has involved tightening rules on foreigners being let into the country and those already in it. Immigration policy experts say the latest guidance could reduce the number of immigrant and non-immigrant visas granted and could disproportionately affect some groups of foreigners seeking access to the U.S., such as older adults and people with low incomes.

The cable was sent from State Department headquarters to every U.S. Embassy and U.S. Consulate around the world.

“The Trump Administration is putting the interests of the American people first,” State Department spokesman Tommy Pigott said Tuesday. “This includes enforcing policies that ensure our immigration system is not a burden on the American taxpayer.”

Immigrants seeking entry into the U.S. already undergo a medical exam by a physician who’s been approved by a U.S. Embassy. They are screened for communicable diseases, like tuberculosis, and asked to disclose any history of drug or alcohol use, mental health conditions or violence. They’re also required to have a number of vaccinations.

The new directive goes further with more specific requirements. The cable says consular officials must consider a range of specific details about people seeking visas, including their age, health, family status, finances, education, skills and any past use of public assistance regardless of the country. It also says they should assess applicants’ English proficiency and can do so by conducting interviews in English.

Experts say the directive could broaden who gets denied a visa

Among the medical conditions that could disqualify a visa applicant are chronic conditions; obesity; high blood pressure; cardiovascular, metabolic and neurological diseases; depression; anxiety; and mental health conditions that can require “hundreds of thousands of dollars’ worth of care,” the cable says.

It also tells consular officials that whenever an applicant is seeking to use finances to satisfy public charge requirements, they should request to view the applicant’s bank and financial documents, evidence of their assets, checking, savings, brokerage, trust funds and retirement accounts.

Although the guidelines primarily impact people outside the United States or those seeking to renew their visas, some experts warn that they could also affect family members of people already living in the U.S. who would like to come to visit or live with them.

Adriana Cadena, executive director at Protecting Immigrant Families, said the policy is “dangerous” and impacts immigrant families living legally in the U.S.

“Its reported breadth and secrecy drive confusion and concern that deter lawfully present immigrants and U.S. citizens in immigrant families from getting help and care for which they qualify under federal law,” Cadena said.

U.S officials familiar with the new guidelines said that the change applied to immigrant visas and not to non-immigrant visas known as B-2s, which allows for short-term stays that include personal visits and medical treatment.

Much discretion is left to consular officers to interpret the guidance as they see fit, immigration attorney Steven Heller said. But he added that the guidance represents a messaging shift, from approaching visa applications in a favorable light toward considering all circumstances to find reasons to deny them.

“The new guidance is about messaging,” Heller said. “They are being given clearance to use the ‘totality of the circumstances’ as a sword, rather than a shield.”

Fox News first reported on the cable.