

HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 9 ADULT AND COMMUNITY CARE PROGRAMS

CHAPTER 1403

AVAILABILITY AND COST OF DEPARTMENT
PROGRAM MANUALS

§17-1403-1	Purpose
§17-1403-2	Definitions
§17-1403-3	Availability of program manuals
§17-1403-4	Cost of program manuals

§17-1403-1 Purpose. The purpose of this chapter is to define the conditions under which the department shall make its program manuals available to the public, and to establish the costs of copies. [Eff 12/5/97; comp 7/9/01] (Auth: HRS §346-14) (Imp: HRS §91-5)

§17-1403-2 Definitions. As used in this chapter: "Custodian" means any organization or individual, not a public agency or officer, responsible for centrally locating the program manuals and making the manuals publicly accessible to a substantial number of the population served. The agencies and organizations shall accept responsibility for filing all amendments and changes forwarded by the department.

"Program development offices" means the state offices which administer the adult and community care programs.

"Program manuals" means the rules of the department on file with the Lieutenant Governor's office and procedures that are used by department staff to determine the eligibility of an applicant or recipient. [Eff 12/5/97; am and comp 7/9/01] (Auth: HRS §346-14) (Imp: HRS §346-14)

§17-1403-3 Availability of program manuals. (a) The program manuals shall be made available to

interested individuals and organizations for review, study, or reproduction on regular workdays during regular office hours.

(b) Custodians shall make the program manuals available for public review.

(c) The program manuals shall be available upon request through the following offices:

- (1) Program development offices on Oahu; and
- (2) Social services offices on each island. [Eff 12/5/97; am and comp 7/9/01] (Auth: HRS §346-14) (Imp: HRS §91-5)

§17-1403-4 Cost of program manuals. (a) The department shall deposit, without charge, fifteen copies of the program manual of rules of the department with the state publications distribution center and one copy with the University of Hawaii.

(b) Upon request, copies of specific sections of the program manuals shall be provided without charge to an applicant or a recipient, or the individual's legal representative who requires specific sections of the program manuals to determine whether an administrative hearing should be requested or to prepare for a hearing.

(c) Upon request, copies of the program manuals shall be provided without charge to state or county agencies and officers, and public agencies and officers outside the State.

- (1) State or county agencies or officers, and public agencies and officers outside the State entitled to a free copy of the department's program manuals shall be placed on the mailing list of the department's program development offices for the additional issuances of the rules and procedures.
- (2) State or county agencies or officers, and public agencies and officers outside the State placed on the mailing list shall be responsible to notify the program development offices, for any reason, when the issuances are no longer needed.

(d) Upon request, copies of rules governing the regulation of adult day care centers shall be provided without charge to interested individuals and agencies.

(e) Custodians, individuals, or organizations not entitled to receive free copies as specified in subsections (a), (b), (c), and (d) shall be assessed a

fee for copies of department program manuals or specific sections of the manuals.

(f) The fee for reproduction shall be as established in Hawaii Revised Statutes, and shall be paid in advance to the department by cash, money order, or certified check.

(g) Copies shall be provided within twenty working days by the department's program development office or the social services office in the geographic area where the copies are being requested. [Eff 12/5/97; am and comp 7/9/01] (Auth: HRS §346-14) (Imp: HRS §§91-5, 92-21, 93-3)