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HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 6 FAMILY AND ADULT SERVICES DIVISION

CHAPTER 833

EMERGENCY SHELTER HOME SERVICES

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Historical Note: This chapter is based substantially upon Rule 15 §§5008.19 and 5008.20 "Governing Social Services To Family and Children's Services," Public Welfare Division, Department of Social Services and Housing. Rule 15 §5008.19 [Eff as Rule 6 §2704.1 4/24/76; ren to Rule 64 §2008.19 10/21/77; ren to Rule 15 10/31/78; am 12/7/78; R 7/19/82;] Rule 15 §5008.20 [Eff. as Rule 6 §5806.10 7/10/71; am and ren to Rule 15 3/15/79; R 7/19/82]

§17-833-1 Goals. Emergency shelter care services shall be directed at meeting the following goals:

- (1) Preventing or remedying neglect, abuse, or exploitation of children or to preserve, rehabilitate, or reunite families; and
- (2) Achieving or maintaining self-sufficiency, including the reduction or prevention of dependency. [Eff 7/19/82; am and comp 11/16/91] (Auth: HRS §346-14) (Imp: HRS §346-14)

§17-833-2 Definitions. For the purpose of this chapter:

"Emergency shelter home" means a licensed family

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home or group care facility where temporary care, apart from parents or caretakers is provided abused, neglected, or other dependent children in need of emergency care and protection on a twenty-four hour emergency basis until more suitable plans are made for the children.

"Foster care services" means planned substitute care arrangements in licensed family homes or group care facilities for children whose parents are unable to provide care needed for the children's welfare and protection.

"Purchase of service (POS) provider" means an agency or organization which offers social services on behalf of the department under the terms of a valid written contract. [Eff 7/19/82; am and comp 11/16/91] (Auth: §346-14) (Imp: HRS §346-14)

§17-833-3 Eligibility requirements. (a) In order to be eligible for emergency shelter care services, the child shall be determined by the department or its representative to be in need of immediate shelter and substitute parenting care due to the following conditions:

- (1) The child is without adequate care and supervision in the home due to parental absence, parental incapacity, or family crisis; or
- (2) The child displays serious adjustment problems which cannot be handled well enough by the parents or caretakers and the social worker determines that immediate placement away from the home is in the child's best interest; or
- (3) The child is in danger of abuse, neglect, or exploitation by the parents or caretakers, or is a runaway; and
- (4) In addition to §17-833-3(a) (1), (2), (3) above, other suitable temporary care cannot be arranged immediately.

(b) In addition, as a requirement for admission into an emergency shelter home or facility, the child shall have a physical examination by a licensed physician within forty-eight hours prior to placement or, in emergency situations, within twenty-four hours after placement which shall indicate the absence of any communicable condition. [Eff 7/19/82; am and comp 11/16/91] (Auth: HRS §346-14) (Imp: HRS §346-14)

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§17-833-4 Geographic area of service. Emergency shelter care to children shall be available on the following islands:

- (1) Hawaii;
- (2) Kauai;
- (3) Maui;
- (4) Oahu; and
- (5) Molokai. [Eff 7/19/82; am and comp 11/16/91]
(Auth: HRS §346-14) (Imp: HRS §346-14)

§17-833-5 Scope of service. (a) Basic care and supervision of eligible children shall be provided by the emergency shelter home or facility. Care shall include provisions for meeting the child's basic needs, including shelter and food.

(b) Emergency shelter care shall be allowed up to a maximum of thirty (30) days as a protective service to children when provided in licensed emergency shelter family homes, group homes, and child-caring institutions.

(c) Placement beyond thirty (30) days requires the approval of the Branch Administrator. [Eff 7/19/82; am and comp 11/16/91] (Auth: HRS 346-14)
(Imp: HRS §346-14)

§17-833-6 Authorization for service. (a) The department or its representative shall authorize emergency shelter care services in licensed emergency shelter homes when the child and family meet the eligibility requirements specified in §17-833-3 and a suitable home or facility is available.

(b) The department shall make payments directly to the authorized emergency shelter home or facility.

- (1) Licensed emergency shelter homes and facilities shall be paid a per diem rate in accordance with the established rate specified in chapter 17-828; and
- (2) Licensed group facilities under the purchase of service (POS) contract shall be reimbursed at the contracted rate for services provided.

(c) Payment shall be made monthly after the end of each month of service and upon receipt of a bill from the provider. [Eff 7/19/82; am 9/30/85; am and comp 11/16/91] (Auth: HRS §346-14) (Imp: HRS §346-14)

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§17-833-7 Termination of service. Emergency shelter care services shall be terminated when:

- (1) The child returns to the family;
- (2) The child is placed with relatives or friends;
- (3) The child is placed in another child care facility such as a foster family home, group home, or a residential treatment facility;
- (4) The child leaves the emergency shelter home for any unauthorized absence; or
- (5) The child has been in emergency shelter care for thirty (30) days and an extension has not been authorized. [Eff 7/19/82; am and comp 11/16/91] (Auth: HRS §346-14) (Imp: HRS §346-14)