

97. Section 17-1738-1, Hawaii Administrative Rules, is amended to perform housekeeping measures as follows:

"§17-1738-1 Purpose. ***

(b) The provisions of this chapter [pertain only to the fee for service medical assistance program. These provisions do not apply to Hawaii Health QUEST program.] shall be covered under the fee-for-service basis." [Eff 08/01/94; am] (Auth: HRS §346-14; 42 C.F.R. §431.10) (Imp: 42 U.S.C. §1396n)

98. Section 17-1738-2, Hawaii Administrative Rules, is repealed as follows:

["§17-1738-2 Definitions. As used in this chapter:

"Case manager" means an individual who meets the requirements specified in one of the following sections for the respective target group:

- (1) Section 17-1738-4(b) and (d);
- (2) Section 17-1738-15(b) and (d); or
- (3) Section 17-1738-26(b) and (d).

"Department" means the department of human services (DHS).

"Developmental disabilities" (DD) means a severe, chronic disability of a person which:

- (1) Is attributable to a mental or physical impairment or combination of mental and physical impairments;
- (2) Is manifested before the person attains the age twenty-two;
- (3) Is likely to continue indefinitely;
- (4) Results in substantial functional limitations in three or more of the following areas of major life activity:
 - (A) Self care;
 - (B) Receptive and expressive language;
 - (C) Learning;
 - (D) Mobility;
 - (E) Self-direction;

- (F) Capacity for independent living; or
 - (G) Economic sufficiency; and
- (5) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are individually planned and coordinated.

"DOH" means the department of health.

"Early intervention services" means services that are defined by 20 U.S.C. section 1472 and HRS chapter 321, part XXVIII which are available for infants and toddlers from birth to age three who have special needs.

"Individual service plan" means a written plan developed by the recipient and the case manager, based upon an assessment of the recipient's needs, with the participation of the recipient's parents or legally appointed guardian, service providers and other interested persons.

"Mental retardation" (MR) means significantly subaverage general intellectual functioning resulting in or associated with concurrent moderate, severe, or profound impairments in adaptive behavior and manifested during the development period.

"Provider" (of targeted case management services) means the department of health (DOH).

"Severe, disabling mental illness" means a mental disorder which exhibits emotional or behavioral functioning that is so impaired as to interfere substantially with a person's capacity to remain in the community without treatment or services of a long-term or indefinite duration. This mental disability is severe and persistent, resulting in a long-term limitation of a person's functional capacities for primary activities of daily living such as interpersonal relationships, homemaking, self-care, employment, and recreation.

"Targeted case management services" means services which will assist certain individuals in gaining access to needed medical, social, educational, and other services." [Eff 08/01/94,

R] (Auth: HRS §346-14; 42 C.F.R.
§431.10) (Imp: 42 U.S.C. §1396n)