

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
BENEFIT, EMPLOYMENT AND SUPPORT SERVICES DIVISION

**NOTICE OF PUBLIC HEARING**

Pursuant to sections 91-3 and 92-41, Hawaii Revised Statutes, notice is hereby given that the Department of Human Services will hold a public hearing to consider the proposed amendments to existing rules of the Benefit, Employment and Support Services Division for the purpose of conforming to federal and state statutes. A brief description of the proposed changes is listed below:

Chapter 17-604 17-610, and 17-681 Food Stamp Program Administration, is being amended and compiled.

Throughout these chapters the following non-substantive changes were made to compiled sections to correctly reflect current operations:

1. Family and adult services is changed to benefit, employment and support services; and
2. Food stamp is changed to Supplemental Nutrition Assistance Program (SNAP).

Compiled sections that have substantive amendments are explained below:

Section 17-604.1-2, Definitions. New terms "access device", "EBT card", and "trafficking" are adopted. The term "coupon" is amended to include access device. The term "intentional program violation", is amended to include trafficking and any violation of section 17-610-11.

Section 17-604.1-8, Penalties for misuse of coupons or ATP cards. This section is amended and compiled to amend the title of this section by deleting "for misuse of coupons or ATP cards". The section is further amended to include an unauthorized redemption

of an EBT card or other access device as being subject to prosecution.

Section 17-604.1-9, Intentional program violation disqualification penalties. This section was amended and compiled to clarify penalty periods for the first, second and third violation for individuals found to have made a fraudulent statement of representation with respect to the identity or place of residence of the individual in order to receive multiple benefits simultaneously under SNAP.

Section 17-604.1-22, Waived hearings. This section is amended and compiled to delete paragraph (b)(3) to conform to federal regulation.

Section 17-610-1, Definitions. The term "coupon" is amended to include access device.

Section 17-610-6, Meals on wheels. This section is amended and compiled to delete "feeble" from paragraph (a)(2) as it is redundant with "physically handicapped" in the same paragraph.

Section 17-610-11, Benefit redemption by eligible households. This section is adopted to clarify that program benefits may be used only by the supplemental nutrition assistance program household or other persons the household selects to purchase eligible food for the household.

Section 17-610-19, Effects of reductions, suspensions, and cancellations on the certification of eligible households. This section is amended and compiled to delete the term "thrifty food plan" and replace it with "maximum benefit amount" and, to clarify that households eligible for expedited processing during a suspension shall receive their benefits within five calendar days or the end of the month of application, whichever date is later.

Section 17-681-1, Purpose. This section is amended and compiled to remove reference to replacing and canceling warrants.

Section 17-681-3, Methods of payment. This section is amended and compiled to amend the title of this section for more clarity and to include direct deposits as another method of issuing cash benefits.

Section 17-681-4, Delivery of payment. This section is being amended and compiled to amend the title of this section for more clarity. Subsections (a) and (b) are repealed because the Department no longer mails out warrants.

Sections 17-681-5, Holding financial assistance warrants, 17-681-6, Warrant cancellation, and 17-681-7, Duplicate payment issuance. These sections are repealed because with the implementation of EBT, the Department no longer issues warrants.

Section 17-681-25, Definitions. The definitions for "authorization to participate (ATP) card", "coupon", "coupon issuer", and "identification (ID) card" are repealed because these terms are no longer applicable for benefit issuance.

Section 17-681-26, Timely issuance of benefits. This section is amended and compiled to delete "monthly" and replace with "six month" and amend subsection (e) for clarity.

Section 17-681-31, Replacing coupons. This section is repealed and adopted as new section 17-681-35.

Sections 17-681-32, Return of coupons, 17-681-33, Old series coupons, and 17-681-34, Allotments of \$1, \$3, \$5, are repealed because coupons are no longer used in SNAP.

Section 17-681-35, Replacement issuances. This section is adopted to set forth the conditions for replacement of SNAP benefits when food is destroyed in a household misfortune.

Section 17-681-45, Conditions for receipt of a state loan. This section is being amended and compiled to delete paragraph (d)(4) as this condition is no longer

required of the individual who is applying for an SSI loan.

Section 17-681-52, Methods of payment. This section is amended and compiled by correcting the reference to chapter 17-647 to section 17-681-9 in subsection (a).

Section 17-681-53, EBT cards. This section is amended and compiled to amend subsection (b) to conform to federal regulations which will provide for the replacement of EBT cards within 5 days when using a centralized card issuance system.

A public hearing will be held at the following date, time and place:

Date: March 28, 2013  
Time: 1:00 pm  
Place: Haseko Center  
820 Mililani Street, #606  
Conference Room 2  
Honolulu, Hawaii

All interested persons are invited to attend the hearing and to state their views relative to the proposed rules either orally or in writing. Should written testimony be presented, five (5) copies shall be made available to the presiding officer at the public hearing or within seven (7) days before the hearing to:

Department of Human Services  
Benefit, Employment & Support Services Division  
820 Mililani Street, #606  
Honolulu, Hawaii 96813

Residents of Hawaii, Kauai, Maui, and Molokai wishing to present oral testimony may also contact the Benefit, Employment and Support Services Section Administration Office on the respective islands within seven (7) days before the Honolulu hearing date to have their testimony recorded:

East Hawaii Section Administrator  
1990 Kinoole Street, Suite 111  
Hilo, HI (981-7288);

West Hawaii Section Administrator  
75-5722 Hanama Place, Room 1105  
Kailua-Kona, HI (327-4765);

Kauai Section Administrator  
Dynasty Court  
4473 Pahee Street, Suite G  
Lihue, HI (241-3663);

Maui Section Administrator  
1955 Main Street, Suite #325  
Wailuku, HI (243-5875);

Molokai Income Maintenance Unit  
Kaunakakai Civic Center, Phase 2  
55 Makaena Place, Room 1  
Kaunakakai, HI (553-1715).

A copy of the proposed rules will be mailed at NO COST to any interested person requesting a copy by writing to:

Department of Human Services  
Benefit, Employment & Support Services Division  
820 Mililani Street, #606  
Honolulu, Hawaii 96813

or by calling 586-5722. Neighbor island residents may request a copy of the proposed rules at NO COST by contacting the Benefit, Employment and Support Services Division Office during regular business days and hours.

Proposed rules are available on the internet at <http://www.hawaii.gov/ltgov/office/adminrules>.

Special accommodations (i.e. Sign Language interpreter, large print, taped materials, or accessible parking) can be made, if requested at least five (5) working days before the scheduled public hearing on Oahu by calling 586-5230. Neighbor island

residents needing special accommodations should contact the Benefit, Employment and Support Services Section Administration Office on the respective islands with their requests.

DEPARTMENT OF HUMAN SERVICES  
PATRICIA MCMANAMAN, DIRECTOR