

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 codifying and making explicit the existing Safe Sleep requirements for registered family child care homes and licensed infant and toddler child care centers statewide. A brief description of the proposed changes is listed below:

CHAPTER 17-891.1, REGISTRATION OF FAMILY CHILD CARE HOMES

§17-891.1-1, Definitions. This section is amended by adding the definitions of "Child care facility", "Employee", "Health care practitioner", and "Recalled".

§17-891.1-15, Program materials and equipment. This section is amended by amending subsection (d) by adding language that materials shall be safe and not be recalled.

§17-891.1-15, Program materials and equipment. This section is amended by amending subsection (i) by adding language that child care facilities shall follow subchapter 10 of this chapter for children less than one year of age.

§17-891.1-41, Program requirements. This section is amended by adding subsection (a) to include provision for a child care facility to have written operation policy regarding safe sleep.

§17-891.1-41, Program requirements. This section is amended by adding subsection (b) to include a provision for a child care facility to review the written safe sleep policy and complete training upon

hire and on an annual basis for all employees and volunteers.

§17-891.1-41, Program requirements. This section is amended by adding subsection (c) to include a provision for a child care facility to report to the department within one working day the death of a child, employee, or household member, and any hospitalizations of a child.

§17-891.1-41, Program requirements. This section is amended by adding subsection (d) to include provisions for a child care facility to ensure sleeping children shall be placed on their backs, are monitored and checked on, and a child who falls asleep in a location elsewhere is moved to a crib or playpen.

§17-891.1-42, Sleep environment. This section is amended by adding subsections (a) through (f) to include provisions for safe environments, including sleep environments, for children less than one year of age in care at a child care facility.

CHAPTER 17-895, LICENSING OF INFANT AND TODDLER CHILD CARE CENTERS

§17-895-1, Definitions. This section is amended by modifying the definition of "Child care facility", and adding the definitions of "Health care practitioner" and "Recalled".

§17-895-14, Program materials and equipment. This section is amended by amending subsection (d) by adding language that materials shall be safe and not be recalled.

§17-895-14, Program materials and equipment. This section is amended by amending subsection (g) by deleting sleep environment provisions.

§17-895-45, Program requirements. This section is amended by adding subsection (a) to include a provision for a child care facility to have written operation policy regarding safe sleep.

§17-895-45, Program requirements. This section is amended by adding subsection (b) to include a provision for a child care facility to review the written safe sleep policy and complete training upon hire and on an annual basis for all employees and volunteers.

§17-895-45, Program requirements. This section is amended by adding subsection (c) to include a provision for a child care facility to report to the department within one working day the death of a child, employee, or household member, and any hospitalizations of a child.

§17-895-45, Program requirements. This section is amended by adding subsection (d) to include provisions for a child care facility to ensure sleeping children shall be placed on their backs, are monitored and checked on, and a child who falls asleep in a location elsewhere is moved to a crib or playpen.

§17-895-46, Sleep environment. This section is amended by adding subsections (a) through (f) to include provisions for safe environments, including sleep environments, for children less than one year of age in care at a child care facility.

§17-895-46, Sleep environment. This section is amended by adding subsection (g) to include provisions for sleep environments for children one year and older at a child care facility.

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

Monday, February 6, 2017, 9:00 a.m.,  
Mililani Building, Room 615, 820 Mililani Street,  
Honolulu, Hawaii.

All interested persons are invited to attend the hearing 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, Suite 606  
Honolulu, Hawaii 96813

Residents of Hawaii, Kauai, and Maui wishing to present oral testimonies 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 schedule to attend via teleconference call-in:

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

West Hawaii Section Administrator  
75-5722 Hanama Place Rm 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);

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, Suite 606  
Honolulu, Hawaii 96813

or by calling 586-5735. 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://humanservices.hawaii.gov/admin-rules-2/proposed-rules/>

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 586-5735. 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  
PANKAJ BHANOT, DIRECTOR