

HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 9 ADULT PROTECTIVE AND COMMUNITY SERVICES BRANCH

CHAPTER 1404

FRAUD

- §17-1404-1 Purpose
- §17-1404-2 Definition
- §17-1404-3 Investigation of suspected fraud
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**§17-1404-1 Purpose.** The purpose of this chapter is to define conditions under which the department will investigate suspected fraud. [Eff 12/5/97; comp 7/9/01; comp **NOV 23 2020** ] (Auth: HRS §346-14) (Imp: HRS §346-14)

**§17-1404-2 Definition.** As used in this chapter, "fraud" means a knowing false statement or misrepresentation of a fact which results in the receipt of a benefit that would not otherwise result without the false statement. [Eff 12/5/97; comp 7/9/01; am and comp **NOV 23 2020** ] (Auth: HRS §346-14) (Imp: HRS §§346-14, 346-34)

**§17-1404-3 Investigation of suspected fraud.**

(a) The department shall identify situations in which there is suspected fraud such as, but not limited to, a recipient's receiving public assistance or social services to which the individual is not entitled through willfully misrepresenting circumstances or intentionally concealing information from the department.

(b) The department's investigations office shall, as appropriate, investigate suspected fraud and may refer these cases to law enforcement officials.

(c) The methods of investigation shall not infringe on the legal rights of the persons involved and shall afford these individuals due process of law. [Eff 12/5/97; am and comp 7/9/01; am and comp NOV 23 2020] (Auth: HRS §346-14) (Imp: HRS §§346-14, 346-34)

**§17-1404-4 Penalty.** The department may initiate prosecution of an individual suspected of fraud. In addition, the individual may be subject to any other criminal, civil, or administrative sanction authorized by law. [Eff 12/5/97; comp 7/9/01; comp NOV 23 2020] (Auth: HRS §346-14) (Imp: HRS §346-34)