

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

NOTICE OF PUBLIC HEARING

Pursuant to Section 91-3 and 92-41, Hawaii Revised Statutes, notice is hereby given that the Department of Human Services (DHS) will hold a public hearing to provide an opportunity to comment on amendments to Hawaii Administrative Rules (HAR) Chapter 17-799, Preschool Open Doors Program, for the Benefit, Employment and Support Services Division for the purpose of conforming to state statutes and program expansion. A brief description of the proposed changes is listed below.

Chapter 17-799, Preschool Open Doors Program

The proposed chapter 17-799, Preschool Open Doors Program, establishes the rules governing the administration and implementation of the program as authorized under Section 346-181, Hawaii Revised Statutes.

§17-799 Definitions

Adds, deletes, and amends terms used in this Chapter.

§17-799-5 Application periods

Amends the referenced sections as it relates to the periods and how priority applications and first-come, first-served will be processed and prioritized. Deletes the reference to issuing a public notice and conducting at least one application period during the calendar year.

§17-799-6 Application process

Amends the section to address when the department is not accepting applications and written notification to applicants.

§17-799-7 Priority of applications received during the priority application period

Amends the section to identify the priority application period and deletes all references to ranking prior to the 2024 – 2025 program year. Deletes reference to eighty-five percent of the State Median Income for income ranking. Clarifies the Federal Poverty Guidelines for the program year will be updated annually on February 1. Amends the monthly gross income to reflect five hundred per cent of the Federal Poverty Guidelines.

§17-799-8 Family unit eligibility requirements

Establishes 500% of the Federal Poverty Guidelines for a family of the same size as the income eligibility standard and deletes references to eighty-five percent of the State Median Income. Clarifies the Federal Poverty Guidelines shall be annually updated on February 1 to determine eligibility for the upcoming program year. Adds sub-sections on presumptive eligibility for family units experiencing homelessness or a domestic violence situation, who do not have

documentation to support verification of eligibility, will have two months of presumptive payments. Presumptive payments will not be considered overpayments if the family fails to provide verification after the two months.

§17-799-11 Program enrollment

Amends the section to remove references to priority applicants and adds a reference to subsection 17-799-7(b).

§17-799-12 Program qualifications for preschools

Deletes references to specific chapters for licensed and listed child care providers.

§17-799-12.1 Accreditation requirements

Deletes semi-colon and replaces with period.

§17-799-13 Child care rates

Deletes child care payment rates prior to the 2024 – 2025 program year. Corrects reference to Hawaiian-medium.

§17-799-13.1 Method of computing the family unit's co-payment

Amends the reference for the co-payment table to reflect Exhibit I. Amends the method to multiply the family unit's co-payment tier by the rates referenced in section 17-799-13.

§17-799-14 Method of computing child care payment

Clarifies that child care payments shall be computed based on co-payment rates pursuant to section 17-799-13.1 and deletes references to prior program years.

§17-799-15 Child care payments

Amends the registration fee. Adds a second child care payment may be issued when the department determines electronic benefits theft not committed by the caretaker occurred.

§17-799-17 Waitlisted applicants

Clarifies the waitlist is not prioritized but based on chronological order when the department determines funds are available.

§17-799-18 Denial, reduction, suspension, or termination of child care

Clarifies there is more than one open application period. Clarifies that families experiencing homelessness or domestic violence are an exception to submitting documentation based on subsection 17-799-8(g).

§17-799-22 Termination for insufficient funds

Clarifies that the department can refuse to take new applications during the priority and first-come, first-served application periods. Clarifies that reverse priority for termination or reduction of payments are only during the priority application period.

The public hearing will be held on:

**Tuesday, April 29, 2025 at 11:00 a.m.**

This will be a virtual event using Microsoft Teams (Teams). There are two ways to participate in the public hearing: online via Teams or by telephone, or by submitting written testimony. All interested persons are invited to attend the virtual hearing and present relevant information for the proposed rule amendments either orally or in writing for the department to consider.

Online/Telephone: Persons may present live video/oral testimony via Teams or telephone during the public hearing. To participate, you will need either a computer with internet access, video camera, and microphone, or a telephone. **To sign up, please email your request at least 48 hours in advance to: [BESSD.CCPO@dhs.hawaii.gov](mailto:BESSD.CCPO@dhs.hawaii.gov) to request the weblink to attend the virtual hearing via Teams.** Please include your email, full name, and phone number. A confirmation will be sent to you with instructions and the meeting link and call-in number.

Written Testimony: Persons may submit written testimony via email or postal delivery. Written testimony must be received by 4:30 p.m. on April 29, 2025 at:

Email: [BESSD.CCPO@dhs.hawaii.gov](mailto:BESSD.CCPO@dhs.hawaii.gov)  
Department of Human Services  
Benefit, Employment and Support Services Division  
Child Care Subsidy Program Office  
1010 Richards Street, Suite 512  
Honolulu, Hawaii 96813

A copy of the proposed rules will be available via the DHS website:  
<http://humanservices.hawaii.gov/admin-rules-2/proposed-rules/> or by emailing  
[BESSD.CCPO@dhs.hawaii.gov](mailto:BESSD.CCPO@dhs.hawaii.gov) to request a copy at NO COST to any interested person.

Special accommodations (i.e., Sign Language interpreter, large print, and/or taped materials) can be made, if requested at least five (5) working days before the scheduled public hearing by emailing [BESSD.CCPO@dhs.hawaii.gov](mailto:BESSD.CCPO@dhs.hawaii.gov).



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