

DEPARTMENT OF HUMAN SERVICES

Amendment and Compilation of Chapter 17-1745  
Hawaii Administrative Rules

April 14, 2025

1. Chapter 17-1745, Hawaii Administrative Rules  
entitled "Death Payments Program", is amended and  
compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 17

DEPARTMENT OF HUMAN SERVICES

SUBTITLE 12

MED-QUEST DIVISION

CHAPTER 1745

~~[FUNERAL PAYMENTS]~~ DEATH PAYMENTS PROGRAM

Subchapter 1 Eligibility and Procedural  
Provisions

§17-1745-1	Purpose
§17-1745-2	Repealed

§17-1745-1

§17-1745-2.1 Definitions  
§17-1745-3 Eligibility for the death payments  
program  
§17-1745-4 Application for the death payments  
program  
§17-1745-5 Determination of eligibility  
§17-1745-6 Repealed  
§§17-1745-7 to 17-1745-11 (Reserved)

## Subchapter 2 Scope and Content

§17-1745-12 Services covered by the death payments  
program for unclaimed dead human  
bodies  
§17-1745-13 Repealed  
§17-1745-14 Payments for unclaimed dead human  
bodies  
§§17-1745-15 to 17-1745-19 (Reserved)

## Subchapter 3 Reimbursements

§17-1745-20 Amount and method of payment  
§17-1745-21 Reimbursement procedures

Historical Note: This chapter is based substantially  
upon chapter 17-1398. [Eff 6/29/92; am 11/12/92;  
R 08/01/94]

## SUBCHAPTER 1

### ELIGIBILITY AND PROCEDURAL PROVISIONS

**§17-1745-1 Purpose.** The purpose of this chapter  
shall be to establish rules to determine eligibility

for the State funded death payments program for medical and financial assistance recipients ineligible for the Social Security Administration's one-time lump-sum death benefit and for unclaimed dead human bodies, and to set forth the conditions of payments through the death payments program. [Eff 08/01/94; am 08/19/11; am and comp ] (Auth: HRS §§ 346-14,346-15) (Imp: HRS §§ 346-14,346-15)

**§17-1745-2 REPEALED.** [R 09/30/13]

**§17-1745-2.1 Definitions.** Definitions of terms used in this chapter are found in chapter 17-1700.1, unless otherwise defined in this chapter. [Eff ] (Auth: HRS §346-14) (Imp: HRS §346-14)

**§17-1745-3 Eligibility for the death payments program.** Eligibility for the death payments program shall be limited to:

- (1) Medical or financial assistance recipients who were residents of the State at the time of death; or
- (2) Unclaimed dead human bodies. [Eff 08/01/94; am 10/26/01; am 08/19/11; am and comp ] (Auth: HRS §§346-14, 346-15) (Imp: HRS §§ 346-14,346-15)

**§17-1745-4 Application for the death payments program.** (a) The death payments program application shall include an application form designated by the department and the death confirmation document specified in section 17-1745-5(a)(2). Both documents may be submitted by any person on behalf of a deceased

medical or financial assistance recipient or for an unclaimed dead human body.

(b) The death payments program application shall be:

- (1) Denied if not submitted within sixty days from the date of death. This subsection shall not apply to the applications submitted by the respective county medical examiners or coroners on behalf of unclaimed dead human bodies.
- (2) Processed and eligibility determined within forty-eight hours or two working days, whichever is greater, following the receipt of the application and the death confirmation document.
- (3) Processed and eligibility determined immediately if immediate cremation has been ordered by the medical examiner or coroner.  
[Eff 08/01/94; am 10/26/01; am 8/19/11; am and comp ] (Auth: §§ 346-14,346-15) (Imp: HRS §§ 346-14,346-15)

**§17-1745-5 Determination of eligibility.** (a)

Deceased medical or financial assistance recipients shall be eligible for the death payments program if:

- (1) The deceased, at the time of death, is ineligible for the Social Security Administration's one-time lump-sum death benefit; and
- (2) A certified death certificate or death confirmation, from agencies with authority to confirm the death, acceptable to the department is received within sixty calendar days from the date of the deceased's death.

(b) The provisions of subsection (a) shall not apply to unclaimed dead human bodies.

(c) Eligibility shall be denied if full funeral benefits are available to the deceased from other sources including, but not limited to, pre-paid funeral or burial plans, insurance plans,

associations, and clubs. [Eff 08/01/94; am 10/26/01;  
am 08/19/11; am and comp ] (Auth: §§  
346-14,346-15) (Imp: HRS §§ 346-14,346-15)

**§17-1745-6 REPEALED.** [Eff 08/01/94; R 08/19/11]

**§§17-1745-7 to 17-1745-11** (Reserved).

## SUBCHAPTER 2

### SCOPE AND CONTENT

**§17-1745-12 Services covered by the death  
payments program for unclaimed dead human bodies.**

Payments provided by the death payments program shall  
be available only within the State. Payment for  
services shall include and is limited to:

- (1) Mortuary services which shall include:
  - (A) Removal or transfer of the body to a mortuary;
  - (B) Death certificate and other necessary papers; and
  - (C) Professional services.
- (2) Crematory services which shall include the:
  - (A) Cremation;
  - (B) Cremation container; and
  - (C) Urn[-]; or
- (3) Hydrolysis facility services which shall include:
  - (A) Cremation;
  - (B) Cremation container; and
  - (C) Urn. [Eff 08/01/94; am 10/26/01; am  
08/19/11; am and com ]

§17-1745-12

(Auth: §§ 346-14,346-15) (Imp: HRS  
§§ 346-14,346-15)

**§17-1745-13 REPEALED.** [Eff 08/01/94; R 08/19/11]

**§17-1745-14 Payments for unclaimed dead human bodies.** The eligibility worker shall authorize payments to the mortuary, or crematorium, or both, for unclaimed dead human bodies. Authorization for payments does not constitute authorization for cremation [~~or~~], burial, or hydrolysis. [Eff 08/01/94; am 10/26/01; am 08/19/11; am and comp ] (Auth: HRS §§ 346-14,346-15) (Imp: HRS §§ 346-14,346-15)

**§§17-1745-15 to 17-1745-19** (Reserved).

### SUBCHAPTER 3

### REIMBURSEMENTS

**§17-1745-20 Amount and method of payment.** (a)  
A lump-sum death benefit in an amount equal to the Social Security Administration's one-time lump-sum death benefit for the year in which the medical and financial assistance recipient died, shall be made to the person who submitted the death payments program application.

(b) Payments to the mortuary, or crematorium, or both, for unclaimed dead human bodies shall be:

- (1) By vendor payment to any licensed provider of mortuary, ~~[or]~~ crematory, or hydrolysis facility services;
- (2) Made to the extent of the cost, or in the sum of ~~[\$800]~~ \$1600 in total, whichever is less, for each unclaimed dead human body; and
- ~~[-(2)-]~~ (3) Made by the department with an itemized bill showing the specific services rendered by the provider. [Eff 08/01/94; am 10/26/01; am 08/19/11; am and comp ] (Auth: HRS §§ 346-14,346-15) (Imp: HRS §§ 346-14,346-15)

**§17-1745-21 Reimbursement procedures.** (a) The department shall file a small estate claim for the death payments program expenses paid by the department if:

- (1) The estate of the deceased exceeds \$50; and
- (2) There is no surviving spouse, child, father, mother, grandfather, grandmother, grandchild, stepfather, stepmother, or any designated heir.

(b) The eligibility worker shall initiate a claim for Veteran's Administration (VA) death benefits whenever possible. These benefits shall be applied toward reducing the department's death payments program expenses." [Eff 08/01/94; am 10/26/01; am 08/19/11; comp ] (Auth: §§ 346-14,346-15) (Imp: HRS §§ 346-14,346-15, 346-37, 560:3-1201

2. Material, except source notes and other notes, to be repealed is bracketed and stricken. New material is underscored.

3. Additions to update source notes and other notes to reflect these amendments and compilation are not underscored.

4. These amendments to and compilation of chapter 17-1745, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on \_\_\_\_\_, and filed with the Office of the Lieutenant Governor.



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APPROVED AS TO FORM:

*Erin N. Lau*

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Deputy Attorney General