

**STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
MED-QUEST 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 (DHS) will hold a public hearing to consider proposed amendments to and compilation of Chapter 17-1745 of the Med-QUEST Division for the purpose of conforming to State and Federal Statutes.

The proposed amended rule is based on Act 108, Session Laws of Hawaii 2024, to increase from \$800 to \$1600 the amount of benefits paid by the DHS to cover the cremation and disposition costs for a deceased person who is eligible for medical or financial assistance at the time of the person's death and whose body is unclaimed. Brief descriptions of the proposed rules are listed below.

CHAPTER 17-1745 Funeral Payments Program

The proposed amendments in Chapter 17-1745 Funeral Payments Program include adding and modifying of sections and subsections to codify and make explicit the existing Funeral Payments Program requirements. A brief description of the significant proposed action follows:

1. Chapter 17-1745, Hawaii Administrative Rules entitled "Funeral Payments Program", is amended to read "Death Payments Program".
2. Amended to add "dead human" before the word "bodies" to conform with the language used in the bill as well as Hawaii Revised Statutes (HRS) for the following:
 - §17-1745-1 Purpose,
 - §17-1745-3 (2) Eligibility for the death payments program,
 - §17-1745-4 (a) Application for the death payments,
 - §17-1745-5 (2) (b) Determination,
 - §17-1745-12 Services covered by the death payments program for unclaimed bodies,
 - §17-1745-14 Payments for unclaimed human bodies, and
 - §17-1745-20 (b) Amount and method of payment .
3. §17-1745-5 (2) Determination of eligibility, is amended to add the word, "the deceased's" before the word "death" to conform with the language used in the bill as well as HRS.
4. §17-1745-12 Services covered by the death payments program for unclaimed bodies. This subtitle has been amended to: §17-1745-12 Services covered by the death payments program for unclaimed dead human bodies.

5. §17-1745-12 Services covered by the death payments program for unclaimed bodies, has been amended to the language, "Payment for services shall include:" to "Payment for services shall include and is limited to:".
6. §17-1745-12 Services covered by the death payments program for unclaimed bodies, has been amended under Subsection (3) is added to state: "Hydrolysis facility services which shall include: (A) Cremation, (B) Cremation container; and (C) Urn".
7. §17-1745-14 Payments for unclaimed human bodies, has been amended to:
§17-1745-14 Payments for unclaimed dead human bodies.
8. §17-1745-14 Payments for unclaimed human bodies, has been amended to add "or hydrolysis" to the language, "Authorization for payments does not constitute authorization for cremation, or burial" to read as follows: "Authorization for payments does not constitute authorization for cremation, burial, or hydrolysis".
9. §17-1745-20 Amount and method of payment. (1) "or hydrolysis facility" has been added to conform with the language used in the bill as well as HRS.
10. §17-1745-20 Amount and method of payment is amended to replace "(1) By vendor payment to any licensed provider of mortuary, or crematory services;" to "(1) By vendor payment to any licensed provider of mortuary, crematory, or hydrolysis facility services;" to conform with the language used in the bill as well as HRS.
11. §17-1745-20 Amount and method of payment (2) is amended to replace \$800 to \$1600 and to implement the Act in which the funeral payments program increases from \$800 to \$1600 the amount of death benefits paid by the DHS .

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

Date: August 8, 2025
Time: 9:00 a.m.
Location: 601 Kamokila Blvd., Conference Rooms 577A and 577B
Kapolei, Hawaii

All interested parties 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, two (2) copies shall be made available to the presiding officer at or before the public hearing to:

Department of Human Services
Med-QUEST Division
Attention: Policy and Program Development Office
P.O. Box 700190
Kapolei, Hawaii 96709-0190

Residents of Hawaii, Kauai, Maui, and Molokai wishing to present oral testimonies and unable to travel to the hearing in person, may contact the Med-QUEST Division on the respective islands no later than seven (7) days before the Honolulu hearing date to pre-record their testimony which will be played at the hearing:

East Hawaii Section
1404 Kilauea Avenue
Hilo, Hawaii 96720-4670
(808) 933-0339

Maui Section
Millyard Plaza
210 Imi Kala Street, Suite 101
Wailuku, Hawaii 96793
(808) 243-5780

West Hawaii Section
Lanihau Professional Center
75-5591 Palani Road, Suite 3004
Kailua-Kona, Hawaii 96740-3633
(808) 327-4970

Molokai Section
State Civic Center
65 Makaena Place, Room 110
Kaunakakai, Hawaii 96748
(808) 553-1758

Kauai Section
Dynasty Court
4473 Pahee Street, Suite A
Lihue, Hawaii 96766-2037
(808) 241-3575

Lanai Section
730 Lanai Avenue
Lanai City, Hawaii 96763
(808) 553-1758

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

Department of Human Services
Med-QUEST Division
Attention: Policy and Program Development Office
P. O. Box 700190
Kapolei, Hawaii 96709-0190

Or by calling (808) 692-8058. Neighbor island residents may request a copy of the proposed rules at NO COST by contacting the Med-QUEST Division Sections as noted above.

A copy of the proposed rule changes will be available for public viewing from the first working day that the legal notice appears in the Honolulu Star-Advertiser, Hawaii Tribune Herald, West Hawaii Today, Honolulu Star-Advertiser Maui, and The Garden Island, through the day the public hearing is held, from Monday - Friday between the hours of 9:00 a.m. to 2:00 p.m. at the appropriate Med-QUEST Division offices on their respective islands listed above. On Oahu, the proposed rules will be available at 601 Kamokila Boulevard, Room 518, Kapolei, Hawaii 96707 between the hours of 7:45 a.m. to 4:30 p.m.

Proposed rules are also available at the Virtual Rules Center located at the following website:

<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 no later than seven (7) working days before the scheduled public hearing on Oahu by calling (808) 692-8058. Neighbor island residents needing special accommodations should contact the Med-QUEST Division Sections on the respective islands with their requests.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Emelinia Mauricio via phone at (808) 692-8058 or email at emaucicio@dhs.hawaii.gov as soon as possible, preferably by August 1, 2025. If a response is received after August 1, 2025, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

DEPARTMENT OF HUMAN SERVICES
RYAN I. YAMANE, DIRECTOR