

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
SOCIAL SERVICES DIVISION

NOTICE OF PUBLIC HEARING

Pursuant to sections 91-3 and 92-41, Hawaii Revised Statutes (HRS), notice is hereby given that the Department of Human Services will hold a public hearing to consider the proposed repeal of existing rules and the adoption of new rules for the Social Services Division (SSD), Adult and Community Care Services Branch, for the purpose of conforming to Federal and State statutes. Brief descriptions of the proposed repeal and adoption of rules are listed below:

The following chapters will be repealed because services are no longer provided by the Department or functions have been transferred to the MedQUEST Division (MQD):  
Chapter 17-1420, Homemaker Services for Community Long-Term Care Programs;  
Chapter 17-1438, Nursing Home Without Walls;  
Chapter 17-1439, Home and Community-Based Services for the Developmentally Disabled/Mentally Retarded;  
Chapter 17-1440, Home and Community-Based Services for Elderly Foster Family Community Care Program;  
Chapter 17-1441, entitled Personal Care Services; and  
Chapter 17-1442, HIV Community Care Program.

CHAPTER 17-1443: STATE-APPROVED FEEDING ASSISTANT TRAINING PROGRAM. This newly adopted chapter is based substantially on §17-1737-41. Responsibility for approving feeding assistant training programs in nursing facilities was transferred from MQD to SSD. The chapter describes the process by which nursing facilities may apply for and obtain approval of their feeding assistant training programs.

CHAPTER 17-1444: NURSE AIDE TRAINING AND COMPETENCY EVALUATION PROGRAM. This chapter is being adopted to comply with federal statutes that require the Medicaid Agency (DHS) to certify the nurse aide training and competency evaluation programs. The programs may be facility-based (in nursing facilities) or non-facility based (in settings other than nursing facilities), and must meet established requirements for the initial certification of the program, for course curriculum, for instructors and supplemental personnel, and for on-going certification of the program.

CHAPTER 17-1445: RECERTIFICATION OF NURSE AIDES IN STATE-LICENSED OR STATE-CERTIFIED HEALTH CARE SETTINGS. This chapter is being adopted to comply with state statutes to implement a recertification process for nurse aides employed in state-licensed or state-certified health care settings. State-licensed or state-certified health care settings are defined in HRS 457A-1.5 to mean “health care settings, other than Medicare or Medicaid certified nursing facilities, which are regulated by the department of health or the department of human services.” These health care settings

include, but are not limited to, adult residential care homes (ARCH), expanded ARCH, and community care foster family homes (CCFFH). This chapter describes the recertification requirements for nurse aides employed in these settings, including the completion of continuing education hours within specified time frames and the completion of a competency evaluation that is signed by a registered nurse instructor or a registered nurse evaluator approved by the Department.

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

Hearing Date: June 21, 2012  
Time: 10:00 am – 12:00 pm  
Place: Liliuokalani Building  
1390 Miller Street, 2<sup>nd</sup> Floor Conference Rooms  
Honolulu, Hawaii 96813

All interested persons 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, 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  
Social Services Division  
Adult and Community Care Services Branch  
810 Richards Street, Suite 400  
Honolulu, Hawaii 96813

Residents of Hawaii, Kauai, and Maui Counties who wish to present oral testimonies may also contact the Social Services Division (SSD), Adult and Community Care Services Branch (ACCSB) office on the respective islands within seven (7) days before the Oahu hearing date to have their testimony recorded:

SSD-ACCSB Section Administrator  
East Hawaii Section  
1055 Kino'ole Street, Suite 201  
Hilo, Hawaii 96720 (808-933-8820)

SSD-ACCSB Section Administrator  
West Hawaii Section  
75-5995 Kuakini Highway, #433  
Kailua-Kona, Hawaii 96740 (808-327-6280)

SSD-ACCSB Section Administrator  
Kauai Section  
4370 Kukui Grove, Suite 203  
Lihue, Hawaii 96766 (808-241-3337)

SSD-ACCSB Section Administrator  
Maui Section (for islands Maui, Molokai, and Lanai)  
1773-B Wili Pa Loop  
Wailuku, Hawaii 96793 (808-243-5151)

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

Department of Human Services  
Social Services Division  
Adult and Community Care Services Branch  
810 Richards Street, Suite 400  
Honolulu, Hawaii 96813

or by calling (808) 586-5560. Neighbor island residents may request a copy of the proposed rules at NO COST by contacting the Social Services Division, Adult and Community Care Services Branch office during regular business days and hours, Monday to Friday between 7:45 a.m. to 4:30 p.m.

Proposed rules are also available at the following website:

<http://www.hawaii.gov/dhs/main/har/>

Special accommodations (i.e. sign language interpreter, large print, taped materials, or accessible parking) can be made, if requested at least seven (7) working days before the scheduled public hearing on Oahu by calling (808) 586-5560. Neighbor island residents needing special accommodations should contact the Social Services Division, Adult and Community Care Services Branch, on the respective islands with their requests.

DEPARTMENT OF HUMAN SERVICES  
PATRICIA McMANAMAN, DIRECTOR