

TITLE 11
DEPARTMENT OF HEALTH
CHAPTER 80
CHRONIC RENAL DISEASE

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Historical Note: Chapter 80 of Title 11, Administrative Rules, is based substantially upon Chapter 41, Public Health Regulations, Department of Health. [Eff. 12/24/70; R SEP 18 1981]

Sec. 11-80-1 Purpose.

The purpose of this chapter is to establish standards for determining eligibility for financial assistance, under the chronic renal disease program. [Eff. SEP 18 1981] (Auth: HRS Secs. 321-9, 321-10) (Imp: HRS Secs. 321-121, 321-122, 321-123)

Sec. 11-80-2 Definition.

As used in this chapter:

"Chronic renal disease" means advanced kidney disease necessitating chronic hemodialysis and/or kidney transplant to sustain life.

"Third-party payments" include any insurance coverage and any assistance available from other governmental agencies such as department of social services, division of vocational rehabilitation, Veteran's Administration, Champus, etc. [Eff. SEP 18 1981] (Auth: HRS Secs. 321-122, 321-123) (Imp: HRS Secs. 321-121, 321-122, 321-123)

Sec. 11-80-3 Application for assistance.

Applicants shall complete a financial profile form provided by the State department of health and shall submit a financial apportionment form completed by a physician and the financial registrar or medical social worker of the hospital involved. [Eff. SEP 18 1981] (Auth: HRS Secs. 321-122, 321-123) (Imp: HRS Secs. 321-121, 321-122, 321-123)

Sec. 11-80-4 Application review.

Representatives from the State department of health, designated by the director, may review all applications submitted and approve or disapprove applications. [Eff. SEP 18 1981] (Auth: HRS Secs. 321-122, 321-123) (Imp: HRS Secs. 321-121)

Sec. 11-80-5 Financial assistance.

The department of health shall extend financial assistance only after third-party payments have been exhausted. [Eff. SEP 18 1981] (Imp: HRS Secs. 321-121, 321-122, 321-123)

Sec. 11-80-6 Eligibility standards.

- (1) All persons who have resources of less than \$150,000 and suffering from chronic renal disease.
- (2) Personal property, such as income-producing equipment, inventory of a small business or tools, shall not be considered a resource if such property is needed to produce income during or following rehabilitation service.
- (3) Ownership of a residence and contiguous land, shall be regarded as the client's homestead and shall not be considered a resource.
- (4) Personal property, such as household furniture, life insurance policies, automobiles, etc., shall not be considered in determining economic need.
- (5) Property shall not be considered as a resource when it represents an income-producing enterprise and the net income derived therefrom is within the normal living requirements.
- (6) In making these determinations, both income and estate are to be considered. Where there are spouse and children, the estate shall not be depleted to the point that spouse and children will be pauperized in case of death of the patient. [Eff. SEP 18 1981] (Auth: HRS Secs. 321-122, 321-123) (Imp: HRS Secs. 321-121, 321-122, 321-123)

Editors Note:

The following (italics) was inserted in the official text for compliance reference only

§00-2-1.1 Distribution: official and unofficial copies. (a) All rules deemed by any agency to be official rules or official copies of any rules for purpose of distribution shall:

- (1) Be in the clean format;*
 - (2) Be distributed in units of organization consisting of not less than a complete chapter;*
 - (3) Have all amendments to any section located at the end of rules being distributed unless the unit of organization shall have been officially compiled;*
 - (4) Contain copies of rules only and shall not include other material such as statutes or other informational matter.*
- (b) All rules distributed in a manner which does not comply with the requirements of subsection (a) are unofficial copies. All unofficial copies of rules distributed shall have the word "unofficial" or a statement explaining the unofficial status of the copy displayed on the front cover, or on the first page if there is no front cover.*
- (c) All agencies shall have official copies of rules available for distribution. [Eff. 2/15/80; am 4/1/81] (Auth: HRS §91-4.2) (Imp: HRS §91-4.2)*

The department of health authorized the repeal of Chapter 41, Public Health Regulations and the adoption of Chapter 80 of Title 11, Administrative Rules following a public hearing held on Oahu on July 27, 1981, on Hawaii on July 28, 1981, on Maui on July 31, 1981, on Kauai on August 3, 1981 after public notice was given in Honolulu Advertiser on July 2, 1981, in the Maui News on July 2, 1981, in the Garden Isle on July 3, 1981 and in the Hawaii Tribune Herald on July 2, 1981.

Chapter 80 of Title 11, Administrative Rules and the repeal of Chapter 41, Public Health Regulations shall take effect ten days after filing with the Office of the Lieutenant Governor.

Dated: Honolulu, Hawaii

Director

APPROVED:

*GOVERNOR
STATE OF HAWAII*

Dated:

APPROVED AS TO FORM:

Deputy Attorney General

Filed:

Effective Date: