

**STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
MED-QUEST DIVISION**

**PUBLIC NOTICE OF EMERGENCY RULES CONTINUING STATE-FUNDED
MEDICAL ASSISTANCE FOR CERTAIN NON-CITIZENS**

Pursuant to section 91-4, Hawaii Revised Statutes (HRS), the Department of Human Services (DHS), Med-QUEST Division, gives notice that it has implemented emergency rules that temporarily continue State-funded medical assistance benefits to certain lawfully present non-pregnant adult non-citizens who are ineligible for federal Medicaid due to their immigration status, including citizens of island nations with a Compact of Free Association with the United States.

These individuals, referred to as "current beneficiaries," were receiving State medical assistance benefits that are identical to federal Medicaid benefits because of a court order issued in 2010 by the United States District Court for the District of Hawaii. The court order was vacated on November 3, 2014 and the department is therefore required, under its current administrative rules, to reduce the State medical assistance benefits provided to individuals who were enrolled in Basic Health Hawaii before the court order was issued, and to terminate benefits for individuals who began receiving them after the court order was issued.

Therefore, pursuant to the authority of section 91-3(b) HRS, the DHS has determined emergency rules are necessary to avoid imminent peril to the safety of certain lawfully present non-pregnant adult non-citizens who are at risk of losing health coverage before they can be enrolled in a qualified health plan purchased through the Hawaii Health Insurance Exchange (called the "Hawaii Health Connector" or "the Connector") and to ensure access by certain aged, blind and disabled individuals to needed health care, including services that are not available through the Connector. These emergency rules became effective upon filing with the Lieutenant Governor's office on November 5, 2014 and are adopted for a period of not longer than 120 calendar days.

NO EFFECT ON CHILDREN UNDER AGE 19 YEARS AND PREGNANT WOMEN:

There is no effect on children under age 19 years and pregnant women who are not U.S. citizens and meet federal Medicaid requirements. These individuals are still eligible for Medicaid and their health care benefits will not change.

EFFECT ON INDIVIDUALS WHO ARE AGED, BLIND OR DISABLED:

Under the emergency rules, current beneficiaries who *are* aged, blind or disabled shall maintain their current benefits, pending adoption of administrative rules establishing the State-funded medical assistance program for certain lawfully present non-pregnant adult non-citizens who are aged, blind or disabled, which will provide benefits identical to benefits provided to aged, blind and disabled individuals under the federal Medicaid program.

The emergency rules also allow certain low-income lawfully present non-pregnant adult non-citizens who *are* aged, blind or disabled, to apply for State medical assistance that provides benefits identical to benefits provided to aged, blind and disabled individuals under the federal Medicaid program during an open application period beginning November 5, 2014 and continuing until the emergency rules expire.

EFFECT ON INDIVIDUALS WHO ARE NOT AGED, BLIND OR DISABLED:

Under the emergency rules, current beneficiaries who are *not* aged, blind or disabled shall maintain their current State medical assistance benefits for a period of not longer than 120 calendar days. During this time, DHS will send their information to the Connector, and the Connector will determine their eligibility for federal tax credits. In addition, DHS will pay the eligible individual's share of the health insurance premium to the qualified health plan in which the individual is enrolled beginning January 1, 2015, as long as the information needed to verify eligibility for this premium assistance is provided by the Connector to the individual's qualified health plan. This premium assistance benefit will be provided on an emergency basis until the DHS has adopted administrative rules establishing the new Premium Assistance Program.

A copy of the emergency rules will be available for public viewing, from Monday – Friday, exclusive of state holidays, between the hours of 9:00 a.m. to 2:00 p.m., at the appropriate Med-QUEST Division offices on the respective islands listed below. On Oahu, the emergency 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., and 801 Dillingham Boulevard, 3rd Floor, Honolulu, Hawaii 96817, between the hours of 9:00 a.m. to 2:00 p.m., from Monday – Friday, exclusive of state holidays.

Med-QUEST Division
East Hawaii Section
88 Kanoelehua Avenue, Room 107
Hilo, Hawaii 96720 (933-0339)

Med-QUEST Division
Maui Section
210 Imi Kala Street, Suite 101
Wailuku, Hawaii 96793 (243-5780)

Med-QUEST Division
West Hawaii Section
75-5591 Palani Road, Ste. 3004
Kailua-Kona, Hawaii 96740 (327-4970)

Med-QUEST Division
Molokai Section
65 Makaena Place, Room 110
Kaunakakai, Hawaii 96748 (553-1758)

Med-QUEST Division
Kauai Section
4473 Pahee Street, Suite A
Lihue, Hawaii 96766 (241-3575)

Med-QUEST Division
Lanai Section
730 Lanai Avenue
Lanai City, Hawaii 96763 (565-7102)

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












<http://humanservices.hawaii.gov/copy-of-admin-rules-for-programs-3/mqd-emergency-rules/>

For special accommodations (i.e. interpreter or large print) for residents on Oahu, call 692-8058. Neighbor island residents requesting special accommodations should contact the appropriate Med-QUEST Division sections on the respective neighbor islands listed above.



DEPARTMENT OF HUMAN SERVICES
PATRICIA MCMANAMAN, DIRECTOR

Bilingual and Sign Interpreter Services for Public Notice and Hearing

Med-QUEST provides free bilingual and sign language interpreters. If you need an interpreter, please call 1-800-316-8005 and press 0. This is a toll-free telephone number. You can also get help in person at the Med-QUEST office near you.		English
Med-QUEST提供免費的雙語和簽約語言翻譯。如果你需要翻譯，請撥打1-800-316-8005 并按0。這是一個完全免費的電話號碼。你也可以來到附近的Med-QUEST辦公室獲得幫助。		Cantonese
Med-QUEST mei awora chon chiaku non pworow me pwomw nge ese kamo. Ika pwe en mei osuppwangen chon chiaku kose mwochen kopwe kokkori 1-800-316-8005 me ka tiki 0. Ei ew nampan tengewa ese kamo. En mei pwan tongeni angei aninnis non an epwe nomw ewe chon aninnis non ewe ofesin Med-QUEST a kan ngonuk.		Chuukese
Ti Med-QUEST ket mangted ti libre nga paraipatarus (interpreter) dagiti senias nga lengguahe (sign language) ken nadumaduma a pagsasao. No masapul yo ti paraipatarus, pangaasi yo ta awagan ti numero 1-800-316-8005 ken italmeg ti numero 0. Daytoy a numero ti telepono ket awan bayad na. Mabalín met nga personal kayo a mapan dumawat ti tulong idiay opisina ti Med-QUEST nga asideg kadakayo.		Ilocano
Med-QUEST는 무료 다국어 및 수화 통역을 제공합니다. 통역자가 필요하다면 1-800-316-8005로 전화하여0을 누르시오. 이것은 무료 전화번호입니다. 귀하는 가까운Med-QUEST 사무소에서 담당자의 도움을 직접 받을 수 있습니다.		Korean
Med-QUEST kasre kom usot kom in kuh in orekmakin kain in kas luu in kasru lungaslah ma kom ke fahk an. Kom fin enenu mwet in tutaf ku leng kas lom, nunak munas pangon nempu se inge: 1- 800- 316- 8005 na kom tanya 0. Taclofon nacmpu se inge kom kuh in oerkmakin wangin molo. Kom oayapa ku in osun ac eis kasru sin Med-QUEST ma oan apkuran nu yurum an.		Kosraean
Med-QUEST ej leļok ri-ukok ro im ejjeļok wōnean, ilo ruo-kajin ak “kōnnaan kōn pā” (ñan ro ejarroñroñ). Ne kwōj aikuj juon ri-ukok jouj im kūr 1-800-316-8005 im keeņe 0. Ejjeļok wōnean talboon nōmba in. Kwō maroñ in barāinwōt bōk jipañ ilo Med-QUEST wōpij eo epaake eok.		Marshallese
Med-QUEST a mo oungerachel a diak locheraol a i luches el tekoï ma dirrek el Chad el mo oleiuid a tekoï lousbech a chim. Alsekum kousbech a oleiuid a tekor e mom kedong ra 1-800-316-8005 e betir a 0. Tiang a diak locheraol a doudengua er mor ngii. Ng dirrek el sebechem el ngmai a ngeseu er a rechad er a Med-QUEST sel kmeed er kau el obis.		Palauan
Med-Quest kin sawahskida kawewe de pil kaweid nin duen irail me sohte kak karohnge wasa de sign language. Ma komw anahne sawas en kawewe, komw kalangan oh eker 1-800-316-8005 oh padik 0. Nembe uet sohte pweipwei de sohte isepe ohng telepon uet. Komw pil kak ahle sawas sahng aramas ehmen sang Med-Quest ni ohpis me keieu karahni komwi.		Pohnpeian
Med-QUEST e mappii dariy pulwon e girdii nima afweg e thin. Faanra bat'uf e maabweg thin ngom mag diliij e fon numba ni 1-800-316-8005 nge 0. Irreraye toll-free numba. Kurrayog ningan pii e ayuw ko Med-QUEST office u toobem.		Yapese
Med-QUEST cung cấp thông dịch viên song ngữ và ngôn ngữ ký hiệu miễn phí. Nếu quý vị cần thông dịch viên vui lòng gọi số 1-800-316-8005 và bấm 0. Đây là số điện thoại miễn phí. Quý vị cũng có thể nhờ nhân viên tại văn phòng Med-QUEST gần quý vị giúp đỡ.		Vietnamese