June 7, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601


Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 9:031, the Kentucky Board of Medical Licensure proposes the attached amendment to 201 KAR 9:031.

Sincerely,

Leanne K. Diakov, General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
502/429-7150
SUGGESTED AMENDMENT

KENTUCKY BOARD OF MEDICAL LICENSURE

201 KAR 9:031. Examinations.

Page 1
RELATES TO
Line 5
After “KRS 311.565”, insert the following:
(1)(m), (p), (q), (r), (u)
Delete “(13), (16), (18), (22)”.

Page 1
STATUTORY AUTHORITY
Line 5
After “KRS 311.565”, insert the following:
(1)(b), (m), (p), (q), (r), (u)
Delete “(13), (16), (18), (22)”.

Page 1
Section 1(3)
Line 17
After “passing score on the”, delete “above”.
After “examinations”, insert the following:
listed in subsections (1) and (2) of this section if
Delete “provided”.

Page 2
Section 1(5)
Line 5
After “was taken”, insert the following:
shall be deemed a passing score

Page 2
Section 1(6)(a)
Line 9
After “Step 3;”, delete “or”.

1
Page 2  
Section 2(1)  
Line 16  
   After “territory”, insert a comma.

Page 3  
Section 3  
Line 6  
   After “deny a license or permit”, insert “if the board determines”.  
   Delete the following:  
      when in the board’s opinion
June 1, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 201 KAR 12:082 - Education requirements and school administration.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 12:082, the Kentucky Board of Cosmetology proposes the attached amendments to 201 KAR 12:082.

Sincerely,

Julie M. Campbell, Board Administrator
Kentucky Board of Cosmetology
111 St. James Court, St. A, Frankfort, KY 40601
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky Board of Cosmetology

201 KAR 12:082. Education requirements and school administration.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Lines 9, 12, and 15
After “schools of cosmetology,”, insert “esthetic practices“.
Delete “esthetics”.

Page 3
Section 2
Line 10
After “school of cosmetology”, insert the following:
esthetic practices, and nail technology

Page 4
Section 5(2)
Line 6
After “schools of cosmetology,”, insert “esthetic practices”.
Delete “esthetics”.

Page 10
Section 18(8) and Section 18(9)
Lines 19 and 22
After “schools of cosmetology,”, insert “esthetic practices”.
Delete “esthetics”.

Page 12
Section 21(1)
Line 5
After “established in Section”, insert “20”.
Delete “19”.

Page 12
Section 21(2)
Line 7
After “digital enrollment”, insert “shall”.
Delete “must”.
Line 9
After “corrections”, insert “shall”.
Delete “must”.

1
After “Correction”, insert “Application”.
Delete “form”.

**Lines 9-10**
After “and the”, insert “enrollment correction”.

**Line 11**
After “information”, insert “shall”.
Delete “will”.

**Page 13**

**Section 29(1)(b)**

**Line 23**
After “Correction”, insert “Application”.
Delete “Form”.
After the closing quotation marks and the comma, insert “March”.
Delete “April”.

June 1, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: **201 KAR 12:260 - Fees.**

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 12:260, the Kentucky Board of Cosmetology proposes the attached amendments to 201 KAR 12:260.

Sincerely,

Julie M. Campbell, Board Administrator
Kentucky Board of Cosmetology
111 St. James Court, St. A, Frankfort, KY 40601
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky Board of Cosmetology

201 KAR 12:260. Fees.

Page 2
Section 1(13)
Line 10
After "Limited facility permit", insert the following:
for a threading facility, lash extension facility, and makeup facility

Page 3
Section 2(11)
Line 6
After "Limited facility permit", insert the following:
for a threading facility, lash extension facility, and makeup facility

Page 5
Section 4(11)
Line 15
After "Salon license", insert "restoration fee, ."
After "permit restoration fee", insert the following:
for a threading facility, lash extension facility, and makeup facility
June 1, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
o/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
Room 29, Capitol Annex
Frankfort, Kentucky 40601

Re: 301 KAR 2:221, Waterfowl seasons and limits.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:221, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:221.

Sincerely,

Mark S. Cramer
Regulations Coordinator
301 KAR 2:221. Waterfowl seasons and limits.

Page 1
RELATES TO:
Line 5
   After “KRS 150.010”, insert “(41)”.
   Delete “(40)”.

Page 1
Section 1(4)
Line 18
   After “by KRS 150.010”, insert “(41)”.
   Delete “(40)”.

Page 2
Section 2(2)
Line 3
   After “special hunt areas”, insert “.”.
TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES

Matthew G. Bevin
Governor

Regina Stivers
Acting Secretary

Frank Jemley, III
Acting Commissioner

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
1-800-858-1549
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fw.ky.gov

June 1, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
Room 29, Capitol Annex
Frankfort, Kentucky 40601

Re: 301 KAR 2:222, Waterfowl hunting requirements on public lands.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:222, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:222.

Sincerely,

Mark S. Cramer
Regulations Coordinator
301 KAR 2:222. Waterfowl hunting requirements on public lands.

Page 1
RELATES TO:
Line 5
After “KRS 150.010”, insert “(41)”.  
Delete “(40)”.

Page 14
Section 4(27)(f)4
Line 17
After “accompanied by an adult”, insert “.”.  
Delete “;”.
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 1:010, Eligibility requirements, application and certification procedures to receive specialized telecommunications equipment for deaf, hard of hearing and speech impaired.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 1:010, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 1:010.

Sincerely,

[Signature]

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 1:010. Eligibility requirements, application and certification procedures to receive specialized telecommunications equipment for the deaf, hard of hearing, and speech impaired.

Page 1
Section 1
Line 19
After “Definitions”, delete the following:
, as applies to 735 KAR 1:010 and 1:020

Page 2
Section 1(2)
Lines 4-5
After “Certification””, insert “available in”.

Line 5
After “Electronic”, insert “format”.

Page 2
Section 1(4)
Line 9
After “Board of Nursing”, insert the following:
as defined by KRS 314.011(7)

Page 2
Section 1(5)
Line 10
After “is defined”, insert “by”.
Delete “at”.

Line 11
After “as defined”, insert “by”.
Delete “at”.

Page 2
Section 1(9)
Line 17
After “Otolaryngologist”, insert closing quotation marks, and delete the following:
, for the purposes of KAR 1:010 and 1:020,

Line 19
After “nose”, insert a comma.
Page 3
Section 1(11)
Line 2
After “as defined”, insert “by”.
Delete “at”.

Pages 3 and 4
Section 1(16), 1(16)(a) through (f)
Lines 19-21, and Lines 1-4
After “KRS 163.525(1)(a)”, delete “as:”.
Beginning with paragraph notation (a) delete all of paragraphs (a) through (f) in their entirety, except for the final period.

Page 4
Section 1(18)
Line 8
After “pathologist””, insert the following:
    is defined by KRS 334A.020(3), and is limited to
Delete “means”.
After “by the”, delete “Kentucky”.

Line 9
Lowercase the first letter of “board”.
After “board”, insert the following:
    , as defined by KRS 334A.020(1)

Lines 9-10
Delete the remainder of the subsection in its entirety, except for the final period.

Page 5
Section 2(1)(a)7.
Lines 7-8
After “residency”, delete the following:
    such as a utility bill, lease agreement, bank statement, or documentation from another state or federal agency,

Line 8
After “Executive Director”, insert a semicolon.
Delete the period.

Page 5
Section 2(1)(b)
Line 9
After “five (5) years of age”, delete the semicolon.
Section 2(1)(b)2.
Line 12
After “equipment”, insert “; and”.
Delete the period.

Section 2(3)(a)
Line 20
After “form,”, insert “using”.
After “electronic”, insert “format”.

Section 2(3)(b)
Line 21
After “Signed”, insert “, with an”.
Delete “)“.
After “electronic signature”, insert “if”.
Delete “is acceptable”.
After electronic form”, insert a comma.
Delete “)”.

Section 2(3)(b)
Line 1
After “by facsimile,”, insert “electronic mail.”.
After “or by mail”, delete “(electronic if applicable).

Section 2(3)(c)1.
Line 3
After “1.”, insert “An electronic or hardcopy”.
Delete the following:
A copy (either hardcopy or electronic)
Line 6
After “Section 2(6)”, insert “of this administrative regulation”.

Section 2(3)(c)2.
Line 7
After “2.”, insert “An electronic or hardcopy”.
Delete the following:
A copy (either hardcopy or electronic)
Page 6
Section 2(5)(b)
Line 14
After "provided by", delete "(one of the following)"

Page 6
Section 2(5)(b)1.
Line 15
After "physician", insert a comma.
After "PAC", insert a comma.

Page 10
Section 5(4)
Line 6
After "(4)", insert "(a)".

Line 8
After "staff.", insert "(b)".

Page 10
Section 5(4)(a)
Line 11
Delete "(a)".
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 1:020, Processing system including vendor participation, security, maintenance and repair for specialized telecommunications equipment

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 1:020, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 1:020.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment  
Education and Workforce Development Cabinet  
Kentucky Commission of the Deaf and Hard of Hearing  

735 KAR 1:020. Processing system including vendor participation, security, and maintenance and repair for specialized telecommunications equipment.

Page 1  
RELATES TO  
Line 7  
After “163.525-”, insert “163.”.

Page 2  
Section 1(2)  
Lines 2-3  
After “Certification”, insert “available in”.

Line 3  
After “electronic”, insert “format”.

Page 2  
Section 1(3)  
Line 5  
After “KCDHH”, insert “as complete”.

Page 2  
Section 1(4)  
Line 7  
After “Board of Nursing”, insert the following:  
as defined by KRS 314.011(7)  

Page 2  
Section 1(5)  
Line 8  
After “is defined”, insert “by”.  
Delete “at”.

Line 9  
After “as defined”, insert “by”.  
Delete “at”.

Page 2  
Section 1(9)  
Line 15  
After “Otolaryngologist”, insert closing quotation marks, and delete the following:  
, for the purposes of KAR 1:010 and 1:020,  

Line 17
After "nose", insert a comma.

Page 2
Section 1(11)
Line 21
After "as defined", insert "by".
Delete "at".

Pages 3 and 4
Section 1(16), 1(16)(a) through (f)
Lines 18-21, and Lines 1-3
After "KRS 163.525(1)(a)", delete the colon, and beginning with paragraph notation (a) delete all of paragraphs (a) through (f) in their entirety, except for the final period.

Page 4
Section 1(18)
Line 7
After "pathologist", insert the following:
is defined by KRS 334A.020(3), and is limited to
Delete "means".
Lines 7-8
After "by the", delete "Kentucky".
Line 8
Lowercase the first letter of "board".
After "board", insert the following:
as defined by KRS 334A.020(1)
Lines 8-9
Delete the remainder of the subsection in its entirety, except for the final period.

Page 5
Section 3(3)
Line 17
After "added to", insert "the recipient’s".
Delete "their".

Page 6
Section 4
Line 17
After "Security.", insert "The recipient shall:".

Page 6
Section 4(1)
Line 18
After "(1)", delete "The recipient shall".
Capitalize "notify".
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
1/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 2:010, Definitions for 735 KAR Chapter 2

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 2:010, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:010.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment

Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:010. Definitions for 735 KAR Chapter 2.

Page 1
RELATES TO
Line 6
After “309.300”, insert the following:

Page 1
STATUTORY AUTHORITY
Line 7
After “KRS 12.290”, insert “, 163.510(4)”.

Lines 7-13
Beginning with “mandates”, delete the remainder of the statutory authority paragraph in its entirety.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 14
After “CONFORMITY:”, insert the following:
   KRS 12.290 requires each administrative body of state government to promulgate administrative regulations in compliance with federal mandates to provide accessibility to services by persons who are deaf or hard of hearing.

Page 3
Section 1(7)
Line 3
After “established by”, insert “an interpreter’s”.
Delete “a”, immediately following.

Line 4
After “transliterator in”, delete “their”.

Page 3
Section 1(8)
Line 7
After “one (1)”, insert a comma.
Delete “(“.
After “either”, insert a comma.
Delete “)”.
Page 3
Section 1(9)
Line 10
After “This term”, insert “includes”.
Delete “shall include”.

Page 3
Section 1(10)
Line 19
After “sign language”, insert a comma.
Delete “(.”.  
After “home signs”, insert a comma.
Delete “)”).

Page 4
Section 1(12)
Line 5
After “means”, insert “an”. 
Delete “and”.

Page 4
Section 1(14)
Line 11
After “communication”, insert a comma.
Delete the “(” immediately following.
After “voice-to-sign”, delete “)”).

Line 12
After “English”, insert a comma.
Delete “(.”.  
After “sign-to-voice”, delete “)”).

Page 5
Section 1(17)
Line 2
After “speech-reading”, insert a comma.

Page 5
Section 1(22)
Line 19
After “(1)”, insert “through”. 
Delete “-“.
Page 6
Section 1(26)(a)
Line 14
After “language”, insert a comma.
Delete “(, immediately following”.
After “sign”, delete “)”.  

Page 6
Section 1(26)(b)
Line 16
After “English”, insert a comma.
Delete “(, immediately following”.
After “voice”, delete “)”. 
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 2:020, KCDHH Interpreter Referral Services Program parameters

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 2:020, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:020.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:020. KCDHH Interpreter Referral Services Program parameters.

Page 1
Section 1(1)
Line 14
   After “Rehabilitation Act”, insert a comma.
   Delete “(.
   After “794”, insert a comma.
   Delete “)”).

Line 15
   After “Act”, insert a comma”.
   Delete “(.
   After “12132”, delete “)”.

Page 2
Section 1(1)(c)
Line 1
   After “provision of the”, insert the following:
       Rehabilitation Act or Americans with Disabilities Act
   Delete “Acts”.

Page 2
Section 1(1)(d)
Line 2
   After “defined by the”, insert the following:
       Rehabilitation Act or Americans with Disabilities Act
   Delete “Acts”.

1
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 2:030, Interpreter qualifications

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 2:030, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:030.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:030. Interpreter qualifications.

Page 1
RELATES TO
Line 6
   After “163.510(4)”, insert the following:
       .29 U.S.C. 794, 42 U.S.C. 12132

Page 1
Section 1(1)
Line 12
   After “A staff or”, insert “assigned”.
   Delete “freelance”.
Line 13
   After “such as”, delete “but not limited to,”.
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 2:040, Interpreter protocols

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 2:040, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:040.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:040. Interpreter protocols.

Page 1
RELATES TO
Line 6
After "163.515(2)(c)", delete ", 201 KAR 39:120".

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 12
After "hard of hearing.", insert the following:
KRS 163.515(2)(c) requires that the Executive Director of the Commission on the
Deaf and Hard of Hearing promote the training of interpreters for the deaf and
hard of hearing.

Lines 13-17
After "establishes interpreter protocols.", delete the remaining two sentences in the NFC
paragraph in their entirety.

Page 1
Section 1(1)
Line 18
After "adhere to the", insert "Interpreter’s".

Page 2
Section 1(3)
Line 20
After "code of ethics", insert "pursuant to".
Delete "per".
After "and", delete "per".
After "the", insert "interpreter’s national".
Delete "appropriate".

Line 21
After "certifying", insert "organization".
Delete "body".

Page 3
Section 1(3)(a) and Section 1(3)(b)
Lines 1-3
After "(a)", delete the following:
National Association of the Deaf – Registry of Interpreters for the Deaf Code of Processional Conduct (2005);
(b)

Page 3
Section 1(3)(b) and 1(3)(c)
Lines 3-4
After “for the Deaf;”, insert “(b)”. Delete “(c)”.

Page 3
Section 1(3)(c) and 1(3)(d)
Lines 4-5
After “of the Deaf; or”, insert “(c)”. Delete “(d)”.

Page 3
Section 1(5)(d)
Line 18
After “Similar programs.”, insert the following:
(6) The national certifying organizations listed under subsection (3) of this Section have all adopted The National Association of the Deaf – Registry of Interpreters for the Deaf Code of Professional Conduct.

Page 3
Section 2(1)
Line 19
After “(1)”, insert opening quotation marks.

Lines 19-20
Delete the following:
The following material is incorporated by reference:”.

Line 21
After “Conduct”, insert closing quotation marks and then a comma. After “2005), insert “, is incorporated by reference”
June 8, 2018

Senator Ernie Harris, Co-Chair  
Representative David Hale, Co-Chair  
c/o Emily Caudill, Regulation Compiler  
Administrative Regulation Review Subcommittee  
Legislative Research Commission  
029, Capitol Annex  
Frankfort KY 40601

Re: 735 KAR 2:050, Processing of requests for services

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the
issues raised by 735 KAR 2:050, the Kentucky Commission on the Deaf and Hard of
Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:050.

Sincerely,

Virginia L. Moore, Executive Director  
Kentucky Commission on the Deaf and Hard of Hearing  
632 Versailles Road  
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:050. Processing of requests for services.

Page 1
RELATES TO
Line 6
After “163.510(4)”, insert the following:

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 8
After “KRS 12:290”, insert “requires”.
Delete “mandates”.

Page 1
Section 1(1)
Line 17
After “Act”, insert a comma.
Delete “(“.
After “794”, insert a comma.
Delete “)”.
Line 18
After “Act”, insert a comma.
Delete “(“.
After “12132”, delete “)”.

Page 2
Section 1(1)(c)
Line 5
After “provision of the”, insert the following:
   Rehabilitation Act or Americans with Disabilities Act
Delete “Acts”.

Page 2
Section 1(1)(d)
Lines 6-7
After “as defined by the”, insert the following:
   Rehabilitation Act or Americans with Disabilities Act
Delete “Acts”.

1
Page 2
Section 1(2)(c)
Line 11
   After "(c)", insert the following:
      Deaf or hard of hearing
   Lowercase the first letter of "Consumer".
   Delete the following:
      (dead or hard of hearing)

Page 2
Section 1(2)(d)
Line 12
   After "communication preference", insert a comma.
   Delete "(
   After "known", delete ")".

Page 3
Section 1(3)
Line 6
   After "one", insert (1)."

Page 3
Section 1(3)(a)
Lines 9-10
   After "Services Program", delete the following:
      , which may then require completion of an online request form through the
      KCDHH Web site

Page 3
Section 1(3)(b)
Line 12
   After "Submitting", insert "a".
   Delete "an electronic".
   After "request", insert "through".
   Delete "form directly, via".

Line 13
   After "Web site", insert the following:
      at http://www.kcdhh.org

Page 4
Section 1(8)
Line 15
   After "staff and", insert "certified".
   Delete "freelance".
Page 5
Section 1(11)
Line 15
    After “time”, insert a comma.

Page 5
Section 1(12)
Line 17
    After “The interpreter”, insert “or”.
    Delete “/”.
    After “captioner”, insert “shall”.
    Delete “must”.

Line 18
    After “changes to”, insert “the interpreter’s or captioner’s”.
    Delete “their”.

Page 6
Section 1(14)
Line 1
    After “A client or consumer”, insert “may”.
    Delete the following:
        shall have the right to
June 8, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
C/o Emily Caudill, Regulation Compiler
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 735 KAR 2:060, Greivance procedures

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 735 KAR 2:060, the Kentucky Commission on the Deaf and Hard of Hearing (KCDHH) proposes the attached amendment to 735 KAR 2:060.

Sincerely,

Virginia L. Moore, Executive Director
Kentucky Commission on the Deaf and Hard of Hearing
632 Versailles Road
Frankfort KY 40601
Suggested Amendment
Education and Workforce Development Cabinet
Kentucky Commission on the Deaf and Hard of Hearing

735 KAR 2:060. Grievance procedures.

Page 1
RELATES TO
Line 6
After “163.510(4)”, delete “201 KAR 39:120”.

Page 1
Section 1(1)
Line 18
After “Interpreter”, delete “(freelance or assigned)”.

Page 2
Section 1(2)
Line 4
After “40601 and”, insert “shall”.
Delete “must”.

Page 2
Section 1(2)(b)
Line 7
After “Name and role”, insert a comma.
Delete “)”.  
After “referral agency”, insert a comma.
Delete “)”.

Page 2
Section 1(2)(c)
Line 9
After “time”, insert a comma.

Page 2
Section 1(2)(d)
Line 11
After “authorizing body,”, insert “as established in”.
Delete “per”.
After “201 KAR 39:120,”, insert “the”.

Lines 11-12
After “Ethics, and”, insert the following:
the nature of the alleged violation
Line 12
Delete “what was allegedly violated”.

Page 2
Section 1(5)(b)
Line 19
After “Respondent”, insert “as the”.
Delete “(“.
After “person”, insert “whom the”.
After “against”, delete “)“.

Page 3
Section 1(9)
Line 21
After “Program”, insert “may”.
Delete “has the right to”.

Page 4
Section 1(9)
Line 1
After “services of”, insert “an”.
Delete “a freelance or assigned”.

Line 2
After “captioner based”, insert “upon”.
Delete “on”.
After “findings of a grievance”, insert the following:
that by a preponderance of the evidence, with evidence sufficient to conclude
that it is more likely than not, conduct such as the following occurred:
(a) Noncompliance with licensure requirements; or
(b) Not meeting ethical standards and professional business protocols
Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
029, Capitol Annex  
702 Capitol Avenue  
Frankfort, Kentucky 40601  

Re: 906 KAR 1:200: Use of Civil Money Penalty Funds Collected from Certified Long-term Care Facilities.

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 906 KAR 1:200, the Cabinet for Health and Family Services, Office of Inspector General proposes the attached suggested amendment to 906 KAR 1:200.

Sincerely,

Brandon James Smith  
Executive Director  
Office of Legislative and Regulatory Affairs
SUGGESTED AMENDMENT

CABINET FOR HEALTH AND FAMILY SERVICES
Office of Inspector General
Division of Health Care

906 KAR 1:200. Use of Civil Money Penalty Funds Collected from Certified Long-term Care Facilities.

Page 1
RELATES TO
Line 7
After "194A.050(1)", insert "42 C.F.R. 488.433".

Page 4
Section 5(1)
Lines 14-15
After "Web site at", insert the following:
https://chfs.ky.gov/agencies/os/oig/dhc/Pages/cmp-funds.aspx
Delete the following:
http://chfs.ky.gov/os/oig/cmpfunds.htm

Page 5
Section 6(2)
Line 16
After "collected CMP funds", insert "in 42 C.F.R. 488.433".
June 7, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 922 KAR 2:120 & E. Child-care center health and safety standards.
922 KAR 2:180 & E. Requirements for registered child care providers in the Child Care Assistance Program.
922 KAR 2:190 & E. Civil penalties.
922 KAR 2:270 & E. Kentucky All STARS quality-based graduated early childhood rating system for licensed child-care centers and certified family child-care homes.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 922 KAR 2:120&E, 922 KAR 2:180&E, 922 KAR 2:190&E, and 922 KAR 2:270&E, the Department for Community Based Services proposes the enclosed amendments.

Sincerely,

Brandon J. Smith
Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file
Suggested Amendment

Final Version: 5/17/2018 12:09 PM

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Child Care

922 KAR 2:120 & E. Child-care center health and safety standards.

Page 1
RELATES TO
Line 8
After “311.646,”, insert “314.011(5),“.
After “Chapter 318,“, delete “314.011(5),“.

Page 2
Section 1(5)(d)
Line 14
After “nurse as defined”, insert “by”.
Delete “in”.

Page 3
Section 1(9)
Line 9
After “‘Parent’ is defined”, insert “by”.
Delete “in”.

Page 3
Section 1(12)
Line 15
After “which includes”, delete “the following”.

Page 3
Section 1(12)(h)
Line 23
After “cabinet or designee”, insert the following:

based on recommendation from a nationally recognized source

Page 4
Section 1(14)
Line 10
After “(14) ‘School-age’”, delete “child”.

1
Page 5
Section 2(1)
Line 2
After "(1) Services", insert "established".
Delete "described".

Page 5
Section 2(2)
Line 4
After "(2)", insert the following:
For an operating child-care center.
Lowercase the first letter of "Minimum".
After "and group size", delete the following:
for an operating child-care center
Line 5
After "be maintained as", insert the following:
established in the table established in this subsection.
Delete "follows:"

Page 6
Section 2(2)(c)1.
Line 9
After "range from", insert "thirty (30) months".
Delete the following:
two and one-half (2 1/2) years

Page 7
Section 2(3)(b)2.
Line 2
After "Written policy that", insert "states".
Delete "specifies".

Page 7
Section 2(4)(d)
Line 11
After "creative activities including", delete "the following".

Page 8
Section 2(7)
Line 18
After "may progress at", insert "his or her".
Delete "their".
Page 10
Section 3(1)
Line 10
After “program of activity”, insert “as established”. Delete “described”.

Page 10
Section 3(2)
Lines 12 and 13
After “the child’s activity”, insert “is adequately supervised”. Delete the following:
  can be given adequate supervision.

Page 10
Section 3(3)
Line 14
After “a monitoring device”, insert “that”. Delete “which”.

Page 10
Section 3(4)(a)
Line 17
After “cleanliness based upon”, insert “his or her”. Delete “their”.

Page 10
Section 3(4)(b)
Line 19
After “(b)”, insert the following:
  Except as established in paragraph (c) of this subsection.
  Lowercase the first letter of “Wash”.

Page 11
Section 3(5)(c)
Line 13
After “(c)”, insert the following:
  Except as established in paragraph (d) of this subsection.
  Lowercase the first letter of “Wash”.

Page 12
Section 3(6)(a)
Line 6
After “perform duties that”, insert “could”. Delete “may”.
Page 16
Section 4(11)(a)
Line 8
After “(25) children shall”, insert “comply with requirements”.
Delete “meet the specifications”.

Line 10
After “KRS Chapter 151”, insert the following:
and 401 KAR Chapter 8, as applicable

Page 16
Section 4(14)
Line 19
After “with local, county”, insert a comma.

Page 19
Section 4(26)(b)
Line 12
After “(b) Covered”, insert “while”.
Delete “when”.

Page 24
Section 7(2)
Line 1
After “or condition that”, insert “could”.
Delete “may”.

Page 24
Section 7(4)(b)
Line 13
After “(b)”, insert “For epinephrine”.
Lowercase the first letter of “In”.
After “with KRS”, insert “199.8951 and”.

Page 25
Section 7(6)(a)3.
Line 6
After “with KRS 199.8951”, insert “and 311.646”.

Page 28
Section 8(9)(c)
Line 3
After “(c) Covered”, insert “while”.
Delete “when”.

4
Page 34
Section 10(11)
Line 15
   After "(11) Unless", insert "the child is".

Page 36
Section 11(6)
Line 9
   After "provided to use", insert "while".
   Delete "when".

Page 37
Section 12(4)(b)
Line 16
   After "First aid supplies", insert "established".
   Delete "described".

Page 37
Section 12(6)
Line 21
   After "transport children shall", insert the following:
      comply with the requirements established in paragraphs (a) through
      (d) of this subsection.
   Delete "meet the following requirements:".

Page 38
Section 12(8)
Lines 12 and 13
   After "and documented for", delete "the following".

Page 39
Section 12(15)
Line 13
   After "shall be refueled", insert "only while".
   Delete "when".

Page 40
Section 12(18)(c)
Line 12
   After "current driver's license", insert "that".
   Delete "which".
Page 40
Section 12(18)(d)
Line 14
After “caused an accident”, insert “that”.
Delete “which”.

Pages 41 and 42
Section 13(4)
Lines 23 and 1
After “the child-care center”, insert “that”.
Delete “which”.

June 7, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 922 KAR 2:120 & E. Child-care center health and safety standards.
922 KAR 2:180 & E. Requirements for registered child care providers in the Child Care Assistance Program.
922 KAR 2:190 & E. Civil penalties.
922 KAR 2:270 & E. Kentucky All STARS quality-based graduated early childhood rating system for licensed child-care centers and certified family child-care homes.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 922 KAR 2:120&E, 922 KAR 2:180&E, 922 KAR 2:190&E, and 922 KAR 2:270&E, the Department for Community Based Services proposes the enclosed amendments.

Sincerely,

Brandon J. Smith
Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file
Suggested Amendment
Final Version: 5/17/2018 2:13 PM

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Child Care

922 KAR 2:180 & E. Requirements for registered child care providers in the Child Care Assistance Program.

Page 1
RELATES TO
Line 7
After “RELATES TO: KRS”, insert “17.165, 17.545(2), 17.990.”.
Lines 7 and 8
After “199.011(3), (4),”, insert “199.462, 199.892 – 199.896”.
Delete “199.894(1), 199.896(16), (18)”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Lines 14 through 16
After “regulations necessary”, insert the following:

- to operate programs and fulfill the responsibilities vested in the cabinet, qualify for the receipt of federal funds, and cooperate with other state and federal agencies for the proper administration of the cabinet and its programs

Delete the following:

- under applicable state laws to protect, develop, and maintain the health, personal dignity, integrity, and sufficiency of the individual citizens of the Commonwealth

Page 2
Section 1(4)
Line 8
After “(4) "Conditional”, lowercase the first letter of “Approval”.

Page 8
Section 3(4)(c)
Line 19
After “nails, and other”, insert “similar”.
Delete “like”.

1
Page 10
Section 3(13)(e)
Line 14
After “(e) At other times”, insert “as”.
Delete “when”.

Page 11
Section 3(17)(b)
Line 3
After “its designee finds”, insert “that”.
Lines 3 and 4
After “is noncompliant with”, insert “Sections”.
Delete “Section”.
Line 4
After “6, or 7(2)”, insert “of this administrative regulation”.

Page 12
Section 4(2)
Lines 14 and 15
After “if the applicant”, insert “complies with”.
Delete “meets the requirements of”.

Page 12
Section 4(3)
Lines 22 and 23
After “if the applicant”, insert “complies with”.
Delete the following:
meets the requirements specified in

Page 16
Section 5(8)(a)4.
Line 19
After “a vehicular accident”, insert “while”.
Delete “when”.

Page 18
Section 7(2)(c)
Line 20
After “the evacuation plan”, insert “established”.
Delete “described”.
Page 19
Section 7(3)
Line 2
After “home shall also”, insert “comply with”.
Delete “meet”.

Page 21
Section 8(5)
Line 20
After “a child-care provider”, insert “that”.
Delete “which”.

Page 24
Section 10(1)(a)
Line 1
After “(a) “DCC-94A”, insert a comma.
June 7, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
c/o Emily Caudill
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

Re: 922 KAR 2:120 & E. Child-care center health and safety standards.
922 KAR 2:180 & E. Requirements for registered child care providers in the Child Care Assistance Program.
922 KAR 2:190 & E. Civil penalties.
922 KAR 2:270 & E. Kentucky All STARS quality-based graduated early childhood rating system for licensed child-care centers and certified family child-care homes.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 922 KAR 2:120&E, 922 KAR 2:180&E, 922 KAR 2:190&E, and 922 KAR 2:270&E, the Department for Community Based Services proposes the enclosed amendments.

Sincerely,

Brandon J. Smith
Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file
Suggested Amendment

Final Version: 5/17/2018 2:14 PM

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Child Care

922 KAR 2:190 & E. Civil penalties.

Page 3
Section 2(1)(b)4.
Line 15
  After “of the cabinet”, insert “; or”.
  Delete the period.

Page 4
Section 3(2)
Lines 19 and 20
  After “with, the notice”, insert “established”.
  Delete “described”.

Page 5
Section 3(3)(b)
Line 1
  After “no more than”, insert “$1,000”.
  Delete “$1000”.

Page 5
Section 3(5)
Line 7
  After “199.896(8)(b)”, insert “through”.
  Delete the dash.

Page 5
Section 3(5)(c)
Lines 15 and 16
  After “waives appeal rights”, insert “established”.
  Delete “described”.

Re: 922 KAR 2:120 & E. Child-care center health and safety standards.
922 KAR 2:180 & E. Requirements for registered child care providers in the Child Care Assistance Program.
922 KAR 2:190 & E. Civil penalties.
922 KAR 2:270 & E. Kentucky All STARS quality-based graduated early childhood rating system for licensed child-care centers and certified family child-care homes.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 922 KAR 2:120&E, 922 KAR 2:180&E, 922 KAR 2:190&E, and 922 KAR 2:270&E, the Department for Community Based Services proposes the enclosed amendments.

Sincerely,

Brandon Smith
Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file
Suggested Amendment

Final Version: 5/17/2018 8:59 AM

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Child Care

922 KAR 2:270 & E. Kentucky All STARS quality-based graduated early childhood rating system for licensed child-care centers and certified family child-care homes.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY

Line 19
After "KRS 199.8941(1) requires", insert the following:
the cabinet, in consultation with

Line 20
After "Childhood Advisory Council", insert a comma.

Page 7
Section 4(2)
Lines 13 and 14
After "quality-rating certificate shall", insert the following:
comply with the requirements established in
Delete the following:
meet regulatory requirements in accordance with

Page 7
Section 4(3)
Lines 15 and 16
After "quality-rating certificate shall", insert the following:
comply with the requirements established in paragraphs (a) through (d) of this subsection.
Delete "meet the following requirements:"

Page 7
Section 4(3)(a)
Line 17
After "provider’s teaching staff", insert "shall participate".
Delete "has participated".

Page 7
Section 4(3)(a)2.
Line 21
After "STARS certificate", insert a period.
Delete the semicolon.
Page 7
Section 4(3)(b)
Line 22
After “(b) The provider”, insert “shall complete”.
Delete “has completed”.

Line 23
After “of children served”, insert a period.
Delete the semicolon.

Page 8
Section 4(3)(c)
Line 1
After “for the provider”, insert “shall complete”.
Delete “has”.

Page 8
Section 4(3)(c)1.
Line 2
After “1.”, delete “Received”.
Capitalize the first letter of “ten”.

Page 8
Section 4(3)(c)2.
Line 7
After “credential or degree”, insert a period.
Delete “; and”.

Page 8
Section 4(3)(d)
Line 8
After “of teaching staff”, insert “shall complete”.
Delete “has”.

Page 8
Section 4(3)(d)1.
Line 9
After “1.”, delete “Received”.
Capitalize the first letter of “ten”.

Page 8
Section 4(4)
Lines 15 and 16
After “quality-rating certificate shall”, delete “meet the following requirements”.
Page 8
Section 4(4)(a)
Line 17
After “(a)”, insert “Comply with”.

Page 8
Section 4(4)(b)
Line 18
After “(b)”, insert “Have”.
Lowercase the first letter of “Twenty-one”.

Page 8
Section 4(4)(b1.)
Line 19
After “two (2) points”, insert “each”.
After “in”, delete the following:
each of the following domains

Page 9
Section 4(4)(c)
Line 5
After “(c)”, insert “Complete”.
Delete “Completion of”.

Page 9
Section 4(5)
Lines 7 and 8
After “quality-rating certificate shall”, delete “meet the following requirements”.

Page 9
Section 4(5)(a)
Line 9
After “(a)”, insert “Comply with”.

Page 9
Section 4(5)(b)
Line 10
After “(b)”, insert “Have”.
Lowercase the first letter of “Thirty-one”.

Page 9
Section 4(5)(b1.)
Line 11
After “two (2) points”, insert “each”.
After “in”, delete the following:
each of the following domains
Page 9  
Section 4(5)(c)  
Line 20  
After "(c)", insert "Complete".  
Delete "Completion of".

Page 9  
Section 4(6)  
Lines 22 and 23  
After "quality-rating certificate shall", delete "meet the following requirements".

Page 10  
Section 4(6)(a)  
Line 1  
After "(a)", insert "Comply with".

Page 10  
Section 4(6)(b)  
Line 2  
After "(b)", insert "Have".  
Lowercase the first letter of "Forty-one".

Page 10  
Section 4(6)(b1).  
Line 3  
After "two (2) points", insert "each".  
After "in", delete the following:  
each of the following domains

Page 10  
Section 4(6)(c)  
Line 12  
After "(c)", insert "Complete".  
Delete "Completion of".

Page 15  
Section 7(3)  
Lines 10 and 11  
After "upon the standards", insert "established".  
Delete "specified".