

The following agenda may not take into consideration all of the administrative regulations that may be deferred by promulgating agencies. Deferrals may be made any time prior to or during the meeting.

Updated: October 8, 2018 at 12 p.m.



**Administrative Regulation Review Subcommittee
Tentative Meeting Agenda
Tuesday, October 9, 2018 1:00 PM
Annex Room 149**



- 1. CALL TO ORDER AND ROLL CALL**
- 2. REGULATIONS FOR COMMITTEE REVIEW**

FINANCE AND ADMINISTRATION: Department of Revenue

Income Tax; General Administration

[103 KAR 015:041](#). Repeal of 103 KAR 15:040 and 103 KAR 15:090.

[103 KAR 015:110](#). Ethanol tax credit.

[103 KAR 015:120](#). Cellulosic ethanol tax credit.

[103 KAR 015:140](#). Biodiesel tax credit.

Income Tax; Corporations

[103 KAR 016:011](#). Repeal of 103 KAR 016:010, 103 KAR 016: 210, 103 KAR 016: 310, and 103 KAR 016:360.

Income Tax; Individual

[103 KAR 017:042](#). Repeal of 103 KAR 017:041.

[103 KAR 017:100](#). Division of income between married individuals filing separate tax returns.

[103 KAR 017:130](#). Individual income tax – military personnel – nonresidents.

[103 KAR 017:140](#). Individual income tax – reciprocity – nonresidents.

Income Tax; Withholding

[103 KAR 018:180](#). Kentucky economic development acts wage assessment.

[103 KAR 018:191](#). Repeal of 103 KAR 018:190. 103 KAR 018:200, 103 KAR 018: 210, and 103 KAR 018:220.

BOARDS AND COMMISSIONS

Board of Nursing

[201 KAR 020:057](#). Scope and standards of practice of advanced practice registered nurses. (Amended After Comments)

Board of Podiatry

[201 KAR 025:090](#). Prescribing and dispensing controlled substances. (Deferred from February)

TOURISM, ARTS, AND HERITAGE: Department of Fish and Wildlife Resources

Fish

[301 KAR 001:015](#). Boat and motor restrictions.

[301 KAR 001:132](#). Sale of live bait.

Game

[301 KAR 002:225](#) & E. Dove, wood duck, teal, and other migratory game bird hunting. ("E" expires 1-16-2019)

Hunting and Fishing

[301 KAR 003:022](#). License, tag, and permit fees.

Wildlife

[301 KAR 004:090](#). Buying and selling of inedible wildlife parts.

DEPARTMENT OF AGRICULTURE: Office of the State Veterinarian**Livestock Sanitation**

[302 KAR 020:210](#). Repeal of 302 KAR 020:210.

[302 KAR 020:221](#). Repeal of 302 KAR 020:220.

[302 KAR 020:231](#). Repeal of 302 KAR 020:231.

[302 KAR 020:541](#). Repeal of 302 KAR 020:054.

[302 KAR 020:561](#). Repeal of 302 KAR 020:561.

[302 KAR 020:571](#). Repeal of 302 KAR 020:057.

[302 KAR 020:581](#). Repeal of 302 KAR 020:058.

Purchase of Agricultural Conservation Easement Corporation

[302 KAR 100:011](#). Repeal of 302 KAR 100:010.

[302 KAR 100:021](#). Repeal of 302 KAR 100:020.

Kentucky Law Enforcement Council

[503 KAR 001:110 & E](#). Department of Criminal justice Training basic training graduation requirements; records. ("E" expires 12-24-2018) (Amended After Comments)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Board of Education: Department of Education**School Terms, Attendance, and Operation**

[702 KAR 007:065](#). Designation of agent to manage middle and high school interscholastic athletics.

LABOR CABINET**Department of Workers' Claims**

[803 KAR 025:089 & E](#). Workers' Compensation Medical Fee Schedule for Physicians. ("E" Expires 1-7-2019) (Not Amended After Comments)

Occupational Safety and Health Review Commission

[803 KAR 050:010](#). Hearings: procedure, disposition.

PUBLIC PROTECTION CABINET**Department of Insurance****Health Insurance Contracts**

[806 KAR 017:570](#). Minimum standards for Medicare supplement insurance policies and certificates. (Not Amended After Comments)

CABINET FOR HEALTH AND FAMILY SERVICES

Commissioner's Office

Administration

[900 KAR 001:091](#). Repeal of 900 KAR 001:090.

Office of Inspector General

[906 KAR 001:190](#). Kentucky National Background Check Program (NBCP). (Not Amended After Comments)

Department for Medicaid Services

[907 KAR 001:121](#). Repeal of 907 KAR 001:120 and 907 KAR 001:130.

3. REGULATIONS REMOVED FROM OCTOBER'S AGENDA

STATE BOARD OF ELECTIONS: Forms and Procedures

[031 KAR 004:100 & E](#). Evaluation of precinct election officers. ("E" expires 12-18-2018) (Deferred from September)

[031 KAR 004:120 & E](#). Additional and emergency precinct officers. ("E" expires 1-20-2019) (Comments Received; SOC ext., due 10-15-2018)

AUDITOR OF PUBLIC ACCOUNTS: Audits

[045 KAR 001:050](#). Audits and fiscal courts. (Withdrawn by agency)

~~FINANCE AND ADMINISTRATION: Department of Revenue~~

~~Income Tax; Corporations~~

[103 KAR 016:352](#). Corporation income taxes policies and circulars. (Withdrawn by agency, 10-2-2018)

BOARDS AND COMMISSIONS: Board of Pharmacy

[201 KAR 002:370](#). Pharmacy services in long-term care facility (LTCF). (Comments Received; SOC ext., due 11-15-2018)

Board of Medical Licensure

[201 KAR 009:260](#). Professional standards for prescribing and dispensing controlled substances. (Comments Received, SOC due 10-15-2018)

ENERGY AND ENVIRONMENT CABINET: Department for Environmental Protection: Division for Air Quality: Permits, Registrations, and Prohibitory Rules

[401 KAR 052:050](#). Permit application forms. (Comments Received; SOC ext., due 11-15-2018)

[401 KAR 052:070](#). Registration of air contaminant sources. (Comments Received; SOC ext., due 11-15-2018)

JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections: Office of the Secretary

[501 KAR 006:020 & E](#). Corrections policies and procedures. ("E" expires 1-15-2019) (Comments Received; SOC due 10-15-2018)

[501 KAR 006:999](#). Corrections secured policies and procedures. (Deferred from October)

TRANSPORTATION CABINET: Department of Vehicle Regulation: Administration

[601 KAR 002:030 & E](#). Ignition interlock. ("E" Expires 1-9-2019) (Not Amended After Comments) (Deferred from October)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Board of Education: Department of Education: Office of Chief State School Officer

[701 KAR 005:140](#). District of innovation. (Comments Received, SOC due 10-15-2018)

LABOR CABINET: Workers' Compensation Funding Commission

[803 KAR 030:010](#). Special fund assessments. (Comments Received; SOC due 10-15-2018)

[803 KAR 030:021](#). Repeal of 803 KAR 030:020. (Deferred from October)

PUBLIC PROTECTION CABINET: Department of Housing, Buildings, and Construction: General Section

[815 KAR 002:010](#). Continuing education. (Comments Received, SOC due 10-15-2018)

[815 KAR 002:020](#). Continuing education course and provider approval. (Deferred from October)

[815 KAR 002:030](#). Vehicle identification. (Deferred from October)

[815 KAR 002:040](#). Fees and refunds. (Deferred from October)

Building Code Enforcement: Elevator Safety

[815 KAR 004:030](#). Elevator licensing. (Comments Received, SOC due 10-15-2018)

[815 KAR 004:071](#). Repeal of 815 KAR 004:040, 815 KAR 004:050, 815 KAR 004:060, and 815 KAR 004:070. (Deferred from October)

Kentucky Building Code

[815 KAR 007:070](#). The Kentucky Certified Building Inspector Program. (Deferred from October)

Division of Heating, Ventilation, and Air Conditioning: Heating, Ventilation, and Air Conditioning Licensing Requirements

[815 KAR 008:010](#). Licensing requirements for master contractors and journeyman HVAC mechanics. (Deferred from October)

[815 KAR 008:030](#). Apprentice HVAC mechanic registration and certification requirements. (Deferred from October)

[815 KAR 008:091](#). Repeal of 815 KAR 008:020, 815 KAR 008:035, 815 KAR 008:050, 815 KAR 008:060, 815 KAR 008:090, and 815 KAR 008:095. (Deferred from October)

Division of Plumbing: Boilers and Pressure Vessels

[815 KAR 015:080](#). Boiler and pressure vessel licenses. (Deferred from October)

Plumbing

[815 KAR 020:030](#). Plumbing licenses. (Deferred from October)

[815 KAR 020:041](#). Repeal of 815 KAR 020:012, 815 KAR 020:015, 815 KAR 020:018, 815 KAR 020:032, 815 KAR 020:034, and 815 KAR 020:040. (Deferred from October)

Division of Fire Prevention: Fire Protection, Sprinkler Contractors, and Inspectors

[815 KAR 022:011](#). Repeal of 815 KAR 022:010. (Deferred from October)

Building Code Enforcement: Manufactured Homes and Recreational Vehicles

[815 KAR 025:001](#). Definitions for 815 KAR Chapter 025. (Deferred from October)

[815 KAR 025:020](#). Recreational vehicles. (Deferred from October)

[815 KAR 025:040](#). Fire safety requirements in manufactured and mobile homes. (Deferred from

October)

[815 KAR 025:050](#). Administration and enforcement of manufactured housing construction standards. (Comments Received, SOC due 10-15-2018)

[815 KAR 025:060](#). Licensing and certifications with manufactured homes and mobile homes. (Deferred from October)

[815 KAR 025:081](#). Repeal of 815 KAR 025:070 and 815 KAR 025:080. (Deferred from October)

[815 KAR 025:090](#). Site preparation, installation, and inspection requirements. (Comments Received, SOC due 10-15-2018)

[815 KAR 025:100](#). Alternative dispute resolution and mediation program. (Deferred from October)

Electrical Division

[815 KAR 035:015](#). Certification of electrical inspectors. (Deferred from October)

[815 KAR 035:020](#). Electrical inspections. (Deferred from October)

[815 KAR 035:060](#). Licensing of electrical contractors, master electricians, and electricians. (Comments Received, SOC due 10-15-2018)

[815 KAR 035:080](#). Electrical code of ethics. (Deferred from October)

[815 KAR 035:090](#). Electrical Training Program Standards. (Comments Received, SOC due 10-15-2018)

[815 KAR 035:101](#). Repeal of 815 KAR 035:100. (Deferred from October)

Department of Charitable Gaming

[820 KAR 001:001](#). Definitions. (Not Amended After Comments)

[820 KAR 001:005](#). Charitable gaming licenses and exemptions. (Not Amended After Comments)

[820 KAR 001:011](#). Repeal of 820 KAR 1:010, 1:015, 1:016, 1:017, 1:026, 1:027, 1:028, 1:029, 1:033, 1:034, 1:036, 1:044, 1:056, 1:058, 1:100, 1:110, 1:120. (Not Amended After Comments)

[820 KAR 001:025](#). Reports. (Not Amended After Comments)

[820 KAR 001:032](#). Pulltabs. (Amended After Comments)

[820 KAR 001:042](#). Bingo. (Not Amended After Comments)

[820 KAR 001:050](#). Raffles. (Amended After Comments)

[820 KAR 001:055](#). Charity fundraising event standards. (Deferred from July)

[820 KAR 001:057](#). Recordkeeping. (Amended After Comments)

[820 KAR 001:060](#). Prohibited conduct. (Amended After Comments)

[820 KAR 001:125](#). Gaming inspections. (Not Amended After Comments)

[820 KAR 001:130](#). Administrative actions. (Not Amended After Comments)

[820 KAR 001:135](#). Disposal of gaming supplies. (Deferred from July)

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Medicaid Services: Division of Policy and Operations: Medicaid

[895 KAR 001:001 & E](#). Definitions for 895 KAR Chapter 001. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:010 & E](#). Eligibility for Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:015 & E](#). Premium payments within the Kentucky HEALTH programs. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:020 & E](#). PATH requirement for the Kentucky HEALTH program. ("E" withdrawn by

agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:025 & E](#). Beneficiary premiums. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:030 & E](#). Establishment and use of the MyRewards program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:035 & E](#). Covered services within the Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:040 & E](#). Deductible accounts within the Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:045 & E](#). Accommodation, modifications, and appeals for beneficiaries participating in the Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:050 & E](#). Enrollment and reimbursement for providers in the Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

[895 KAR 001:055 & E](#). Designation or determination of medically frail status or accommodation due to temporary vulnerability in the Kentucky HEALTH program. ("E" withdrawn by agency, 7-2-2018) (Comments Received; SOC ext. due 10-15-2018)

Office of Inspector General: Division of Certificate of Need: State Health Plan

[900 KAR 005:020 & E](#). State Health Plan for facilities and services. ("E" expires 1-9-2019) (Comments Received; SOC ext. due 10-15-2018)

Department for Public Health: Division of Public Health Protection and Safety: Radiology

[902 KAR 100:018](#). Repeal of 902 KAR 100:017, 902 KAR 100:060, and 902 KAR 100:090. (Deferred from September)

[902 KAR 100:022](#). Licensing requirements for land disposal of radioactive waste. (Comments Received; SOC ext. due 10-15-2018)

[902 KAR 100:052](#). Specific domestic licenses of broad scope for by product material. (Deferred from September)

[902 KAR 100:070](#). Packaging and transportation of radioactive material. (Comments Received; SOC ext. due 10-15-2018)

[902 KAR 100:072](#). Medical use of byproduct material. (Comments Received; SOC ext. due 10-15-2018)

[902 KAR 100:100](#). Licenses for industrial radiography and radiation safety requirements for industrial radiographic operations. (Comments Received; SOC ext. due 10-15-2018)

[902 KAR 100:142](#). Licenses and radiation safety requirements for well logging. (Comments Received; SOC ext. due 10-15-2018)

Department for Medicaid Services

~~[907 KAR 001:642 & E](#). Adult group 07-2018 benefit plan and copayments. ("E" withdrawn by agency, 7-27-2018) (Comments Received; SOC ext. due 10-15-2018) (Ordinary withdrawn by Agency; 9-21-2018)~~

Department of Community Based Services: Division of Family Support: Supplemental Nutrition Assistance Program

[921 KAR 003:025](#). Technical requirements. (Deferred from August)

[921 KAR 003:035](#). Certification process. (Not Amended After Comments)(Deferred from October)

Division of Protection and Permanency

Child Welfare

[922 KAR 001:360 & E](#). Private child care placement, levels of care, and payment. ("E" expires 2-28-2019) (Comments Received; SOC ext., due 11-15-2018)

[922 KAR 001:560 & E](#). Putative father registry and operating procedures. ("E" expires 2-11-2019 ext.) (Comments Received; SOC ext., due 10-15-2018)