



KENTUCKY REGISTRY OF ELECTION FINANCE

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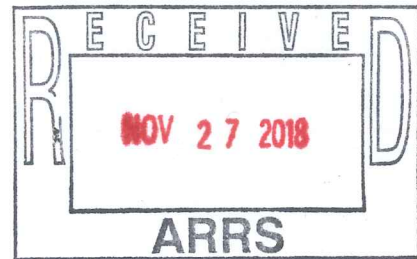
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John R. Steffen
Executive Director

Emily Dennis
General Counsel

November 27, 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: **32 KAR 1:030** Election finance statement forms; campaign contributions or expenditures in excess of \$3,000.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 32 KAR 1:030, the Kentucky Registry of Election Finance proposes the attached amendment to 32 KAR 1:030.

The Registry's Executive Director, John Steffen, will attend the ARRS meeting to address any questions of committee members. We note that the meeting is currently calendared for Tuesday, December 11, 2018, at 1:00 pm in the Capitol Annex, Room 149. If the meeting date or time changes, please advise Mr. Steffen as I am scheduled out of the office on Tuesday, December 11, 2018.

Thank you for your consideration.

Sincerely,

Emily Dennis, General Counsel
Kentucky Registry of Election Finance

Enclosures – Suggested Amendment (21 copies)

Cc: John R. Steffen

10/31/2018

SUGGESTED AMENDMENT

Kentucky Registry of Election Finance

32 KAR 1:030. Election finance statement forms; campaign contributions or expenditures in excess of \$3,000.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 8

After "121.120(1)(g)", insert "authorizes".

Delete "grants".

Line 9

After "Registry", delete "the power".

Lines 10-12

After "Chapter 121.", delete the following:

This administrative regulation specifies the forms to be used by candidates, slates of candidates, contributing organizations, and committees and incorporates those forms by reference.

Lines 13-14

After "reports under KRS Chapter 121.", insert the following:

This administrative regulation specifies the forms to be used by candidates, slates of candidates, contributing organizations, and committees, and incorporates those forms by reference.

Page 2

Section 2(1)(a)

Line 28

After ""Candidate/Slate of Candidates", insert "Election Finance Statement".



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December 7, 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: **103 KAR 16:060**. Income classification; apportionable and nonapportionable.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:060, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:060.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

lcs

**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:060. Income classification; apportionable and nonapportionable.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Lines 12-18

NOTE TO COMPILER: Beginning on Line 12 after "corporations.", delete "Income for purposes of", and continue the deletion through "for being classified as apportionable income."

Page 2

NECESSITY, FUNCTION, AND CONFORMITY

Line 1

After "to the facts", insert "contained within".
Delete "they contain".

Page 2

Section 1(3)

Line 5

After "(3)", insert opening quotation marks.
After "as defined", insert "by".
Delete "in".

Page 2

Section 1(8)

Line 18

After "Trade or business", delete the comma.

Page 3

Section 3(2)

Line 15

After "required to", delete "be one that".
After "frequently", insert "occur".
Delete "occurs".

Page 4

Section 3(2)(d)

Line 3

After "includes", delete the following:
, but is not limited to

Page 5

Section 4(1)(c) and 4(1)(c)(i)

Lines 8-9

After "placed for sale.", insert "1".

After "Example", delete "(i)".

Page 5

Section 4(1)(c)(i) and 4(1)(c)(ii)

Lines 13-14

After "trade or business.", insert "2".

After "Example", delete "(ii)".

Page 5

Section 4(1)(c)(ii) and 4(1)(c)(iii)

Lines 19-20

After "apportionable income.", insert "3".

After "Example", delete "(iii)".

Page 6

Section 4(1)(c)(iii) and 4(1)(c)(iv)

Lines 4-5

After "non-apportionable income.", insert "4".

After "Example", delete "(iv)".

Page 6

Section 4(1)(c)(iv)

Lines 6-7

After "SaleCo", insert "as the taxpayer, and".

Delete "(Taxpayer)".

Line 8

After "resulting in", insert "the".

Lowercase the first letter of "Taxpayer".

Line 9

After "income.", delete "Note:".

Capitalize the first letter of "although".

Page 7

Section 4(4)

Line 9

After "(4)", insert "(a)".

Page 7

Section 4(4) and Section 4(4)(i)

Lines 13-14

After "Kentucky.", insert "1".

After "Example", delete "(i)".

Page 7

Section 4(4)(i)

Line 16

After "volatility.", delete "In order".

Capitalize the first letter of "to", immediately following.

After "price increases", delete "(".

After "or decreases", delete ")".

Line 17

After "which the manufacturer", insert "may".

Delete "can".

Page 7

Section 4(4)(i) and Section 4(4)(ii)

Lines 20-21

After "Kentucky.", insert "2".

After "Example", delete "(ii)".

Page 7

Section 4(4)(ii) and Section 4(4)(ii)(a)

Line 23

After "categories", insert ": a".

Delete "; (a)".

Capitalize the first letter of "short-term".

Page 8

Section 4(4)(ii)(a) and Section 4(4)(ii)(b)

Line 1

After "trade or business;", insert "b".

Delete "(b)".

Capitalize the first letter of "short-term".

Page 8

Section 4(4)(ii)(b) and Section 4(4)(ii)(c)

Line 2

After "money market", insert a semicolon.

Delete the comma immediately following.

After "and", immediately following, insert "c".

Delete "(c)".

Capitalize the first letter of "long-term".

Page 8

Section 4(4)(ii)(c)

Line 3

After "investment.", insert "(b)".

Line 4

After "trade or business", insert the following:

pursuant to clause a. of subsection 4(a)2. of this section

Delete "(a)".

Line 5

After "business.", insert "(c)".

Line 6

After "investment securities", insert the following:

pursuant to clause b. and c. of subsection 4(a)2. of this section

Delete ((b) and (c)).

Page 9

Section 5(1) and Section 5(1)(i)

Lines 7-8

After "trade or business.", insert "(a)".

After "Example", delete "(i)".

Page 9

Section 5(1)(i) and Section 5(1)(ii)

Lines 9-10

After "apportionable income.", insert "(b)".

After "Example", delete "(ii)".

Page 9

Section 5(1)(ii) and Section 5(1)(iii)

Lines 13-14

After "apportionable income.", insert "(c)".

After "Example", delete "(iii)".

Page 9

Section 5(1)(iii)

Line 18

After "tenants on a", insert "short".

Delete "sort".

Page 9

Section 5(1)(iii) and Section 5(1)(iv)

Lines 18-19

After "apportionable income.", insert "(d)".

After "Example", delete "(iv)".

Page 9

Section 5(1)(iv) and Section 5(1)(v)

Lines 22-23

After "non-apportionable income.", insert "(e)".

After "Example", delete "(v)".

Page 10

Section 5(1)(v)

Line 3

After "furtherance of", insert a comma.

After "separate from", insert a comma.

Page 10

Section 5(1)(v) and Section 5(1)(vi)

Lines 5-6

After "non-apportionable income.", insert "(f)".

After "Example", delete "(vi)".

Page 10

Section 5(2) and Section 5(2)(i)

Lines 13-14

After "trade or business.", insert "(a)".

After "Example", delete "(i)".

Page 10

Section 5(2)(i) and Section 5(2)(ii)

Lines 16-17

After "apportionable income.", insert "(b)".

After "Example", delete "(ii)".

Page 10

Section 5(2)(ii) and Section 5(2)(iii)

Lines 19-20

After "apportionable income.", insert "(c)".

After "Example", delete "(iii)".

Page 10

Section 5(2)(iii)

Line 20

After "Same as", insert the following:

paragraph (b) of this subsection.

Delete "(ii)".

Page 10

Section 5(2)(iii) and Section 5(2)(iv)

Lines 21-22

After "apportionable income.", insert "(d)".

After "Example", delete "(iv)".

Page 10

Section 5(2)(iv)

Line 22

After "Same as", insert the following:

paragraph (b) of this subsection.

Delete "(ii)".

Page 11

Section 5(3) and Section 5(3)(i)

Lines 4-5

After "trade or business.", insert "(a)".

After "Example", delete "(i)".

Page 11

Section 5(3)(i) and Section 5(3)(ii)

Lines 8-9

After "income.", insert "(b)".

After "Example", delete "(ii)".

Page 11

Section 5(3)(ii) and Section 5(3)(iii)

Lines 12-13

After "apportionable income.", insert "(c)".

After "Example", delete "(iii)".

Page 11

Section 5(3)(iii)

Line 14

After "cover", delete "such".

After "items", insert "such".

Line 17

After "federal, state", insert a comma.

Page 11

Section 5(3)(iii) and Section 5(3)(iv)

Lines 18-19

After "apportionable income.", insert "(d)".

After "Example", delete "(iv)".

Page 11

Section 5(3)(iv) and Section 5(3)(v)

Lines 22-23

After "apportionable income.", insert "(e)".

After "Example", delete "(v)".

Page 12

Section 5(3)(v) and Section 5(3)(vi)

Lines 2-3

After "apportionable income.", insert "(f)".

After "Example", delete "(vi)".

Page 12

Section 5(4)

Line 10

After "trade or business", insert a comma.

Page 12

Section 5(4) and Section 5(4)(i)

Lines 12-13

After "trade or business.", insert "(a)".

After "Example", delete "(i)".

Page 12

Section 5(4)(i)

Line 14

After "on certain", insert "kinds".

Page 12

Section 5(4)(i) and Section 5(4)(ii)

Lines 17-18

After "income.", insert "(b)".

After "Example", delete "(ii)".

Page 12

Section 6

Line 23

After "restrict", insert "states".

Delete "sates".

Page 13

Section 7(1)

Line 13

After "KRS", insert "141.039(2)(c)".
Delete "141.039010(213)(cd)".

Page 13

Section 7(1)(a)

Line 18

After "non-apportionable", insert "and".
Delete the "/".

Lines 21-22

After "non-apportionable", insert "and".
Delete the "/".

Page 14

Section 7(1)(b)

Line 5

After "non-apportionable", insert "and".
Delete the "/".

Page 14

Section 7(1)(c)

Lines 8-9

After "non-apportionable", insert "and".
Delete the "/".

Page 14

Section 7(2)

Line 13

After "subsection (1)(a) to", insert "(c)".
Delete "(e)".

Page 14

Section 8

Line 19

After "Section 7", delete "6".



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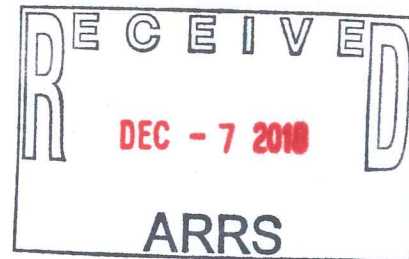
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December 7, 2018



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: **103 KAR 16:090**. Apportionment; payroll factor.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:090, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:090.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

lcs

**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:090. Apportionment; payroll factor.

Page 1

RELATES TO

Line 5

After "KRS 141.120", insert "(12)(a)2.".

After "141.121", insert ", 141.901".

Page 1

STATUTORY AUTHORITY

Line 6

After "141.018", insert ", 141.121, 141.901".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 7

After "CONFORMITY:", insert the following:

KRS 141.121 and 141.901 require

Delete "All".

Line 8

After "corporations", insert "to".

Delete "shall".

Page 1

Section 1(1)(b)

Line 19

After "KRS", insert "141.900(12) and (13)".

Delete "141.039".



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RE: **103 KAR 16:230**. Intangible expenses, intangible interest expense, and management fees.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:230, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:230.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

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**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:230. Intangible expenses, intangible interest expense, and management fees.

Page 1

Section 1(2)

Line 17

After "(2)", insert the following:

"Arm's length transaction" means a freely negotiated transaction between unrelated parties as provided in 26 C.F.R. 1.482-1.

(3)

NOTE TO COMPILER: Renumber remaining subsections (3) through (5) of this Section as subsections (4) through (6).



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Administrative Regulation Review Subcommittee
Legislative Research Commission
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RE: **103 KAR 16:240**. Nexus standard for corporations and pass-through entities.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:240, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:240.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

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**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:240. Nexus standard for corporations and pass-through entities.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 13

After "to implement", insert the following:

2005 Ky. Acts ch. 168 and 2006 Extra. Sess. Ky. Acts ch. 2

Lines 13-15

Delete the following:

the provisions of HB 272 from the 2005 regular session and HB 1 from the 2006 extraordinary session of the Kentucky General Assembly

Page 4

Section 2(5)

Line 15

After "86-272", insert the following:

, codified as 15 U.S.C. 381 to 384,

Page 7

Section 3(4)(k)

Line 23

After "one", insert "(1)".



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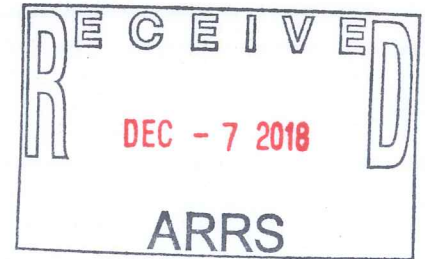
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Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

RE: **103 KAR 16:290**. Apportionment; property factor.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:290, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:290.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
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**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:290. Apportionment; property factor.

Page 1

RELATES TO

Line 5

After "KRS 141.120", insert "(12)(a)2.".

After "141.121", insert ", 141.901".

Page 1

STATUTORY AUTHORITY

Line 6

After "KRS 141.120", insert "(12)(a)2., 141.121, 141.901".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 8

After "CONFORMITY:", insert "KRS 141.121 and 141.901 require".

Delete "All".

Line 9

After "corporations", insert "to".

Page 4

Section 7(1)(a)

Line 15

After "the annual", insert "rental payment".

Delete "rent".



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RE: **103 KAR 16:330**. Apportionment and allocation; alternative apportionment;
separate accounting.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:330, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:330.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

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**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:330. Apportionment and allocation; alternative apportionment; separate accounting.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Lines 14-15

After "This administrative regulation", insert "establishes".

Delete "explains".

Page 2

Section 1(3)

Line 10

After "approved alternative", insert "apportionment".

Page 2

Section 2

Line 12

After "alternative apportionment", insert ": (1)".

Delete the comma.

Capitalize the first letter of "the", immediately following.

Line 13

After "pursuant to the", lowercase the first letter of "Department's".

Line 14

After "protested; or", insert "(2) The taxpayer may".

Delete "they can".

Page 3

Section 3

Line 9

After "separate accounting.", insert the following:

Section 4. This administrative regulation shall apply to taxable years beginning on or after January 1, 2018.



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Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort KY 40601

RE: **103 KAR 16:340**. Completed contract method.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 16:340, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 16:340.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

lcs

**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 16:340. Completed contract method.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 10

After "apportionable income", insert "allocation and".

Page 1

Section 1(2)

Line 15

After "(2)", insert the following:

"Gross contract price" means the percentage of the entire contract that has been completed, from the commencement of the contract to the date of withdrawal, dissolution, or cessation of business.

(3)

Page 2

Section 2

Line 2

After "modified by the", delete "following".

Page 3

Section 4(4)(a)

Line 22

After "(a)", insert "The amount of".

Delete the following:

In the taxable year in which the contract is completed, the

After "income (or loss)", delete "therefrom".

Line 23

After "be determined", insert the following:

in the taxable year in which the contract is completed

Page 4

Section 4(4)(b)2.

Line 13

After "subparagraph 1. of this", insert "paragraph".

Delete "subsection"

Page 4

Section 5(1)

Line 19

After "dissolution", insert a comma.

Line 20

After "dissolves", insert a comma.

Page 4

Section 5(2)

Line 23

After "Section", insert "4".

Delete "6".

Pages 4 and 5

Section 5(2)

Line 23 and Line 1

After "of this administrative regulation", delete "of this administrative regulation".

Page 5

Section 5(2)(a)

Line 2

After "The amount of", insert "apportionable".

Delete "business".

Lines 3-5

After "from each contract", delete the following:

which corresponds to the percentage of the entire contract which has been completed from the commencement thereof to the date of withdrawal, dissolution, or cessation of business



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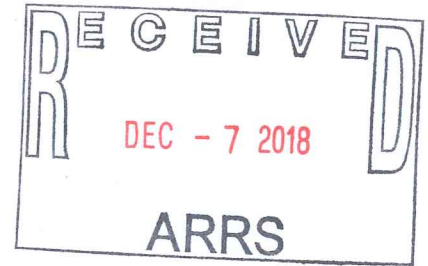
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Administrative Regulation Review Subcommittee
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029, Capitol Annex
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RE: **103 KAR 19:010**. Computation of income; estates and trusts.

Dear Co-Chairs Harris and Hale:

After discussions with the Administrative Regulation Review Subcommittee staff regarding the issues raised by 103 KAR 19:010, the Finance and Administration Cabinet, Department of Revenue proposes the attached suggested amendment to 103 KAR 19:010.

Sincerely,

Lisa S. Swiger, Tax Policy Research Consultant II
Finance and Administration Cabinet
Department of Revenue
501 High Street, St 1
Frankfort, Kentucky 40601

lcs

**Suggested Amendment
FINANCE AND ADMINISTRATION CABINET
Department of Revenue**

103 KAR 19:010. Computation of income; estates and trusts.

Page 1

RELATES TO

Line 5

After "141.190", insert ", 141.900".

Page 1

Section 1 and Section 2

Lines 12-15

After "Section 1.", delete all of Lines 12-14 in their entirety, and continuing the deletion through "Section 2." on Line 15.

Page 1

Section 2

Line 16

After "defined", insert "by".

Delete "in".

Page 1

Section 2(3)

Line 20

After "tax return", insert "may not".

Delete "cannot".

NOTE TO COMPILER: Renumber Sections 3 through 5 of this administrative regulation as Sections 2 through 4 after all of the changes in this staff amendment have been made.

Page 2

Section 5

Line 7

After "A resident beneficiary", insert "shall".

Delete "must".

Line 8

After "estate or trust.", insert the following:

Section 5. Income from Kentucky Sources. Income from Kentucky sources shall include income arising from all:

(1) Activities carried on in this state, including labor performed or business done in this state;

(2) Services performed in this state;

(3) Real or tangible property located in this state; or

(4) Intangible property that has acquired a business situs in this state.

Page 2

Section 6

Line 11

After "\$100 or more", insert "shall".

Delete "must".

After "all taxable income", insert "from Kentucky sources,".

Page 2

Section 7

Line 16

After "Section 7. Nonresident Beneficiaries. Nonresident beneficiaries", insert "shall".

Delete "must".

Page 2

Section 7 and Section 7(1)

Lines 17-18

After "derived from", delete ": (1)".

Page 2

Section 7(1) through (5)

Lines 18-22

After "Kentucky sources", delete the semicolon through the remainder of all of this section, in its entirety, including all subsections, except for the final period.



KENTUCKY RETIREMENT SYSTEMS

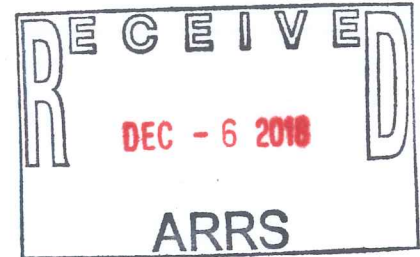
David L. Eager, Executive Director

Perimeter Park West • 1260 Louisville Road • Frankfort, Kentucky 40601
kyret.ky.gov • Phone: 502-696-8800 • Fax: 502-696-8822



December 6, 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: 105 KAR 1:145. Voluntary Cessation of participation by employers

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 105 KAR 1:145, Kentucky Retirement Systems proposes the attached amendment to 105 KAR 1:145.

Sincerely,

Mark C. Blackwell
Executive Director, Office of Legal Services

KENTUCKY RETIREMENT SYSTEMS
1260 Louisville Road
Frankfort, Kentucky 40601

Staff-suggested Amendment

**Version 12/4/2018 3:55 p.m.
FINANCE AND ADMINISTRATION CABINET
Kentucky Retirement Systems**

105 KAR 1:145. Voluntary Cessation of participation by employers.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Lines 8 and 9

After "KRS 61.645(9)(e)", insert "requires".

Delete "authorizes".

Page 6

Section 4(3)

Line 8

After "each current and former", insert "full-time".

Delete "full time".

Page 18

Section 8(1)

Line 11

After "61.590, 61.625", insert ",4".

Page 18

Section 8(2)

Line 14

After "Kentucky Employees Retirement System", insert ",4".

Page 19

Section 9(2)

Line 13

After "pursuant to KRS 61.555", insert "(1) and (2)".

Delete "(1-2)".

Page 22

Section 12(2)

Lines 16 and 17

After "(2)", insert "Pursuant to KRS 61.552".

Lowercase "Current".

After "employment with a ceased employer", delete ", pursuant to KRS 61.552".



KENTUCKY RETIREMENT SYSTEMS

David L. Eager, Executive Director

Perimeter Park West • 1260 Louisville Road • Frankfort, Kentucky 40601
kyret.ky.gov • Phone: 502-696-8800 • Fax: 502-696-8822



December 6, 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: 105 KAR 1:147. Involuntary Cessation of participating employers.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 105 KAR 1:147, Kentucky Retirement Systems proposes the attached amendment to 105 KAR 1:147.

Sincerely,

Mark C. Blackwell
Executive Director, Office of Legal Services

KENTUCKY RETIREMENT SYSTEMS
1260 Louisville Road
Frankfort, Kentucky 40601

Staff-suggested Amendment

**Version 12/4/2018 4:00 p.m.
FINANCE AND ADMINISTRATION CABINET
Kentucky Retirement Systems**

105 KAR 1:147. Involuntary Cessation of participating employers.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 8

After "KRS 61.645(9)(e)", insert "requires".
Delete "authorizes".

Page 4

Section 2(5)(a)-(c)

Lines 6-8

After "(a) Full", lowercase "Name".

After "Last known address", insert "z".
Delete "z".

After "Date of birth", insert "z".
Delete "z".

Page 7

Section 3(7)

Line 2

After "to KRS 61.555", insert "(1) and (2)".
Delete "(1-2)".

Page 7

Section 5(2)

Lines 16 and 17

After "(2)", insert "Pursuant to KRS 61.552".
Lowercase "Current".

After "with a ceased employer", delete ", pursuant to KRS 61.552".

Page 8

Section 6

Line 3

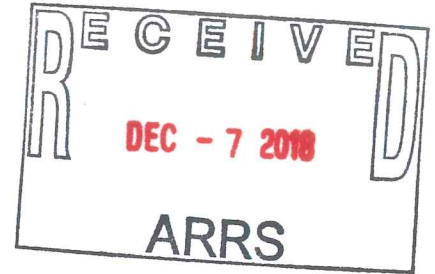
After "Section 6.", delete "(1)".



KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

Matt Bevin
Governor

P. O. Box 183
Glasgow, Kentucky 42142-0183
Phone (270) 651-2522
Fax (270) 651-8784
e-mail<kychiro@glasgow-ky.com>



December 3, 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 21:045**. Specialties.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 21:045, the Board of Chiropractic Examiners proposes the attached amendment to 201 KAR 21:045.

Sincerely,

Karalee Oldenkamp, D.C.

Executive Director

Board of Chiropractic Examiners

209 S. Green St.

Glasgow, KY 42141

**Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky Board of Chiropractic Examiners**

201 KAR 21:045. Specialties.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 7

After "KRS 312.021", insert "requires".

Delete "provides that".

After "the board", insert "to".

Delete "shall".

Line 9

After "granted and", insert "to".

Delete "shall".

Line 10

After "therefor.", delete "The purpose of".

Capitalize the first letter of "this".

After "administrative regulation", insert "implements KRS 312.021".

Lines 10-11

Delete the following:

is to carry out that legislative direction

Page 1

Section 1(1)

Line 12

After "A licensee", delete "who is".

After "board who", insert "makes a written request".

Line 13

Delete "applies".

After "to the board", insert ", provides proof of education,".

After "pays the fee", insert "established".

Delete "provided for".

Line 14

After "specialist in", insert "the licensee's".

Delete "their".

Page 1

Section 1(2)

Line 16

After "The certification", insert "or diplomate program shall".

Delete "granting entity must".

Page 1

Section 1(2)(b)

Line 18

After "as defined", insert "by".

Delete "in", immediately following.

Lines 18-19

After "317.017.", insert the following:

(3) Specialties certified include those such as radiology, nutrition, orthopedics, neurology, and pediatrics as approved by the American Board of Chiropractic Specialties.

(4) The complete list of approved and certified specialties is available on the board's Web site at www.kbce.ky.gov.

Page 2

Section 2

Line 4

After "the applicant's", insert "written request".

Delete "application".



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

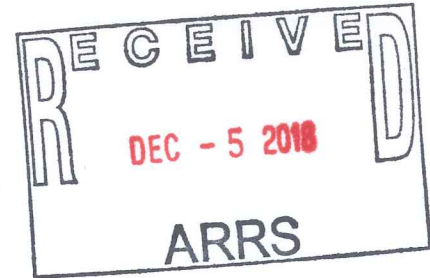
Matthew G. Bevin
Governor

P. O. Box 1360
Frankfort, Kentucky 40602
Phone (502) 782-8807
Fax (502) 696-3853
<http://bot.ky.gov>

K. Gail Russell
Acting Secretary

December 5, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, Kentucky 40601



Re: 201 KAR 26:130. Grievances and administrative complaints.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 26:130, the Kentucky Board of Examiners of Psychology proposes the attached amendment to 201 KAR 26:130.

Respectfully,

David Trimble
Board Counsel
Kentucky Board of
Examiners of Psychology

Suggested Amendment
PUBLIC PROTECTION CABINET
Kentucky Board of Examiners of Psychology

201 KAR 26:130. Grievances and administrative complaints.

Page 4

Section 2(6)(c)4.a.

Line 22

After "applicant;", delete "or".

Page 6

Section 6(4)

Line 20

After "examination was", insert "provided".

Delete "mailed".



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

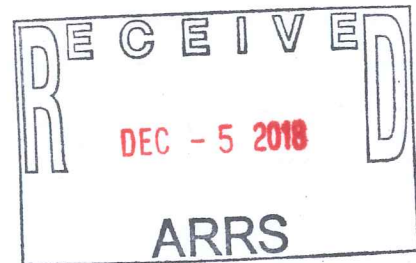
Matthew G. Bevin
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<http://bot.ky.gov>

K. Gail Russell
Acting Secretary

December 5, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, Kentucky 40601



Re: 201 KAR 26:140. Procedures for disciplinary hearings.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 26:140, the Kentucky Board of Examiners of Psychology proposes the attached amendment to 201 KAR 26:140.

Respectfully,

David Trimble
Board Counsel
Kentucky Board of
Examiners of Psychology

**Suggested Amendment
PUBLIC PROTECTION CABINET
Kentucky Board of Examiners of Psychology**

201 KAR 26:140. Procedures for disciplinary hearings.

Page 1

Section 1 and Section 1(1)

Line 12

After "Hearing Panel.", delete "(1)".

Page 2

Section 2(2)

Line 10

After "notice of", insert "the".

Page 2

Section 2(3)

Line 13

After "the notice of", insert "the".

Page 2

Section 3(1)

Line 21

After "the revocation", insert "of probation".

Page 3

Section 3(3)

Line 9

After "the notice of", insert "the".



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

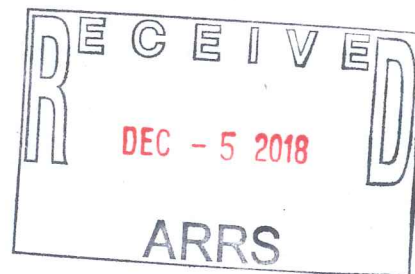
Matthew G. Bevin
Governor

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<http://bot.ky.gov>

K. Gail Russell
Acting Secretary

December 5, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, Kentucky 40601



Re: 201 KAR 26:171. Requirements for supervision.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 26:171, the Kentucky Board of Examiners of Psychology proposes the attached amendment to 201 KAR 26:171.

Respectfully,

David Trimble
Board Counsel
Kentucky Board of
Examiners of Psychology

**Suggested Amendment
PUBLIC PROTECTION CABINET
Kentucky Board of Examiners of Psychology**

201 KAR 26:171. Requirements for supervision.

Page 1

Section 1(2)

Line 16

After "supervisee shall", insert ":(a)".

Line 17

Capitalize the first letter of "proceed".

Line 18

After "for the supervisee", insert a semicolon.

Delete the comma immediately following.

Line 19

After "and", immediately following, insert "(b)".

Delete "shall thereafter".

Capitalize the first letter of "notify".

Page 2

Section 1(3)

Line 3

After "are complete and", delete "are".

Page 2

Section 2(1)(a)

Line 6

After "Sections", insert "11".

Delete "12".

After "and", immediately following, insert "14".

Delete "15".

Page 2

Section 3(3)

Line 19

After "associate shall", insert ":(a)".

Capitalize the first letter of "document".

After "education requirements", insert a semicolon.

After "and", immediately following, insert "(b)".

Delete "shall".

Capitalize the first letter of "report".

Page 3

Section 4(2)

Line 5

After "201 KAR 26:175, Section 2", insert "(4)".
Delete "(5)".

Page 13

Section 15(1)(a)

Line 23

After "Goals", insert "December".
Delete "October".

Page 14

Section 15(1)(b)

Line 1

After "Report", insert "December".
Delete "October".

MATERIAL INCORPORATED BY REFERENCE

The agency needs to file one (1) clean copy of the following at the time that it files this staff suggested amendment:

Supervisory Plans and Goals

- Update edition date to December 2018
- After "Special Application", change "must" to "shall".
- Under Planned Frequency, Format, and Duration of Supervision, change "201 KAR 26:171 Section 12", to "201 KAR 26:171, Section 11".

Supervisory Report

- Update edition date to December 2018
- Under Planned Frequency, Format, and Duration of Supervision, change "201 KAR 26:171 Section 12", to "201 KAR 26:171, Section 11".



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

P.O. Box 1360, Frankfort, KY 40602 (Regular Mail)
911 Leawood Dr, Frankfort, KY 40601 (Courier/Special Delivery)
Phone: (502) 782-8812 ~ Fax: (502) 696-3925 ~ <http://psy.ky.gov>

SUPERVISORY PLANS AND GOALS

Dates of Future Supervision

From _____ to _____

Supervisee		Supervisor	
Business Address		Business Address	
Phone	Fax	Phone	Fax

LICENSE LEVEL

- ☐ Temporary Licensed Psychological Associate ☐ Temporary Licensed Psychologist
☐ Licensed Psychological Associate / Certified Psychologist

SUPERVISEE'S PLACE OF EMPLOYMENT

Employer: _____ which is a:

- ☐ Regional Mental Health/Mental Retardation Board
☐ College or University
☐ Government Agency
☐ Private Practice (above supervisor owns the private practice)
☐ Other (**Special Application shall be submitted for Board approval – 201 KAR 26:250**)

PLANNED FREQUENCY, FORMAT, AND DURATION OF SUPERVISION

Individual face-to-face, one hour – 201 KAR 26:171 Section 11

- ☐ Weekly
☐ Two meetings every four weeks
☐ Other Board-approved arrangement: _____

attach a copy of approval letter

Direct Observation – 201 KAR 26:171 Section 8(4)

- Frequency: ☐ At least once every two months
☐ Other Board-approved arrangement: _____

attach a copy of approval letter

- Method: ☐ Audiotape ☐ Video camera ☐ Videotape ☐ One-way mirror ☐ Co-therapist
☐ Other: _____

GOALS TO BE ACCOMPLISHED

METHODS TO JOINTLY EVALUATE SUPERVISORY PROCESS BEYOND REQUIRED SUPERVISORY REPORTS

☐ A copy of the supervisee's **most recent W-2** is attached to verify employment. If the supervisee has changed employers and/or not yet received a W-2, a copy of the W-4 from the employer can be submitted until the W-2 is received. **This form will not be accepted for approval without the above documentation.**

Supervisee Signature

Date

Supervisor Signature

Date

Reviewed by:

Date:

☐ Approved

☐ Deferred

☐ Denied

Comments:



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

P.O. Box 1360, Frankfort, KY 40602 (Regular Mail)
911 Leawood Dr, Frankfort, KY 40601 (Courier/Special Delivery)
Phone: (502) 564-3296 ~ Fax: (502) 564-4818 ~ <http://psy.ky.gov>

SUPERVISORY REPORT

Dates of Past Supervision

From _____ to _____

Supervisee		Supervisor	
Business Address		Business Address	
Phone	Fax	Phone	Fax

LICENSE LEVEL

- ☐ Temporary Licensed Psychological Associate ☐ Temporary Licensed Psychologist
☐ Licensed Psychological Associate / Certified Psychologist

FREQUENCY, FORMAT, AND DURATION OF SUPERVISION

Individual face-to-face, one hour – 201 KAR 26:171 Section 11

☐ Weekly

☐ Other Board-approved arrangement: _____ attach a copy of approval letter

Direct Observation – 201 KAR 26:171 Section 8(4)

Frequency: ☐ At least once every two months

☐ Other Board-approved arrangement: _____ attach a copy of approval letter

Method: ☐ Audiotape ☐ Video camera ☐ Videotape ☐ One-way mirror ☐ Co-therapist

☐ Other: _____

Supervisory Report Submission Requirements

☐ 6 months ☐ 1 year ☐ 2 years ☐ Other: _____

EVALUATION OF SUPERVISEE

STRENGTHS

WEAKNESSES (Address remediation of weaknesses in next Supervisory Plans and Goals)

STRENGTHS/WEAKNESSES OF SUPERVISOR OR SUPERVISORY PROCESS

Reviewed by:	Date:	☐ Approved	☐ Deferred	☐ Denied
Comments:				

EXCEPTIONAL	GOOD	COMPETENT	POOR	UNACCEPTABLE	NOT APPLICABLE
1) Foundations in psychological theory.					
5	4	3	2	1	NA
2) Ability to conceptualize and organize cases.					
5	4	3	2	1	NA
3) Ability to formulate diagnostic impressions from interviews.					
5	4	3	2	1	NA
4) Ability to formulate diagnostic impressions from formal assessment procedures.					
5	4	3	2	1	NA
5) Ability to manage time and caseload responsibilities competently.					
5	4	3	2	1	NA
6) Practice/intervention skills.					
5	4	3	2	1	NA
7) Ability to produce written reports and evaluations that are theoretically sound and supported by the data.					
5	4	3	2	1	NA
8) Ability to utilize consultation/supervisory process.					
5	4	3	2	1	NA
9) Ability to conduct practice in a legal and ethical manner.					
5	4	3	2	1	NA
NOTE: Ratings below "3" should be addressed in next Supervisory Plans & Goals					
OTHER COMMENTS: _____					

Supervisee Signature			Supervisor Signature		
Date			Date		



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

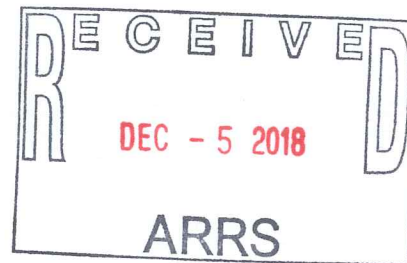
Matthew G. Bevin
Governor

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K. Gail Russell
Acting Secretary

December 5, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, Kentucky 40601



Re: 201 KAR 26:211. Repeal of 201 KAR 26:210.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 26:201, the Kentucky Board of Examiners of Psychology proposes the attached amendment to 201 KAR 26:201.

Respectfully,

David Trimble
Board Counsel
Kentucky Board of
Examiners of Psychology



**Suggested Amendment
PUBLIC PROTECTION CABINET
Kentucky Board of Examiners of Psychology**

201 KAR 26:211. Repeal of 201 KAR 26:210.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 12

After "This administrative regulation", insert "repeals 201 KAR 26:210 which".

Line 13

After "associate", insert the following:

because these provisions have been consolidated into 201 KAR 26:200



KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY

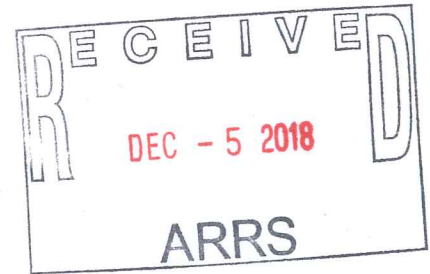
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Governor

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Frankfort, Kentucky 40602
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K. Gail Russell
Acting Secretary

December 5, 2018

Senator Ernie Harris, Co-Chair
Representative David Hale, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
029, Capitol Annex
Frankfort, Kentucky 40601



Re: 201 KAR 26:280. Licensed psychological associate: application procedures and temporary license.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 26:280, the Kentucky Board of Examiners of Psychology proposes the attached amendment to 201 KAR 26:280.

Respectfully,

A handwritten signature in blue ink, appearing to read "David Trimble", written over a horizontal line.

David Trimble
Board Counsel
Kentucky Board of
Examiners of Psychology



**Suggested Amendment
PUBLIC PROTECTION CABINET
Kentucky Board of Examiners of Psychology**

201 KAR 26:280. Licensed psychological associate: application procedures and temporary license.

Page 2

Section 1(2)(b)2.

Line 6

After "or completed", delete the opening quotation marks.

Line 7

After "Associate", delete the closing quotation marks.

Page 2

Section 2(3)(b)2.

Line 21

After "Pass the", insert the following:

Examination for Professional Practice in Psychology (

After "EPPP", insert ")".

Page 4

Section 4(1)(b)

Line 12

After "Recommendation", insert "Form".



KENTUCKY BOARD OF LICENSURE FOR OCCUPATIONAL THERAPY

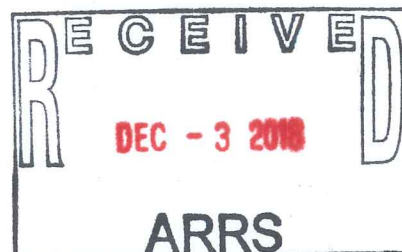
Matthew G. Bevin
Governor

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<http://bot.ky.gov>

K. Gail Russell
Acting Secretary

December 3, 2018

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



Re: **201 KAR 28:060**. Licensure, Renewals, and Reinstatements

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 28:060, the Board of Licensure for Occupational Therapy proposes the attached amendment to 201 KAR 28:060.

Respectfully,

Jared Downs
Board Counsel
Board of Licensure for
Occupational Therapy



APPLICATION FORM**KENTUCKY BOARD OF LICENSURE FOR OCCUPATIONAL THERAPY**

P.O. BOX 1360
FRANKFORT, KY 40602
<http://bot.ky.gov>

☐ **OTA/L** (\$35.00 application fee)

☐ **OT/L** (\$50.00 application fee)

A non-refundable application fee of shall be attached to this form.

Please make check or money order payable to the Kentucky State Treasurer.

Please mail the completed application and the application fee to the address listed above.

☐ APPLICATION FOR A TEMPORARY PERMIT		COMMENTS	
☐ TEMPORARY PERMIT PRIOR TO FULL LICENSURE			
1.	Application Fee	☐	
2.	Completed Application	☐	
3.	Evidence of completion of education requirements and/or fieldwork (transcript/FEW)	☐	
4.	Letter of Supervision Form stating:	☐	
	A. Willing to provide supervision		
	B. Responsible for applicant's activities		
5.	Proof of permission to work in the US (non-citizen only)	☐	
6.	Confirmation of Eligibility letter (NBCOT)	☐	
☐ APPLICATION FOR FULL LICENSURE			
1.	Application Fee	☐	
2.	Completed Application	☐	
3.	Certified Copy of college transcript	☐	
4.	Copy of NBCOT score report/ certificate or electronic verification of current certification	☐	
5.	Permission to work in the US (non-citizen only)	☐	
6.	Jurisprudence Exam Completed	☐	
☐ APPLICATION FOR LICENSURE FOR THOSE LICENSED IN ANOTHER STATE			
1.	Application Fee	☐	
2.	Completed Application	☐	
3.	Copy of NBCOT score report/ certificate or electronic verification of current certification	☐	
4.	Official License Verification from ANY state in which you have held a license	☐	
5.	Permission to work in the US (non-citizen only)	☐	
6.	Jurisprudence Exam Completed	☐	

AFFIDAVIT

I understand that passing the NBCOT exam does not constitute a license to practice Occupational Therapy. I shall instruct NBCOT to send electronic verification to KBLot to demonstrate proof of passing the NBCOT exam. I understand that whether I am a temporary permit holder or an individual with a license from another state seeking a Kentucky license that I am not licensed in Kentucky until notified by KBLot.

Signature:

Date:

1.	Name Last: _____ First: _____ Middle/Maiden: _____																		
2.	Address Street: _____ City/State: _____ Zip: _____																		
3.	Telephone Work: _____ Mobile: _____																		
4.	Social Security Number _____																		
5.	Date of Birth MM/DD/YYYY _____																		
6.	Email Address _____																		
7.	Are you a citizen of the United States? Yes ☐ No ☐ If your answer was No, name country of citizenship and furnish the Board a copy of your US Department of Immigration documents which grant you legal permission to work in the United States. Country: _____																		
8.	Have you ever been convicted of a felony? Yes ☐ No ☐ If yes, attach an explanation.																		
9.	Have you been convicted of a misdemeanor or any violation involving moral turpitude? Yes ☐ No ☐ If yes, attach an explanation.																		
10.	Have you ever been declared mentally incompetent by a court of competent jurisdiction and not thereafter been declared lawfully sane? Yes ☐ No ☐																		
11.	Have you ever been licensed as an occupational therapist/occupational therapy assistant in any state? Yes ☐ No ☐ <table border="1"> <thead> <tr> <th>STATE</th> <th>LICENSE NUMBER</th> <th>EFFECTIVE DATES</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	STATE	LICENSE NUMBER	EFFECTIVE DATES															
STATE	LICENSE NUMBER	EFFECTIVE DATES																	
12.	Have you ever been subjected to disciplinary action by a state licensure board, by NBCOT, or by the AOTA Standards & Ethics Commission? Yes ☐ No ☐ If your answer was Yes, attach an explanation.																		

13.	Is your license as an occupational therapist/occupational therapy assistant currently under disciplinary review in another state? Yes ☐ No ☐	If your answer was Yes, attach an explanation.		
14.	Have you ever had an application for licensure as an occupational therapist/occupational therapy assistant rejected? Yes ☐ No ☐	If your answer was Yes, attach an explanation.		
ACOTE Accredited Education Program: Degree or Diploma That Qualifies Applicant				
15.	Name of School	City & State	Dates Attended	Type of Degree/Diploma
16.	Educational Fieldwork Experiences: Is your Level II Fieldwork posted to your transcripts? Yes ☐ No ☐		If no, attach documentation	
17.	Employment history as an occupational therapist/occupational therapy assistant. Begin with current or proposed employment and account for all time. Attach a separate page if necessary.			
	Facility Name	City/State	Employment Dates Proposed, Present, Past	Position
				Facility Phone Number
APPLICATION AFFIDAVIT				
I, the applicant in the above, do hereby certify under penalty of law that the information contained herein is true, correct, and complete to the best of my knowledge and belief. I am aware that, should investigation at any time disclose any such misrepresentation or falsification, my application could be rejected or my license revoked by the Kentucky Board of Licensure for Occupational Therapy.				
Applicant's Signature:			Date:	

**Agency Amendment
GENERAL GOVERNMENT CABINET
Board of Licensure for Occupational Therapy**

201 KAR 28:060. Licensure, Renewals, and Reinstatements.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 13

After "fees for", insert "renewal, late renewal".

Delete "renewals, late renewals".

Page 2

Section 1(3)

Line 10

After "NBCOT", delete the colon.

Page 2

Section 1(3)(a)

Line 11

After "an OTR", delete "/L".

Page 2

Section 1(4)(b)

Line 16

After "OTA/L", insert the following:

; and

(5) Evidence of successful completion of the jurisprudence exam

Page 2

Section 1(4)(b) and Section 1(5)

Lines 17-18

NOTE TO COMPILER: Beginning with "; and" delete the remainder of paragraph (b) and through all of subsection (5) of this section, except for the final period.

Page 2

Section 2(1)

Line 22

After "fee required in", insert the following:

Section 1(1) through 1(5) of this administrative regulation

Delete the following:

subsections (1) through (5) of this section

Page 3

Section 2(2)

Lines 3-4

After "completion of the", insert "jurisprudence".

Delete "NBCOT or equivalent certification".

Page 3

Section 2(3)

Line 6

After "to pass the NBCOT", delete "or equivalent certification".

Page 4

Section 3(4)

Line 3

After "completion of the", insert "jurisprudence".

Delete "NCBOT or equivalent".

Page 4

Section 4(3)(a)

Line 19

After "required by", lowercase the first letter of "Subsection".

Page 5

Section 5(3)(a)

Line 6

After "Annual", insert "OT/OTA".

Delete "License".

Page 6

Section 6(1)(a)

Line 6

After "Completed", delete "License".

Page 7

Section 8(1)(a)

Line 11

After "OTB, 1 (" , insert "December".

Delete "edition Sept".

Page 7

Section 8(1)(b)

Line 12

After "OTB-2, (" , insert "September".

Delete "edition Sept".

Page 7

Section 8(1)(c)

Line 13

After "OTB-3, (" , insert "September".

Delete "edition Sept".

Page 7

Section 8(1)(d)

Line 14

After "OTB-4, (" , insert "September".

Delete "edition Sept".

MATERIAL INCORPORATED BY REFERENCE

The Agency needs to file one (1) clean copy of the following at the time that it files this agency amendment:

- The Application Form, Form OTB-1 with:
 - Updated edition date of December 2018
 - Deleted reference to repealed regulation 201 KAR 28:180 on the bottom of page 1, and end the sentence with a period rather than a question mark



**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES**

Matthew G. Bevin
Governor

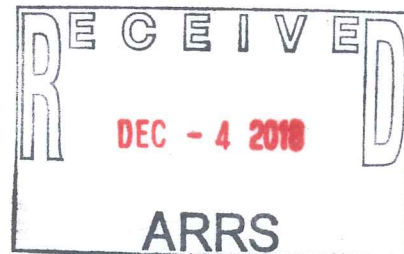
Don Parkinson
Secretary

#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
1-800-858-1549
Fax (502) 564-0506
fw.ky.gov

Regina Stivers
Deputy Secretary

Frank Jemley, III
Acting Commissioner

December 4, 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 2:095**, Importation of cervid carcasses and parts.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:095, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:095.

Sincerely,

Mark S. Cramer
Regulations Coordinator

Staff-suggested Amendment

**Version 11/30/2018 3:04 p.m.
TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources**

301 KAR 2:095. Importation of cervid carcasses and parts.

Page 1

Section 1(2)

Lines 15 and 16

After "of the family of Cervidae. (2)", delete the following:

"Chronic wasting disease" or "CWD" means a fatal disease affecting the brain of cervids which belongs to a group of diseases called transmissible spongiform encephalopathies.

Renumber the subsequent subsections accordingly.

Page 3

Section 2(2)(f)

Lines 1 and 2

After "(f) The hide.", return and insert "(3)".

Delete "(4)".



**TOURISM, ARTS AND HERITAGE CABINET
KENTUCKY DEPARTMENT OF FISH & WILDLIFE RESOURCES**

Matthew G. Bevin
Governor

Don Parkinson
Secretary

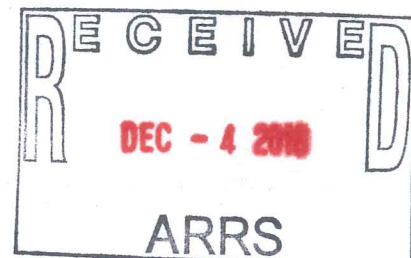
#1 Sportsman's Lane
Frankfort, Kentucky 40601
Phone (502) 564-3400
1-800-858-1549
Fax (502) 564-0506
fw.ky.gov

Regina Stivers
Deputy Secretary

Frank Jemley, III
Acting Commissioner

December 4, 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 2:132**, Elk hunting seasons, permits, zones, and requirements.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:132, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:132.

Sincerely,

Mark S. Cramer
Regulations Coordinator

Staff-suggested Amendment

Version 11/30/2018 3:09 p.m.

**TOURISM, ARTS AND HERITAGE CABINET
Department of Fish and Wildlife Resources**

301 KAR 2:132. Elk hunting seasons, permits, zones, and requirements.

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 13

After "KRS 150.390(3)", insert "requires".

Delete "authorizes".



MATTHEW G. BEVIN
GOVERNOR

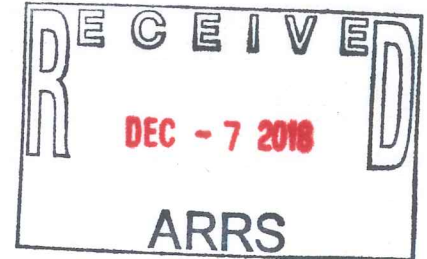
CHARLES G. SNAVELY
SECRETARY

**ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

ANTHONY R. HATTON
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

December 7, 2018



Ms. Emily Caudill, Regulation Compiler
Legislative Research Commission
029, Capitol Annex
702 Capitol Avenue
Frankfort KY 40601

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by **401 KAR 52:070**, the Division for Air Quality proposes the attached suggested amendment to 401 KAR 52:070.

Sincerely,

Cassandra Jobe, Supervisor
Regulation Development Section
Program Planning and Administration Branch
Division for Air Quality
300 Sower Boulevard
Frankfort, KY 40601



Suggested Amendment

Final Version: 11/30/2018 3:03 PM

**ENERGY AND ENVIRONMENT CABINET
Department for Environmental Protection
Division for Air Quality**

401 KAR 52:070. Registration of air contaminant sources.

Page 1

Section 1(1)(a)2.

Line 17

After "of combined HAPs;", delete "or".

Page 2

Section 1(1)(b)

Line 12

After "than the cutoffs", insert "established".



JUSTICE AND PUBLIC SAFETY CABINET

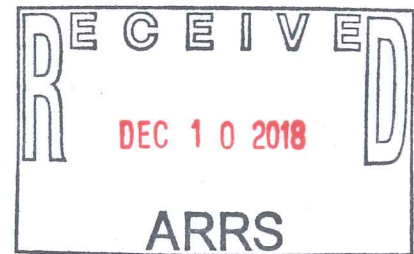
Matthew G. Bevin
Governor

John C. Tilley
Secretary

Office of Legal Services
125 Holmes Street, Second Floor
Frankfort, Kentucky 40601
(502) 564-3279
Fax No. (502) 564-6686

December 10, 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: 500 KAR 3:020. Filing and processing SLPO commissions.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 500 KAR 3:020, the Justice and Public Safety Cabinet, proposes the attached amendment to 500 KAR 3:020.

Sincerely,

Julie Foster *D.S.*
Julie Foster
Staff Attorney

enclosure

SUGGESTED AMENDMENT

JUSTICE AND PUBLIC SAFETY CABINET

500 KAR 3:020. Filing and processing SLPO commissions.

Page 1

Section 1

Line 15

After "and requirements", insert "established".

Delete "set forth".

Page 1

Section 2(1)

Lines 19-20

After "before a commission", insert "is".

Delete "shall be".

Page 4

Section 2(10)

Line 2

After "Chapter", insert a space.

Page 5

Section 3(4)

Line 15

After "identification card", insert "that shall".

Delete "which is to".

Page 6

Section 4(2)

Lines 14-15

After "application for", delete "a period of".

Page 7

Section 6(3)

Line 12

After "oral report,", insert "stating".

Delete "setting forth".

Page 8

Section 8(1)

Line 22

After "applies to", insert "an".

Delete "any".

Page 10

Section 9(1)

Line 5

After "owner shall", insert "notify".

Delete the following:

be responsible for notification to

Page 10

Section 10(1)(g)

Line 22

After "July 1, 2010.", insert the following:

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.



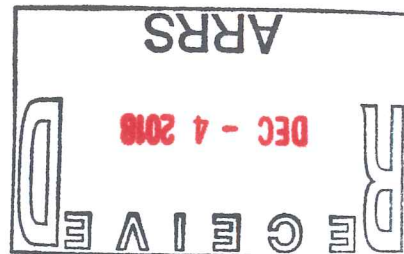
Matthew G. Bevin
Governor

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

Frankfort, Kentucky 40622
www.transportation.ky.gov/

Greg Thomas
Secretary

December 4, 2018



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

Re: 603 KAR 5:070

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 603 KAR 5:070, the Transportation Cabinet proposes the attached amendment to 603 KAR 5:070.

Sincerely,

D. Ann D'Angelo
Asst. General Counsel
Transportation Cabinet
200 Mero St
Frankfort KY 40622



An Equal Opportunity Employer M/F/D

Suggested Amendment

Final Version: 12/4/2018 12:04 PM

TRANSPORTATION CABINET Department of Highways Division of Planning

603 KAR 5:070. Motor vehicle dimension limits.

Page 2

Section 1(2) and (3)

Lines 13 through 16

After "(2)", insert the following:

"Length exclusion safety device" means an appurtenance:

(a) That is located at the front or rear of a motor vehicle semitrailer or trailer;

(b) With a function related to the safe and efficient operation of a motor vehicle semitrailer or trailer; and

(c) That is not designated, designed, or used for carrying cargo.

(3)

Pages 2 and 3

Section 1(3) through (6)

Lines 16, 19, 23, and 2

Renumber subsections (3) through (6) as subsections (4) through (7), respectively.

Page 3

Section 2(1)(e)

Line 11

After "(e)", insert "Load-induced".

Delete "Load induced".

Page 4

Section 3(2)

Line 13

After "(2) The", delete "following".

After "exceptions", insert the following:

established in paragraphs (a) through (d) of this subsection

After "of this section", insert a period.

Delete the colon.

Page 5

Section 4(2)

Line 14

After "body and load", delete the comma.

Lines 15 and 16

After "length dimensions exceed", delete "the following".

Matthew G. Bevin
Governor



Derrick Ramsey
Secretary
Education and Workforce
Development Cabinet

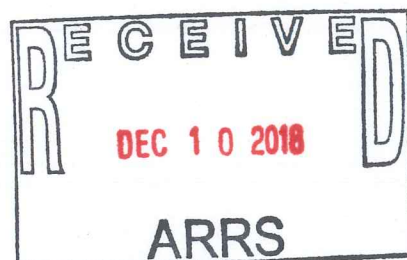
Wayne D. Lewis, Ph.D.
Commissioner of Education

KENTUCKY DEPARTMENT OF EDUCATION

300 Sower Boulevard • Frankfort, Kentucky 40601
Phone: (502) 564-3141 • www.education.ky.gov

December 6, 2018

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



Re: **704 KAR 8:010**. Kentucky Academic Standards for Computer Science Elective

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 704 KAR 8:010, the Kentucky Board of Education proposes the attached amendment to 704 KAR 8:010.

Sincerely,

A handwritten signature in blue ink that reads "Deanna L. Durrett".

Deanna L. Durrett
General Counsel

attachment

Staff-suggested Amendment

Version 12/6/2018 10:36 a.m.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Kentucky Board of Education

Kentucky Department of Education

704 KAR 8:010. Kentucky Academic Standards for Computer Science Elective.

Page 1

RELATES TO

Line 6

After "KRS 156.070, 156.160," insert "156.850".

After "160.290," delete "156.850,".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 17

After "Computer Science", insert "that".



KENTUCKY WORKERS' COMPENSATION FUNDING COMMISSION

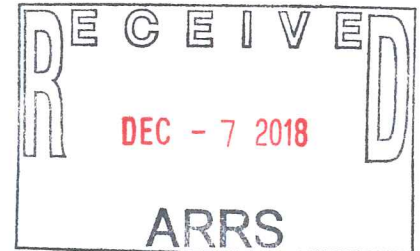
Matthew G. Bevin
Governor

42 Mill Creek Park
Frankfort, Kentucky 40601
Phone: (502) 573-3505
Fax: (502) 573-4923
www.kwcfc.ky.gov

Reuben Jones
Executive Director

December 07, 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: **803 KAR 30:010**. Special fund assessments.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 803 KAR 30:010, the Workers' Compensation Funding Commission proposes the attached amendment to 803 KAR 30:010.

Sincerely,

A handwritten signature in black ink, appearing to read "Reuben Jones".

Reuben Jones, Executive Director
Kentucky Workers' Compensation Funding
Commission
42 Mill Creek Park
Frankfort, KY 40601

Revised: 12/6/18 10:15 AM

SUGGESTED AMENDMENT

LABOR CABINET
Kentucky Workers' Compensation Funding Commission
(Amended After Comments)

803 KAR 30:010. Special fund assessments.

Page 1

RELATES TO

Lines 5-6

After "342.1222," insert "342.1223".

After "342.1231," delete "342.1223".

Lines 6-7

After "33 U.S.C. 901-", insert "950".

Delete "980".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Lines 11-12

After "regulations.", delete the following:

This administrative regulation provides the procedures and forms to be used to report and remit special fund assessments.

Lines 13-14

After "KRS 342.122. This administrative regulation", insert the following:

establishes the procedures and forms to be used to report and remit special fund assessments.

Line 14

After "identifies audit expenses", insert ", establishes".

Delete "and provides".

Lines 14-15

After "collection of", insert "assessments and".

Delete "assessment".

Page 3

Section 1(16)

Line 9

After "KRS 342.0011(29)", insert "and is".

After "known as", insert "the".

Page 3

Section 2(1)

Line 13

After "30 U.S.C.", delete "Sec.".

Page 3

Section 2(1)(a)

Line 17

After "30 U.S.C.", delete "Sec.".

Page 3

Section 2(1)(c)

Line 19

After "33 U.S.C.", delete "Sec.".

After "901-", insert "950".

Delete "980".

Page 7

Section 2(11)(b)

Lines 2-3

After "After January 1, 2020," insert "the".

After "assessment", insert "shall be".

Delete "is".

After "and payable", insert "electronically".

Page 7

Section 2(12)(a)

Line 8

After "KRS 342.1231", insert "(9) and (10)".

Delete "(7) and (8)".

Page 7

Section 2(12)(b)

Line 10

After "KRS 342.1231", insert "(9) and (10)".

Delete " (7) and (8)".

Page 7

Section 2(13)

Line 13

After "The assessment payer", insert "shall".

Delete "will".

Page 7

Section 2(14)(a)

Line 17

After "Penalty and interest", insert "shall".

Delete "will".

Page 7

Section 2(14)(b)

Line 18

After "The assessment payer", insert "shall".

Delete "will".

Page 8

Section 3(2)

Line 7

After "The assessment payer", insert "shall".

Delete "will".

Page 8

Section 3(2)(a)

Line 9

After "Penalty and interest", insert "shall".

Delete "will".

Page 8

Section 3(2)(b)

Line 17

After "Notification", insert "shall".

Delete "will".

Page 9

Section 5(1)

Lines 2-3

After "cooperation with the", delete "Department of".

Line 3

After "Labor", insert "Cabinet".

After "or the", insert "Department of Revenue".

Delete "Finance and Administration Cabinet".

Page 10

Section 5(6)

Line 5

After "meals", insert a comma.

Page 10

Section 6(1)

Line 15

After "KWCF-05,", delete the opening parenthesis.

Line 16

After "Companies", delete the closing parenthesis.

Page 11

Section 6(2)(b)

Lines 8-9

After "Department of Insurance", insert the following:
, incorporated by reference in 806 KAR 52:010

Page 11

Section 6(2)(c)4.

Line 16

After "requested by", insert "the".

Page 12

Section 6(3)(d)

Lines 14-15

After "Excess Collections", insert "information".
Delete the following:
Report as originally filed with KWCF

Page 13

Section 7(1)

Line 9

After "KWCF-06", insert a comma.

Page 17

Section 9(5)

Line 6

After "subsection", insert "(4)".
Delete "(2)".

Page 18

Section 10(2)

Line 16

After "KWCFC-01", insert a comma.

Delete the opening parenthesis.

After "Report", delete the closing parenthesis.

Page 18

Section 10(3)

Lines 17-18

After "KWCFC-02", insert a comma.

Delete the opening parenthesis.

After "Report", delete the closing parenthesis.

Page 18

Section 10(4)

Line 19

After "KWCFC-03", insert a comma.

Delete the opening parenthesis.

After "Report", delete the closing parenthesis.

Page 19

Section 10(5)

Line 20

After "(5)", insert the following:

Employers engaged in severance or processing of coal shall file KWCFC-08,
Severed Coal Quarterly Assessment Report

(6)

Renumber remaining subsection accordingly.

Page 19

Section 10(5)(b)

Lines 3-7

After "KWCFC-05", insert the following:

, Annual Audit and Collections Report, Data Reporting Instructions Insurance
Companies; Form KWCFC-06, Annual Audit and Collections Report, Data Reporting
Instructions Group Self Insurer; or Form KWCFC-07, Annual Audit and Collections
Report, Individual Self Insurer, as applicable.

Delete the remainder of this paragraph in its entirety.

Pages 20-21

Section 11(1)

Lines 16-22, 1-5

After "by Reference:", insert the following:

(a) "KWCFC-01, Quarterly Premiums Report", 08/2018;

(b) "KWCFC-02, Quarterly Premiums Report", 08/2018;

(c) "KWCFC-03, Quarterly Premiums Report", 08/2018;

(d) "KWCFC-04, Nonwriter Statement", 08/2018;

(e) "KWCFC-05, Annual Audit and Collections Report, Data Reporting Instructions Insurance Companies", 08/2018;

(f) "KWCFC-06, Annual Audit and Collections Report, Data Reporting Instructions Group Self Insurer", 08/2018;

(g) "KWCFC-07, Annual Audit and Collections Report, Individual Self-Insurer", 08/2018; and

(h) "KWCFC-08, Severed Coal Quarterly Assessment Report", 08/2018.

Delete the remainder of this subsection in its entirety.



MATTHEW G. BEVIN
GOVERNOR

CHARLES G. SNAVELY
SECRETARY

ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

JOHN D. SMALL
COMMISSIONER

300 SOWER BOULEVARD
FRANKFORT, KENTUCKY 40601

December 4, 2018



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

Re: 805 KAR 3:100 - Equipment Use and Operation

Dear Co-Chair Harris and Co-Chair Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 805 KAR 3:100, the Department for Natural Resources proposes the attached amendment to 805 KAR 3:100.

Sincerely,

Michael S. Mullins
Regulation Coordinator

REVISED:
12/3/2018 4:01 PM
Suggested Amendment
Energy & Environment Cabinet
Department for Natural Resources
Division of Mine Safety

805 KAR 3:100. Equipment use and operation.

Page 2

Section 1(3)

Line 6

After "head", insert comma.

Page 2

Section 1(7)

Line 12

After "other than", insert "a".

Page 2

Section 1(9)

Line 19

After "other than", insert "a".

Page 3

Section 1(11)

Line 1

After "vehicle", insert comma.

After "bulldozer", insert comma.

Line 2

After "protection", insert comma.

After "necessary", insert comma.

Page 3

Section 1(12)(a)

Line 13

After "vehicle", insert comma.

Line 14

After "protection", insert comma.

After "necessary", insert comma.

Page 3

Section 1(12)(b)1.

Line 15

After "2011", insert comma.

Page 4

Section 1(16)

Line 6

After "specifically designed", insert "for these purposes".

Page 4

Section 1(17)

Line 8

After "provided with", insert "a".

Line 9

After "mechanical", delete "a".

Page 4

Section 1(18)

Line 11

After "hands", insert comma.



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF THE SECRETARY**

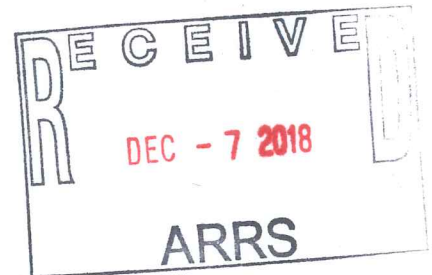
Matthew G. Bevin
Governor

275 East Main Street, 5W-A
Frankfort, KY 40621
502-564-7042
502-564-7091
www.chfs.ky.gov

Adam M. Meier
Secretary

December 3, 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: **902 KAR 8:170.** Local health department financial management requirements.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 902 KAR 8:170, the Department for Public Health proposes the enclosed amendment to 902 KAR 8:170.

Sincerely,

Donna Little
Deputy Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file



SUGGESTED AMENDMENT

**CABINET FOR HEALTH AND FAMILY SERVICES
Department for Public Health**

902 KAR 8:170. Local health department financial management requirements.

Page 1

STATUTORY AUTHORITY

Line 8

After "211.170(1),", insert "(2)".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 13

After "KRS 211.170(1),", insert "(2)".

Page 3

Section 2(2)

Line 8

After "equal expenditures", delete the comma.

Page 5

Section 2(8)(c)3.

Line 3

After "categories; or", delete the comma.

Page 6

Section 3(4)(c)

Lines 6-7

After "used solely", insert "as".

Delete "for the purpose(s)".

Page 6

Section 3(4)(second occurrence)

Line 8

Before "(4) Fees.", insert "(5)".

Delete "(4)".

Renumber remaining subsections accordingly.



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES**

Matthew G. Bevin
Governor

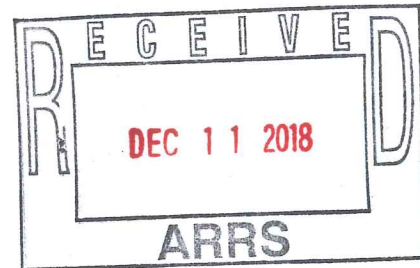
275 East Main Street, 6W-A
Frankfort, KY 40621
www.chfs.ky.gov

Adam M. Meier
Secretary

Carol H. Steckel, MPH
Commissioner

December 11, 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: 907 KAR 1:075. Hearings and appeals for individuals with an intellectual disability.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 907 KAR 1:075, the Department for Medicaid Services proposes the attached amendment to 907 KAR 1:075.

Sincerely,

Jonathan Scott, Regulatory and Legislative Advisor
Department for Medicaid Services
275 E. Main Street 6W-A
Frankfort, KY 40621

SUGGESTED AMENDMENT

CABINET FOR HEALTH AND FAMILY SERVICES Department for Medicaid Services

907 KAR 1:075. Hearings and appeals for individuals with an intellectual disability.

Page 1

RELATES TO

Line 6

After "KRS", insert "194A.060".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Lines 9-11

After "CONFORMITY:", insert the following:

KRS 205.231 and 210.270 require

Lowercase "The".

Line 12

After "Medicaid Services," insert "to establish".

Delete the following:

has responsibility to provide for

Line 13

After "Medicaid recipients," insert the following:

KRS 194A.050(1) requires the cabinet to promulgate administrative regulations necessary to operate the programs and fulfill the responsibilities vested in the cabinet; or to comply with federal law.

Line 14

After "the hearing", insert "procedures for".

Delete the following:

requirement of KRS 205.231 and 210.270 relative to

Line 16

After "205.237," insert the following:

this administrative regulation also establishes

Delete the following:

the cabinet is also setting



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF THE SECRETARY**

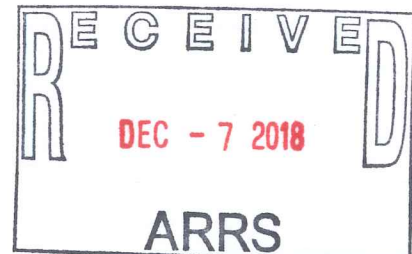
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Adam M. Meier
Secretary

December 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 1:360** Private child care placement, levels of care, and payment.

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 922 KAR 1:360, the Department for Community Based Services requests the enclosed amendments be made.

Sincerely,

Donna Little
Deputy Executive Director
Office of Legislative and Regulatory Affairs

Enclosure
cc: file

Suggested Amendment
Final Version: 12/5/2018 3:38 PM

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Protection and Permanency
(Amended After Comments Version)

922 KAR 1:360. Private child care placement, levels of care, and payment.

Page 1

RELATES TO

Line 6

After "RELATES TO: KRS", delete "13B,".

Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 13

After "KRS 199.641(4)", insert the following:

and 605.090(1)(d) authorize the cabinet to establish by administrative regulation

Delete the following:

requires the cabinet to establish

Line 16

After "promulgate administrative regulations", insert "establishing".

Delete "prescribing".

Line 17

After "of Juvenile Justice", delete the comma.

Lines 19 and 20

After "the child, upon", insert "the conditions established by".

Delete "such conditions as".

Line 20

After "the cabinet", delete "may prescribe".

Page 3

Section 1(12)

Lines 12 and 13

After "whose responsibilities are", insert "established".

Delete "described".

Page 4

Section 2(1)

Line 3

After "regardless of age", insert "at the time".

Delete "when".

Page 5

Section 2(2)(l)3.

Line 12

After "42 U.S.C. 622(b)(15)", delete "(A)".

Page 5

Section 2(4)

Line 19

After "approves the placement", insert the following:
in accordance with KRS 199.801 and 922 KAR 1:370

Page 5

Section 2(4)(a)

Line 20

After "DPP-114," insert the following:
Private Child Caring and Child Placing

Page 9

Section 5(1)(a)

Line 19

After "facility, upon the", insert an opening quotation mark.
After "program cost analysis", insert a closing quotation mark.
After "defined", insert "by".
Delete "at".

Page 9

Section 5(1)(b)

Lines 22 and 23

After "the DPP-888," insert the following:
Kentucky Cabinet for Health and Family Services Annual Audited Cost Report and Time Study and Instructions for Completing the Annual Cost Report and Time Study for Child Caring and Child Placing Programs and Facilities
Delete the remainder of paragraph (b), except the period.

Page 10

Section 5(2)(a)

Line 3

After "shall be determined", delete "as follows".

Page 12

Section 5(6)(b)1.

Line 3

After "the performance outcomes", insert "established".
Delete "described".

Page 12

Section 5(6)(d)

Line 9

After "(d)", insert "At the time".

Delete "When".

Page 15

Section 9(2)

Line 20

After "cost, the amount", insert "established".

Delete "specified".

Page 16

Section 10(1)(c)

Line 22

After "of completed forms", insert "established".

Delete "specified".

Page 17

Section 10(1)(c)2.a.(ii)

Line 7

After "42 U.S.C. 622(b)(15)", delete "(A)".

Page 17

Section 11(1)

Line 22

After "gatekeeper the reports", insert "established".

Delete "specified".

Page 18

Section 11(2)

Lines 3 and 4

After "the report as", insert "established".

Delete "specified".

Page 19

Section 11(4)

Line 3

After "the required reports", insert "established".

Delete "specified".

Page 19

Section 11(5)

Line 13

After "a redetermination as", insert "established".
Delete "specified".

Page 19

Section 12(1)(a)

Line 19

After "(a) New information", insert "that".
Delete "which".

Page 21

Section 13(1)(b)4.

Line 11

After "4. Material as", insert "established".
Delete "specified".

Page 21

Section 13(3)

Line 16

After "a redetermination as", insert "established".
Delete "specified".

Page 22

Section 16(1)(g)

Line 21

After "Review Program Application", insert "for".
Delete "of".

Page 22

Section 16(1)(h)

Line 23

After "(h) "DPP-114,"", insert the following:
Private Child Caring and Child Placing

Page 23

Section 16(1)(j)

Line 3

After "for Completing the", insert "Annual".
After "Cost Report", insert "and".

Lines 3 and 4

After "Time Study", delete the following:

Codes and Definitions, and Instructions for the Time Study,

Please delete the hyphens in "Child-Caring" and "Child-Placing" but leave a space where the hyphens were.