



**Administrative Regulation Review Subcommittee  
Tentative Meeting Agenda  
Monday, March 11, 2019, 1:00 PM  
Annex Room 149**



- 1. Call to Order and Roll Call**
- 2. Regulations for Committee Review**

**DEPARTMENT OF STATE**

**Kentucky Registry of Election Finance  
Reports and Forms**

[032 KAR 001:050 & E](#). Political organization registration. ("E" expires 07-13-2019)

[032 KAR 001:070 & E](#). Waiver from filing candidate election finance statement. ("E" expires 07-13-2019)

**FINANCE AND ADMINISTRATION CABINET**

**Department of Revenue**

**Income Tax; Corporations**

[103 KAR 016:151](#). Repeal of 103 KAR 016:100, 103 KAR 016:110, 103 KAR 016:120, 103 KAR 016:130, 103 KAR 016:145, and 103 KAR 016:150. (Deferred from January)

[103 KAR 016:270](#). Apportionment; receipts factor. (Amended After Comments)

**BOARDS AND COMMISSIONS**

**Board of Nursing**

[201 KAR 020:065](#). Professional standards for prescribing Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone by APRNs for medication assisted treatment for opioid disorder. (Amended After Comments)

**Board of Physical Therapy**

[201 KAR 022:070](#). Requirements for foreign-educated physical therapists and physical therapist assistants. (Deferred from February)

**Boxing and Wrestling Commission**

[201 KAR 027:005](#). Definitions for 201 KAR Chapter 027.

[201 KAR 027:008](#). License requirements and fees.

[201 KAR 027:011](#). General requirements for boxing and kickboxing shows.

[201 KAR 027:016](#). General requirements for mixed martial arts matches, shows, or exhibitions.

[201 KAR 027:020](#). Tickets.

[201 KAR 027:022](#). Repeal of 201 KAR 027:017.

**Board of Licensure for Marriage and Family Therapists**

[201 KAR 032:110](#). Telehealth. (Amended After Comments)

## **TOURISM, ARTS AND HERITAGE CABINET**

### **Department of Fish and Wildlife Resources**

#### **Game**

[301 KAR 002:095 & E](#). Importation of cervid carcasses and parts. ("E" expires 06-15-2019)

## **DEPARTMENT OF AGRICULTURE**

### **Office of Consumer and Environmental Protection**

#### **Agricultural Pest Control**

[302 KAR 027:010](#). Definitions for 302 KAR Chapter 027.

[302 KAR 027:020](#). General provisions.

[302 KAR 027:031](#). Repeal of 302 KAR 027:030.

[302 KAR 027:040](#). Prison inmates.

[302 KAR 027:050](#). Certification.

[302 KAR 027:060](#). Fine schedule for violation of KRS 217B.120.

#### **Ornamental Turf Lawn and Interior Plantscape Pest Control**

[302 KAR 028:010](#). Definitions for 302 KAR Chapter 028.

[302 KAR 028:020](#). General provisions.

[302 KAR 028:030](#). Ornamental and interior plantscape posting.

[302 KAR 028:040](#). Prison inmates.

[302 KAR 028:050](#). Certification.

[302 KAR 028:060](#). Fine schedule violation of KRS 217B.120.

### **Office of Agricultural Marketing**

#### **Industrial Hemp**

[302 KAR 050:090](#). Enforcement, corrective action plans, and mandatory reporting to state and federal agencies, Department to retain growing site information for at least three (3) years. (Deferred from February)

#### **Weights and Measures**

[302 KAR 085:010](#). Requirements to establish fee schedules for calibrations, adjustments, weights and measures.

## **JUSTICE AND PUBLIC SAFETY CABINET**

### **Special Law Enforcement Officers**

[500 KAR 002:020](#). Filing and processing SLEO commissions. (Deferred from January)

### **Department of Juvenile Justice**

#### **Child Welfare**

[505 KAR 001:080](#). Kentucky Educational Collaborative for state agency children.

## **LABOR CABINET**

### **Department of Workplace Standards**

#### **Division of Occupational Safety and Health Compliance**

#### **Division of Occupational Safety and Training**

#### **Occupational Safety and Health**

[803 KAR 002:320](#). Toxic and hazardous substances.

[803 KAR 002:505](#). Cranes and derricks in construction.

### **Department of Workers' Claims**

[803 KAR 025:290](#). Continuation of medical benefits. (Deferred from February) (Not Amended After Comments)

## **PUBLIC PROTECTION CABINET**

### **Department of Financial Institutions**

#### **Administration**

[808 KAR 001:060](#). Automated teller machines. (Deferred from February)

[808 KAR 001:140](#). Fees. (Deferred from February)

[808 KAR 001:161](#). Repeal of 808 KAR 001:020, 001:050, 001:090, 001:120, 001:130, 001:150, and 001:160. (Deferred from February)

[808 KAR 001:170](#). Licensing and registration. (Deferred from February)

#### **Credit Unions**

[808 KAR 003:050](#). Conduct of credit unions. (Deferred from February)

[808 KAR 003:061](#). Repeal of 808 KAR 00:020 and 003:060. (Deferred from February)

#### **Industrial Loans**

[808 KAR 005:041](#). Repeal of 808 KAR 005:040. (Deferred from February)

#### **Consumer Loans**

[808 KAR 006:095](#). Mandatory availability for repayment. (Deferred from February)

[808 KAR 006:121](#). Repeal of 808 KAR 006:015, 006:105, 006:115, and 006:120. (Deferred from February)

#### **Check Cashing**

[808 KAR 009:010](#). Deferred deposit database compliance. (Deferred from February)

[808 KAR 009:031](#). Repeal of 808 KAR 009:020 and 009:030. (Deferred from February)

[808 KAR 009:040](#). Customer account transfers. (Deferred from February)

[808 KAR 009:050](#). Licensee change of control. (Deferred from February)

#### **Multibank Companies**

[808 KAR 011:021](#). Repeal of 808 KAR 011:020. (Deferred from February)

#### **Mortgage Loan Companies and Mortgage Loan Brokers**

[808 KAR 012:050](#). Processing and closing charges for real estate loans to consumers. (Deferred from February)

[808 KAR 012:055](#). Uniform standards for mortgage loan processor applicant employee background checks. (Deferred from February)

[808 KAR 012:111](#). Repeal of 808 KAR 012:002, 012:021, 012:022, 012:023, 012:024, 012:026, 012:030, and 012:110. (Deferred from February)

#### **Administrative Hearing**

[808 KAR 014:010](#). Record retention. (Deferred from February)

[808 KAR 014:020](#). Annual reporting. (Deferred from February)

## **General**

[808 KAR 015:010](#). Exceptions to bank lending limits. (Deferred from February)

[808 KAR 015:020](#). Stay of notice of intention to remove from office. (Deferred from February)

[808 KAR 015:030](#). Bank branches, offices, and loan production offices. (Deferred from February)

[808 KAR 015:040](#). Multibank companies. (Deferred from February)

## **Department of Professional Licensing**

### **Athlete Agent Registry**

[830 KAR 002:010](#). Registration and Fees.

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Department of Medicaid Services**

#### **Division of Policy and Operations**

##### **Medicaid Services**

[907 KAR 001:560 & E](#). Medicaid hearings and appeals regarding eligibility. ("E" expires 5-31-2019)  
(Amended After Comments)

[907 KAR 001:563 & E](#). Medicaid covered services appeals and hearings unrelated to managed care. ("E" expires 5-31-2019) (Amended After Comments)

### **Department for Aging and Independent Living**

#### **Division of Operations and Support**

##### **Aging Services**

[910 KAR 001:240](#). Certification of assisted-living communities. (Amended After Comments))

### **Department for Community Based Services**

#### **Division of Family Support**

##### **K-TAP, Kentucky Works, Welfare to Work, State Supplementation**

[921 KAR 002:055 & E](#). Hearings and appeals. ("E" expires 5-31-2019) (Amended After Comments)

##### **Supplemental Nutrition Assistance Program**

[921 KAR 003:060 & E](#). Administrative disqualification hearings and penalties. ("E" expires 4-30-2019)  
(Deferred from January)

[921 KAR 003:070 & E](#). Fair hearings. ("E" expires 4-30-2019) (Deferred from January)

## **3. Regulations **Removed** from March's Agenda**

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Education Professional Standards Board**

#### **Administrative Certificates**

[016 KAR 003:090](#). Certifications for advanced educational leaders. (Deferred from February)

## **STATE BOARD OF ELECTIONS**

### **Forms and Procedures**

[31 KAR 004:120](#). Additional and emergency precinct officers. (Comments Received; SOC ext., due 03-15-2019)

## **FINANCE AND ADMINISTRATION CABINET**

### **Teachers' Retirement System**

#### **General Rules**

[102 KAR 001:060](#). Refunds. (Deferred from March)

[102 KAR 001:163](#). Collection of life insurance benefits. (Deferred from March)

[102 KAR 001:168](#). Survivor's benefits. (Deferred from March)

[102 KAR 001:320](#). Qualified domestic relations orders. (Deferred from March)

### **Department for Facilities and Support Services**

#### **State-Owned Buildings and Grounds**

[200 KAR 003:020 & E](#). Use of State-Owned facilities and grounds. ("E" expires 07-03-2019)  
(Comments Received; SOC due 03-15-2019)

## **BOARDS AND COMMISSIONS**

### **Board of Medical Licensure**

[201 KAR 009:270](#). Professional standards for prescribing or dispensing Buprenorphine-Mono-Product or Buprenorphine-Combined-with Naloxone. (Comments Received; SOC due 03-15-2019)

### **Board of Social Work**

[201 KAR 023:150](#). Complaint procedure, disciplinary action, and reconsideration. (Deferred from December)

## **TOURISM, ARTS AND HERITAGE CABINET**

### **Department of Fish and Wildlife Resources**

#### **Game**

[301 KAR 002:172](#). Deer hunting seasons, zones, and requirements. (Comments Received; SOC due 03-15-2019)

## **JUSTICE AND PUBLIC SAFETY CABINET**

### **—Special Law Enforcement Officers**

[500 KAR 002:030](#). Special law enforcement officers: evaluation examination. (Deferred from December)  
(Withdrawn by Agency; 03-08-2019)

## **TRANSPORTATION CABINET**

### **Department of Vehicle Regulation**

#### **Division of Driver Licensing**

[601 KAR 002:030 & E](#). Ignition interlock. ("E" expires 08-07-2019) (Comments Received; SOC ext. due 04-15-2019)

## **LABOR CABINET**

### **Department of Workers' Claims**

[803 KAR 025:270 & E](#). Pharmaceutical formulary. ("E" expires 06-25-2019) (Deferred from March)

## **PUBLIC PROTECTION CABINET**

### **Kentucky Claims Commission**

#### **Tax Appeals**

[802 KAR 001:010](#). Tax appeal procedures. (Deferred from March)

## **Department of Insurance**

### **Administration**

[806 KAR 002:092](#). Disclosure of local government taxes and collection fee. (Deferred from December)

[806 KAR 002:100](#). Disclosure of insurance premium surcharge. (Deferred from December)

[806 KAR 002:121](#). Repeal of 806 KAR 002:120 and 806 KAR 002:150. (Deferred from December)

### **Kinds of Insurance; Limits of Risk; Reinsurance**

[806 KAR 005:011](#). Repeal of 806 KAR 005:010 and 806 KAR 005:020. (Deferred from December)

### **Surplus Lines**

[806 KAR 010:030](#). Surplus lines reporting and tax payment structure. (Amended After Comments)

## **Department of Financial Institutions**

### **Administration**

[808 KAR 001:180](#). Use of special restricted funds. (Deferred from February)

## **Horse Racing Commission**

### **Thoroughbred Racing**

[810 KAR 001:301](#). Repeal of 810 KAR 001:004, 810 KAR 001:005, 810 KAR 001:007, 810 KAR 001:008, 810 KAR 001:009, 810 KAR 001:010, 810 KAR 001:012, 810 KAR 001:014, 810 KAR 001:015, 810 KAR 001:016, 810 KAR 001:017, 810 KAR 001:018, 810 KAR 001:021, 810 KAR 001:024, 810 KAR 001:026, 810 KAR 001:027, 810 KAR 001:028, 810 KAR 001:029, 810 KAR 001:030, 810 KAR 001:037, 810 KAR 001:040, 810 KAR 001:050, 810 KAR 001:060, 810 KAR 001:070, 810 KAR 001:080, 810 KAR 001:090, 810 KAR 001:100, 810 KAR 001:110, 810 KAR 001:130, 810 KAR 001:140, 810 KAR 001:145, 810 KAR 001:150, and 810 KAR 001:300. (Deferred from January)

### **General**

[810 KAR 002:001](#). Definitions. (Amended After Comments) (Deferred from March)

[810 KAR 002:010](#). Racing commission and administrative staff. (Deferred from January)

[810 KAR 002:020](#). Thoroughbred and flat racing officials. (Deferred from January)

[810 KAR 002:030](#). Chemical dependency. (Not Amended After Comments) (Deferred from March)

[810 KAR 002:040](#). Stewards. (Deferred from January)

[810 KAR 002:050](#). Judges and Standardbred racing officials. (Deferred from January)

[810 KAR 002:060](#). Owners' authorized agents and jockey agents. (Deferred from January)

[810 KAR 002:070](#). Thoroughbred and other flat racing associations. (Not Amended After Comments)

(Deferred from March)

[810 KAR 002:080](#). Standardbred racing associations. (Deferred from January)

### **Licensing**

[810 KAR 003:001](#). Definitions. (Deferred from January)

[810 KAR 003:010](#). Licensing of racing associations. (Deferred from January)

[810 KAR 003:020](#). Licensing of racing participants. (Deferred from January)

[810 KAR 003:030](#). Licensing totalizator companies. (Deferred from January)

[810 KAR 003:040](#). Advance deposit account wagering. (Deferred from January)

[810 KAR 003:050](#). Simulcast facilities. (Deferred from January)

### **Flat and Steeplechase Racing**

- [810 KAR 004:001](#). Definitions. (Amended After Comments) (Deferred from March)
- [810 KAR 004:010](#). Horses. (Deferred from January)
- [810 KAR 004:020](#). Weights. (Amended After Comments) (Deferred from March)
- [810 KAR 004:030](#). Entries, subscriptions, and declarations. (Deferred from January)
- [810 KAR 004:040](#). Running of the race. (Deferred from January)
- [810 KAR 004:050](#). Claiming races. (Not Amended After Comments) (Deferred from March)
- [810 KAR 004:060](#). Objections and complaints. (Deferred from January)
- [810 KAR 004:070](#). Jockeys and apprentices. (Deferred from January)
- [810 KAR 004:080](#). Steeplechase racing. (Deferred from January)
- [810 KAR 004:090](#). Owners. (Deferred from January)
- [810 KAR 004:100](#). Trainers. (Deferred from January)

### **Standardbred Racing**

- [810 KAR 005:001](#). Definitions. (Deferred from January)
- [810 KAR 005:010](#). Registration and identification of horses. (Deferred from January)
- [810 KAR 005:020](#). Eligibility and classification. (Deferred from January)
- [810 KAR 005:030](#). Claiming races. (Deferred from January)
- [810 KAR 005:040](#). Farm, corporate, or stable name. (Deferred from January)
- [810 KAR 005:050](#). Stakes and futurities. (Deferred from January)
- [810 KAR 005:060](#). Entries and starters. (Deferred from January)
- [810 KAR 005:070](#). Running of the race. (Deferred from January)
- [810 KAR 005:080](#). Harness racing and county fairs. (Deferred from January)

### **Pari-Mutuel Wagering**

- [810 KAR 006:020](#). Calculation of payouts and distribution of pools. (Deferred from January)

### **Incentive and Development Funds**

- [810 KAR 007:010](#). Backside improvement fund. (Deferred from January)
- [810 KAR 007:020](#). Kentucky thoroughbred breeders' incentive fund. (Deferred from January)
- [810 KAR 007:030](#). Kentucky thoroughbred development fund. (Deferred from January)
- [810 KAR 007:040](#). Kentucky Standardbred development fund and Kentucky Standardbred breeders' incentive fund. (Deferred from January)
- [810 KAR 007:060](#). Kentucky Quarter Horse, Paint Horse, Appaloosa, and Arabian development fund. (Deferred from January)
- [810 KAR 007:070](#). Violations, discipline, disputes, and investigation. (Deferred from January)

### **Medication Guidelines**

- [810 KAR 008:010](#). Medication; testing procedures; prohibited practices. (Not Amended After Comments) (Deferred from March)
- [810 KAR 008:020](#). Drug, medication, and substance classification schedule and withdrawal guidelines. (Not Amended After Comments) (Deferred from March)
- [810 KAR 008:030](#). Disciplinary measures and penalties. (Deferred from January)
- [810 KAR 008:040](#). Out-of-competition testing. (Not Amended After Comments) (Deferred from March)
- [810 KAR 008:050](#). International medication protocol as condition of a race. (Not Amended After Comments) (Deferred from March)



[810 KAR 008:060](#). Post-race sampling and testing procedures. (Deferred from January)

### **Hearings and Appeals**

[810 KAR 009:010](#). Hearings, reviews and appeals. (Not Amended After Comments) (Deferred from March)

### **Harness Racing**

[811 KAR 001:301](#). Repeal of 811 KAR 001:010, 811 KAR 001:015, 811 KAR 001:020, 811 KAR 001:025, 811 KAR 001:030, 811 KAR 001:035, 811 KAR 001:037, 811 KAR 001:040, 811 KAR 001:045, 811 KAR 001:050, 811 KAR 001:055, 811 KAR 001:060, 811 KAR 001:065, 811 KAR 001:070, 811 KAR 001:075, 811 KAR 001:080, 811 KAR 001:085, 811 KAR 001:90, 811 KAR 001:093, 811 KAR 001:095, 811 KAR 001:100, 811 KAR 001:105, 811 KAR 001:110, 811 KAR 001:115, 811 KAR 001:120, 811 KAR 001:130, 811 KAR 001:140, 811 KAR 001:150, 811 KAR 001:185, 811 KAR 001:215, 811 KAR 001:220, 811 KAR 001:225, 811 KAR 001:230, 811 KAR 001:240, 811 KAR 001:260, 811 KAR 001:280, 811 KAR 001:285, 811 KAR 001:290, and 811 KAR 001:300. (Deferred from January)

### **Quarter Horse, Paint Horse, Appaloosa, and Arabian Racing**

[811 KAR 002:301](#). Repeal of 811 KAR 002:015, 811 KAR 002:020, 811 KAR 002:030, 811 KAR 002:035, 811 KAR 002:040, 811 KAR 002:045, 811 KAR 002:050, 811 KAR 002:056, 811 KAR 002:065, 811 KAR 002:070, 811 KAR 002:075, 811 KAR 002:080, 811 KAR 002:085, 811 KAR 002:090, 811 KAR 002:093, 811 KAR 002:096, 811 KAR 002:100, 811 KAR 002:105, 811 KAR 002:110, 811 KAR 002:130, 811 KAR 002:140, 811 KAR 002:150, 811 KAR 002:170, 811 KAR 002:180, 811 KAR 002:185, 811 KAR 002:190, 811 KAR 002:200, and 811 KAR 002:300. (Deferred from January)

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Office of Inspector General: Division of Certificate of Need**

#### **Certificate of Need**

[900 KAR 006:075 & E](#). Certificate of need nonsubstantive review. ("E" expires 04-25-2019) (Amended After Comments) (Deferred from February)

### **Office of Health Data and Analytics: Division of Analytics**

#### **Data Reporting and Public Use Data Sets**

[900 KAR 007:030](#). Data reporting by health care providers. (Deferred from March)

### **Division of Health Benefit Exchange**

#### **Kentucky Health Benefit Exchange**

[900 KAR 010:021](#). Repeal of 900 KAR 010:010, 900 KAR 010:020, and 900 KAR 010:110. (Deferred from March)

### **Department of Medicaid Services**

#### **Division of Policy and Operations**

##### **Medicaid Services**

[907 KAR 001:604 & E](#). Recipient cost-sharing. ("E" expires 06-26-2019) (Deferred from March)

#### **Payments and Services**

[907 KAR 003:170](#). Telehealth service coverage and reimbursement. (Deferred from March)

#### **Division of Program Integrity**

[907 KAR 005:005](#). Health Insurance Premium Payment (HIPP) Program. (Deferred from March)



**Division of Fiscal Management**

**Hospital Service Coverage and Reimbursement**

[907 KAR 010:820 & E](#). Disproportionate share hospital distributions. ("E" expires 06-26-2019)  
(Comments Received; SOC ext., due 03-15-2019)

**Department for Behavioral Health, Developmental and Intellectual Disabilities**

**Division of Behavioral Health**

**Substance Abuse**

[908 KAR 001:341](#). Repeal of 908 KAR 001:340. (Deferred from March)

[908 KAR 001:370](#). Licensing procedures, fees, and general requirements for nonhospital-based alcohol and other drug treatment entities. (Deferred from March)

[908 KAR 001:372](#). Licensure of residential alcohol and other drug treatment entities. (Deferred from March)

[908 KAR 001:374](#). Licensure of nonhospital-based outpatient alcohol and other drug treatment entities. (Deferred from March)

**Department for Community Based Services**

**Division of Family Support**

**K-TAP, Kentucky Works, Welfare to Work, State Supplementation**

[921 KAR 002:015 & E](#). Supplemental programs for persons who are aged, blind, or have a disability.  
("E" expires 06-26-2019) (Deferred from March)

**Division of Protection and Permanency**

**Child Welfare**

[922 KAR 001:140](#). Foster care and adoption permanency services. (Comments Received; SOC ext., due 03-15-2019)

[922 KAR 001:305](#). Licensure of child-caring facilities and child-placing agencies. (Comments Received; SOC ext., due 03-15-2019)

[922 KAR 001:400](#). Supporting services. (Comments Received; SOC ext., due 03-15-2019)

[922 KAR 001:565](#). Service array for a relative or fictive kin caregiver. (Comments Received; SOC ext., due 03-15-2019)

**Daycare**

[922 KAR 002:160 & E](#). Child Care Assistance Program. ("E" expires 06-26-2019) (Comments Received; SOC ext., due 03-15-2019)