

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

Updated: April 8, 2019, 3 p.m..



**Administrative Regulation Review Subcommittee
TENTATIVE Meeting Agenda
Tuesday, April 9, 2019, 1:00 PM
Annex Room 149**



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

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 OF MILITARY AFFAIRS

Division of Emergency Management

Disaster and Emergency Services

[106 KAR 001:081](#). Kentucky Emergency Response Commission (KERC) Tier II reporting and fee schedule requirements; Extremely Hazardous Substance (EHS) facility planning participation requirements.

[106 KAR 001:091](#). Kentucky Emergency Response Commission (KERC) fee account grant requirements for Local Emergency Planning Committees (LEPCs).

[106 KAR 001:101](#). Kentucky Emergency Response Commission (KERC) fee account grant requirements for state agencies.

[106 KAR 001:111](#). Kentucky Emergency Response Commission (KERC) fee account grant review committee.

[106 KAR 001:121](#). Kentucky Emergency Response Commission (KERC) fee account grant distribution formula.

BOARDS AND COMMISSIONS

Board of Physical Therapy

[201 KAR 022:020](#). Eligibility and credentialing procedure.

KENTUCKY LOTTERY CORPORATION

[202 KAR 003:040](#). Internal audit.

TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Game

[301 KAR 002:172](#). Deer hunting seasons, zones, and requirements. (Not Amended After Comments)

[301 KAR 002:178](#). Deer hunting on Wildlife Management Areas, state parks, other public lands, and federally controlled areas.

Hunting and Fishing

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

GENERAL GOVERNMENT CABINET

Department of Agriculture

Office of the Commissioner

[302 KAR 003:011](#). Repeal of 302 KAR 003:010.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Kentucky Board of Education

Department of Education

General Administration

[702 KAR 001:160](#). School health services.

Office of Learning Support Services

[704 KAR 007:081](#). Repeal of 704 KAR 007:080.

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)

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 for Public Health

Division of Maternal and Child Health

Kentucky Birth Surveillance Registry

[902 KAR 019:010](#). Kentucky Birth Surveillance Registry.

Office of Inspector General

Division of Healthcare

Health Services and Facilities

[902 KAR 020:076](#). Repeal of 902 KAR 020:073.

Division of Program Integrity

[907 KAR 005:005](#). Health Insurance Premium Payment (HIPP) Program. (Not Amended After Comments)

Division of Fiscal Management

Hospital Service Coverage and Reimbursement

[907 KAR 010:820 & E](#). Disproportionate share hospital distributions. ("E" expires 06-26-2019) (Amended After Comments)

Department for Community Based Services

Division of Protection and Permanency

Child Welfare

[922 KAR 001:140](#). Foster care and adoption permanency services. (Amended After Comments)

[922 KAR 001:305](#). Licensure of child-caring facilities and child-placing agencies. (Amended After Comments)

[922 KAR 001:400](#). Supporting services. (Not Amended After Comments)

[922 KAR 001:565](#). Service array for a relative or fictive kin caregiver. (Amended After Comments)

Daycare

[922 KAR 002:160 & E](#). Child Care Assistance Program. ("E" expires 06-26-2019) (Amended After Comments)

3. REGULATIONS **REMOVED** FROM APRIL'S AGENDA

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Education Professional Standards Board

Administrative Certificates

[016 KAR 003:011](#). Repeal of 016 KAR 003:010, 016 KAR 003:020, 016 KAR 003:040, and 016 KAR 003:050. (Deferred from April)

[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. (Not Amended After Comments) (Deferred from April)

FINANCE AND ADMINISTRATION CABINET

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 08-03-2019) (Comments Received; SOC ext., due 04-15-2019)

BOARDS AND COMMISSIONS

Board of Accountancy

[201 KAR 001:290](#). Standards of Practice. (Deferred from April)

[201 KAR 001:310](#). Expungement of minor violation. (Deferred from April)

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) (Withdrawn by Agency; 03-14-2019)~~

Board of Social Work

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

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Board of Emergency Medical Services

[202 KAR 007:520](#). Allocation of block grant funding assistance for emergency medical services. (Deferred from April)

[202 KAR 007:575](#). Posting of fee schedules of licensed ambulance providers. (Deferred from April)

TRANSPORTATION CABINET

Department of Vehicle Regulation

Division of Driver Licensing

[601 KAR 002:030 & E](#). Ignition interlock. ("E" expires 08-07-2019) (Not Amended After Comments)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Kentucky Board of Education

Department of Education

Academic Standards

[704 KAR 008:060](#). Required Academic Standards for Social Studies. (Comments Received, SOC due 04-15-2019)

LABOR CABINET

Department of Workers' Claims

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

PUBLIC PROTECTION CABINET

Department of Insurance

Surplus Lines

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

Department of Financial Institutions

Administration

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

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Inspector General

Division of Healthcare

Health Services and Facilities

[902 KAR 020:111](#). Medically managed intensive inpatient withdrawal management. (Comments Received; SOC ext., due 05-15-2019)

Department of Medicaid Services

Division of Policy and Operations

Medicaid Services

[907 KAR 001:022](#). Nursing facility services and intermediate care facility for individuals with an intellectual disability. (Comments Received; SOC ext. due 05-15-2019)

[907 KAR 001:330](#). Hospice services. (Deferred from April)

[907 KAR 001:340](#). Reimbursement for hospice services. (Deferred from April)

[907 KAR 001:441](#). Repeal of 907 KAR 001:436. (Deferred from April)

~~[907 KAR 001:604 & E](#). Recipient cost-sharing. ("E" expires 06-26-2019) (Died 03-15-2019, SOC not filed by deadline)~~

[907 KAR 001:755](#). Preadmission Screening and Resident Review Program. (Comments Received; SOC ext. due 05-15-2019)

Payments and Services

~~[907 KAR 003:170](#). Telehealth service coverage and reimbursement. (Died 03-15-2019, SOC not turned in by deadline)~~

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. (Comments Received, SOC ext., due 4-15-2019)

[908 KAR 001:372](#). Licensure of residential alcohol and other drug treatment entities. (Comments Received, SOC ext., due 4-15-2019)

[908 KAR 001:374](#). Licensure of nonhospital-based outpatient alcohol and other drug treatment entities. (Comments Received, SOC ext., due 4-15-2019)

Office for Children with Special Health Care Needs

Aging Services

[911 KAR 001:010](#). Application to office for children with special health care needs clinical programs. (Comments Received; SOC ext., due 05-15-2019)

[911 KAR 001:020](#). Billing and fees. (Comments Received; SOC ext., due 05-15-2019)

[911 KAR 001:060](#). Office for children with special health care needs medical staff. (Comments Received; SOC ext., due 05-15-2019)

[911 KAR 001:071](#). Repeal of 911 KAR 001:070 and 911 KAR 001:080. (Deferred from April)

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 07-27-2019) (Comments Received, SOC ext., due 4-15-2019)