



# TEACHERS' RETIREMENT SYSTEM

## of the State of Kentucky

GARY L. HARBIN, CPA  
*Executive Secretary*

ROBERT B. BARNES, JD  
*Deputy Executive Secretary  
Operations and General Counsel*

J. ERIC WAMPLER, JD  
*Deputy Executive Secretary  
Finance and Administration*

April 9, 2019



Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
029, Capital Annex  
702 Capital Avenue  
Frankfort, Kentucky 40601

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 102 KAR 1:060, 102 KAR 1:163, 102 KAR 1:168, and 102 KAR 1:320, Teachers' Retirement System of the State of Kentucky proposes the attached suggested amendments to 102 KAR 1:060, 102 KAR 1:163, 102 KAR 1:168, and 102 KAR 1:320.

Sincerely,

Robert B. Barnes  
Deputy Executive Secretary Operations  
& General Counsel  
Teachers' Retirement System  
479 Versailles Road  
Frankfort, Kentucky 40601

**Staff-suggested Amendment**

**Version 3/13/2019 10:38 a.m.  
FINANCE AND ADMINISTRATION CABINET  
Teachers' Retirement System**

**102 KAR 1:060. Refunds.**

**Page 1**

**Agency Title**

**Line 2**

Delete "Kentucky".

**Page 1**

**RELATES TO paragraph**

**Line 5**

After "KRS 161.470," insert "161.520".

After "161.700", delete ", 161.520".

**Page 1**

**STATUTORY AUTHORITY paragraph**

**Line 6**

After "KRS 161.310", insert ", 161.470, 161.520".

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY paragraph**

**Line 13**

After "surviving spouse, designated beneficiary", insert ",<sup>1</sup>".

**Page 2**

**Section 4(5)**

**Lines 19 and 20**

After "employers, Section B", delete "only".

After "may be duplicated", delete ",<sup>1</sup>".

**Page 5**

**Section 4(17)(a)**

**Line 10**

After "KRS 161.520(2)(b);", delete "or".

**Page 5**

**Section 4(21)**

**Line 23**

After "options set forth in", insert "subsection (8) of this Section".

Delete "Section 4(8) of this administrative regulation".

**Page 6**

**Section 4(22)**

**Line 3**

After "processed pursuant to", insert the following:

subsections (13), (14), and (15) of this Section

Delete the following:

Section 4(13), (14), and (15) of this administrative regulation

**Page 6**

**Section 5(1)(e)**

**Line 15**

After "Balance", 2016;", delete "and".

**Page 6**

**Section 5(1)(g)**

**Line 18**

After "January, 2019;", insert "and".



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of the State of Kentucky

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Operations and General Counsel*

J. ERIC WAMPLER, JD  
*Deputy Executive Secretary  
Finance and Administration*

April 9, 2019



Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
029, Capital Annex  
702 Capital Avenue  
Frankfort, Kentucky 40601

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 102 KAR 1:060, 102 KAR 1:163, 102 KAR 1:168, and 102 KAR 1:320, Teachers' Retirement System of the State of Kentucky proposes the attached suggested amendments to 102 KAR 1:060, 102 KAR 1:163, 102 KAR 1:168, and 102 KAR 1:320.

Sincerely,

Robert B. Barnes  
Deputy Executive Secretary Operations  
& General Counsel  
Teachers' Retirement System  
479 Versailles Road  
Frankfort, Kentucky 40601

**Staff-suggested Amendment**

**Version 3/13/2019 10:43St a.m.**  
**FINANCE AND ADMINISTRATION CABINET**  
**Teachers' Retirement System**

**102 KAR 1:163. Collection of life insurance benefits.**

**Page 1**

**Section 2(2)**

**Line 19**

After "payable to the estate,", delete "or".

**Page 1**

**Section 2(2)(a)**

**Line 21**

After "executor, administrator", insert "and".



# TEACHERS' RETIREMENT SYSTEM

of the State of Kentucky

GARY L. HARBIN, CPA  
*Executive Secretary*

ROBERT B. BARNES, JD  
*Deputy Executive Secretary  
Operations and General Counsel*

J. ERIC WAMPLER, JD  
*Deputy Executive Secretary  
Finance and Administration*

April 9, 2019



Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
029, Capital Annex  
702 Capital Avenue  
Frankfort, Kentucky 40601

Dear Regulations Compiler:

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Sincerely,

Robert B. Barnes  
Deputy Executive Secretary Operations  
& General Counsel  
Teachers' Retirement System  
479 Versailles Road  
Frankfort, Kentucky 40601

**Staff-suggested Amendment**

**Version 3/13/2019 10:47 a.m.  
FINANCE AND ADMINISTRATION CABINET  
Teachers' Retirement System**

**102 KAR 1:168. Survivor's benefits.**

**Page 2**

**Section 1(2)**

**Line 1**

After "dependent parent or dependent", delete ",".

**Page 2**

**Section 1(5)**

**Line 10**

After "processed", insert "L".



# TEACHERS' RETIREMENT SYSTEM

of the State of Kentucky

GARY L. HARBIN, CPA  
*Executive Secretary*

ROBERT B. BARNES, JD  
*Deputy Executive Secretary  
Operations and General Counsel*

J. ERIC WAMPLER, JD  
*Deputy Executive Secretary  
Finance and Administration*

April 9, 2019



Ms. Emily Caudill, Regulations Compiler  
Legislative Research Commission  
029, Capital Annex  
702 Capital Avenue  
Frankfort, Kentucky 40601

Dear Regulations Compiler:

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Sincerely,

Robert B. Barnes  
Deputy Executive Secretary Operations  
& General Counsel  
Teachers' Retirement System  
479 Versailles Road  
Frankfort, Kentucky 40601



**Staff-suggested Amendment**

**Version 3/13/2019 10:49 a.m.  
FINANCE AND ADMINISTRATION CABINET  
Teachers' Retirement System**

**102 KAR 1:320. Qualified domestic relations orders.**

**Page 13**

**Section 7(5)(b)**

**Line 1**

After "the alternate payee in", insert "an".



DEPARTMENT OF MILITARY AFFAIRS

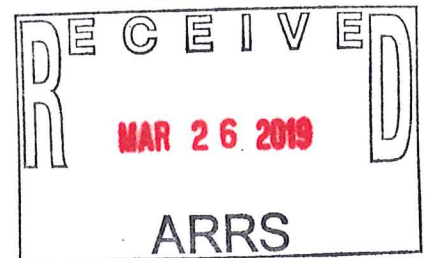
Matthew G. Bevin  
Governor

100 Minuteman Parkway  
BNGC – EOC Building  
Frankfort, KY 40601-6168

STEPHEN R. HOGAN  
Major General, KYNG  
The Adjutant General

March 26, 2019

Senator Stephen West, 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: 106 KAR 1:081 (KERC Tier II reporting and fee schedule requirements; EHS facility planning participation requirements), 106 KAR 1:091 (KERC fee account grant requirements for LEPCs), 106 KAR 1:111 (KERC Fee Account Grant Review Committee) and 106 KAR 1:121 (KERC fee account grant distribution formula)

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121, the Kentucky Department of Military Affairs proposes the attached amendments to 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121.

Sincerely,

STEVEN P. BULLARD, Director, Administrative Services  
Kentucky Department of Military Affairs  
100 Minuteman Parkway  
Frankfort, KY 40601

## **Suggested Amendment**

**Final Version: 3/18/2019 12:15 PM**

### **DEPARTMENT OF MILITARY AFFAIRS Division of Emergency Management**

**106 KAR 1:081. Kentucky Emergency Response Commission (KERC) Tier II reporting and fee schedule requirements; Extremely Hazardous Substances (EHS) facility planning participation requirements.**

#### **Page 1**

##### **RELATES TO**

##### **Lines 7 and 8**

After "39E.030," delete the following:

29 C.F.R. 1910.1200, 40 C.F.R. Part 355, Appendix A, Appendix B,  
Part 370,

##### **Line 9**

After "39E.230," insert the following:

29 C.F.R. 1910.1200, 40 C.F.R. Part 355, Appendix A, Appendix B,  
Part 370,

#### **Page 2**

##### **Section 1(1)(e)**

##### **Line 18**

After "defined by subsection", insert "(4)".

Delete "(5)".

#### **Page 3**

##### **Section 1(3)**

##### **Lines 10 and 11**

After "(EPCRA), KRS, and", insert "the requirements established in".

Delete "KAR requirements".

##### **Lines 11 and 12**

After "106 KAR 1:091.", delete the remainder of subsection (3) in its entirety.

#### **Page 4**

##### **Section 1(7)(a)**

##### **Line 9**

After "health hazard;", delete "or".

#### **Page 4**

##### **Section 1(7)(b)**

##### **Line 10**

After "combustible dust," insert "or".

After "pyrophoric gas;", insert "or".



DEPARTMENT OF MILITARY AFFAIRS

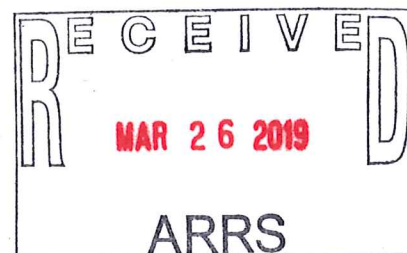
Matthew G. Bevin  
Governor

100 Minuteman Parkway  
BNGC – EOC Building  
Frankfort, KY 40601-6168

STEPHEN R. HOGAN  
Major General, KYNG  
The Adjutant General

March 26, 2019

Senator Stephen West, 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: 106 KAR 1:081 (KERC Tier II reporting and fee schedule requirements; EHS facility planning participation requirements), 106 KAR 1:091 (KERC fee account grant requirements for LEPCs), 106 KAR 1:111 (KERC Fee Account Grant Review Committee) and 106 KAR 1:121 (KERC fee account grant distribution formula)

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121, the Kentucky Department of Military Affairs proposes the attached amendments to 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121.

Sincerely,

STEVEN P. BULLARD, Director, Administrative Services  
Kentucky Department of Military Affairs  
100 Minuteman Parkway  
Frankfort, KY 40601

**Suggested Amendment**

**Final Version: 3/25/2019 4:00 PM**

**DEPARTMENT OF MILITARY AFFAIRS  
Division of Emergency Management**

**106 KAR 1:091. Kentucky Emergency Response Commission (KERC) fee account grant requirements for Local Emergency Planning Committees (LEPCs).**

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 13**

After "39E.040(6) requires the", insert "commission".  
Delete "KERC".

**Page 1**

**Section 1(1)**

**Line 18**

After ""Extremely Hazardous Substance", delete ", or EHS,".

**Line 19**

After "Response Plan"", insert the following:  
or "EHS Facility Emergency Response Plan"

**Page 2**

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

**Lines 6 and 7**

After "the LEPC Course", insert a colon.

**Page 2**

**Section 1(2)**

**Line 13**

After "the LEPC Course", insert a colon.

**Page 5**

**Section 2(1)(b)**

**Lines 8 and 9**

After "the LEPC Course", insert a colon.

**Page 6**

**Section 2(1)(e)**

**Line 18**

After "Chapter 39E and", insert "KAR".  
After "Title 106", delete "KAR".

**Page 10**

**Section 3(2)(a)**

**Lines 8 and 9**

After "LEPC Coordinator shall", insert "; 1.".

Capitalize the first letter of "review".

**Lines 9 and 10**

After "and conformance to", delete "administrative regulations (".

**Line 11**

After "for state agencies", insert a comma.

Delete "; and".

**Line 12**

After "Grant Review Committee", insert a comma.

Delete the semicolon.

**Line 13**

After "grand distribution formula", insert "; (2)".

Delete the comma.

Capitalize the first letter of "note".

After "any recommendations", insert the following:

; and

3. Forward the items established in subparagraphs 1. and 2. of this paragraph

Delete ", and forward it".

**Page 11**

**Section 5(3)**

**Line 16**

After "(3) If", insert "the".

Delete "a".

**Page 11**

**Section 5(3)(a)**

**Line 18**

After "(a)", insert "No later than".

Lowercase the first letter of "Thirty".

**Page 11**

**Section 5(3)(b)**

**Line 23**

After "(b)", insert "No later than".

Lowercase the first letter of "Thirty".

**Page 12**

**Section 5(3)(b)**

**Line 2**

After "and conformance to", delete "administrative regulations (".

**Line 3**

After "for state agencies", insert a comma.  
Delete "; and".

**Line 4**

After "Grant Review Committee", insert "and".  
Delete the semicolon.

**Line 5**

After "KAR 1:121", insert a comma.  
Delete the period.  
After "grant distribution formula", delete the closing parenthesis.

**Page 12**

**Section 5(3)(d)**

**Line 17**

After "(d)", insert "No later than".  
Lowercase the first letter of "Thirty".

**Page 13**

**Section 5(4)(b)**

**Line 11**

After "noncompliant and is", insert "therefore".  
Delete "deemed".

**Page 15**

**Section 8(1)(h) and (i)**

**Lines 6 and 7**

After "2016;", insert the following:  
    (i) "LEPC – EHS Facility Emergency Response Plan Checklist, 2015; and  
    (j)  
Delete "and (i)".



DEPARTMENT OF MILITARY AFFAIRS

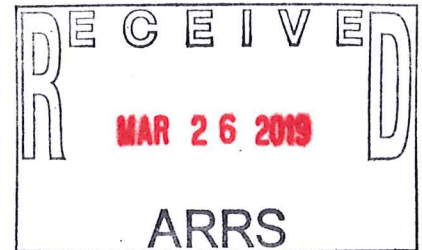
Matthew G. Bevin  
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STEPHEN R. HOGAN  
Major General, KYNG  
The Adjutant General

March 26, 2019

Senator Stephen West, 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: 106 KAR 1:081 (KERC Tier II reporting and fee schedule requirements; EHS facility planning participation requirements), 106 KAR 1:091 (KERC fee account grant requirements for LEPCs), 106 KAR 1:111 (KERC Fee Account Grant Review Committee) and 106 KAR 1:121 (KERC fee account grant distribution formula)

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121, the Kentucky Department of Military Affairs proposes the attached amendments to 106 KAR 1:081, 106 KAR 1:091, 106 KAR 1:111 and 106 KAR 1:121.

Sincerely,

STEVEN P. BULLARD, Director, Administrative Services  
Kentucky Department of Military Affairs  
100 Minuteman Parkway  
Frankfort, KY 40601



**Suggested Amendment**

**Final Version: 3/22/2019 3:34 PM**

**DEPARTMENT OF MILITARY AFFAIRS  
Division of Emergency Management**

**106 KAR 1:111. Kentucky Emergency Response Commission (KERC) Fee Account  
Grant Review Committee.**

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 11**

After "39E.040(6) requires the", insert "commission".  
Delete "KERC".



DEPARTMENT OF MILITARY AFFAIRS

Matthew G. Bevin  
Governor

100 Minuteman Parkway  
BNGC – EOC Building  
Frankfort, KY 40601-6168

STEPHEN R. HOGAN  
Major General, KYNG  
The Adjutant General

March 26, 2019

Senator Stephen West, 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: 106 KAR 1:081 (KERC Tier II reporting and fee schedule requirements; EHS facility planning participation requirements), 106 KAR 1:091 (KERC fee account grant requirements for LEPCs), 106 KAR 1:111 (KERC Fee Account Grant Review Committee) and 106 KAR 1:121 (KERC fee account grant distribution formula)

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Sincerely,

STEVEN P. BULLARD, Director, Administrative Services  
Kentucky Department of Military Affairs  
100 Minuteman Parkway  
Frankfort, KY 40601

**Suggested Amendment**

**Final Version: 3/22/2019 3:14 PM**

**DEPARTMENT OF MILITARY AFFAIRS  
Division of Emergency Management**

**106 KAR 1:121. Kentucky Emergency Response Commission (KERC) fee account grant distribution formula.**

**Page 2**

**Section 1(3)**

**Line 21**

After "form may receive", insert "shall be".  
Delete "is".

**Page 3**

**Section 2(3)**

**Line 11**

After "(3) LEPCs", insert "that".  
Delete "who".

**Page 3**

**Section 2(3)(a)**

**Line 13**

After "grant distribution formula", insert "established".

**Page 3**

**Section 3**

**Lines 22 and 23**

After "SARA Title III (" , insert the following:  
Superfund Amendments and Reauthorization Act of 1986), 42 U.S.C.  
11001 et seq.,

Delete the language in parentheses beginning with "as amended" and ending with "December 31, 2002".



## KENTUCKY BOARD OF PHYSICAL THERAPY

**Matthew G. Bevin**  
Governor

312 Whittington Pkwy. Suite 102  
Louisville, KY 40222  
Phone (502) 429-7140  
Fax (502) 429-7142  
<http://pt.ky.gov>

**Scott D. Majors**  
Executive Director

April 3, 2019

Senator Stephen West, Co-Chair  
Representative David Hale, Co-Chair  
c/o Emily Caudill, Regulation Compiler  
Administrative Regulation Review Subcommittee  
Legislative Research Commission  
Room 029, Capitol Annex  
Frankfort, Kentucky 40601

RE: 201 KAR 22:020. Eligibility and credentialing procedure

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 22:020, the Kentucky Board of Physical Therapy proposes the attached amendment to 201 KAR 22:020.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott D. Majors".

Scott D. Majors, Executive Director  
Kentucky Board of Physical Therapy

**Suggested Amendment  
GENERAL GOVERNMENT CABINET  
Board of Physical Therapy**

**201 KAR 22:020. Eligibility and credentialing procedure.**

**Page 2**

**Section 2(1)(f)**

**Line 14**

After "background check", insert a comma.

After "KRS 327.310", insert a comma.

**Page 5**

**Section 5(4)(b)**

**Line 1**

After "by the board.", insert the following:

A temporary permit holder who is registered for the examination in another jurisdiction shall register with the FSBPT Score Transfer Service to have results submitted to Kentucky within forty-eight (48) hours of the release of the exam results.



**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](http://fw.ky.gov)

**Regina Stivers**  
Deputy Secretary

**Rich Storm**  
Commissioner

April 3, 2019



Senator Stephen West, 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: **301 KAR 2:172**, Deer hunting seasons, zones, and requirements.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:172, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:172.

Sincerely,

Mark S. Cramer  
Regulations Coordinator

**Staff-suggested Amendment**

**Version 3/18/2019 2:01 p.m.  
TOURISM, ARTS AND HERITAGE CABINET  
Department of Fish and Wildlife Resources**

**301 KAR 2:172. Deer hunting seasons, zones, and requirements.**

**Pages 1 and 2**

**Section 1(1)**

**Lines 18 and 1**

After "allowed by the statewide", insert "deer".

**Page 9**

**Section 7(1)**

**Line 7**

After "more deer than", delete "what".





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

**Matthew G. Bevin**  
Governor

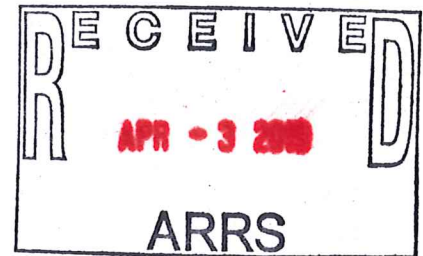
**Don Parkinson**  
Secretary

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

**Regina Stivers**  
Deputy Secretary

**Rich Storm**  
Commissioner

April 3, 2019



Senator Stephen West, 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: **301 KAR 2:178**, Deer hunting on Wildlife Management Areas, state parks, other public lands, and federally controlled areas.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 301 KAR 2:178, the Department of Fish and Wildlife Resources proposes the attached amendment to 301 KAR 2:178.

Sincerely,

Mark S. Cramer  
Regulations Coordinator



**Staff-suggested Amendment**

**Version 3/18/2019 1:44 p.m.**

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

**301 KAR 2:178. Deer hunting on Wildlife Management Areas, state parks, other public lands, and federally controlled areas.**

**Page 32**

**Section 9(5)(c)**

**Lines 4 and 5**

After "during the quota hunt", delete "hunt".

Matthew G. Bevin  
Governor



Derrick Ramsey  
Secretary  
Education and Workforce  
Development Cabinet

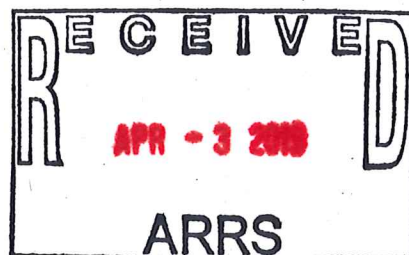
Wayne D. Lewis, Ph.D.  
Commissioner of Education

**KENTUCKY DEPARTMENT OF EDUCATION**

March 18, 2019

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

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: 702 KAR 1:160. School health services

Dear Co-Chairs Harris and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 702 KAR 1:160, the Kentucky Board of Education proposes the attached amendment to 702 KAR 1:160.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deanna L. Durrett", followed by a long horizontal line.

Deanna L. Durrett  
General Counsel

attachment

**Staff-suggested Amendment**

**Version 3/18/2019 8:27 a.m.**  
**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**  
**Kentucky Board of Education**  
**Department of Education**

**702 KAR 1:160. School health services.**

**Page 5**

**Section 2(9)(c)**

**Lines 18 and 19**

After "implementation of seizure", insert "action".

Delete "actions".

After "KRS 158.838.", delete the quotation marks from the phrase "Seizure action plan".



## PUBLIC PROTECTION CABINET

**Matthew G. Bevin**  
Governor

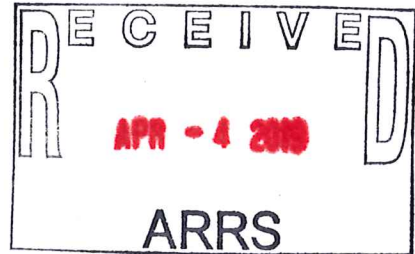
**Department of Insurance**  
P.O. Box 517  
Frankfort, Kentucky 40602-0517  
1-800-595-6053  
<http://insurance.ky.gov>

**K. Gail Russell**  
Secretary

**Nancy G. Atkins**  
Commissioner

April 4, 2019

Senator Stephen West, 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: Department of Insurance Regulation Review  
806 KAR 2:092 Disclosure of local government taxes and collection fee  
806 KAR 2:100 Disclosure of insurance premium surcharge

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 806 KAR 2:092 and 806 KAR 2:100, the Department of Insurance proposes the attached amendments to 806 KAR 2:092 and 806 KAR 2:100.

Sincerely,

Patrick O'Connor II, Deputy Commissioner  
Kentucky Department of Insurance  
215 W. Main Street  
Frankfort, Kentucky 40601

Revised: 4/2/19

**SUGGESTED AMENDMENT**

**PUBLIC PROTECTION CABINET  
Department of Insurance**

**806 KAR 2:092. Disclosure of local government taxes and collection fee.**

**Page 1**

**STATUTORY AUTHORITY**

**Line 6**

After "KRS", insert "91A.080".

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 15**

After "the taxing jurisdiction.", insert the following:

KRS 91A.080 provides the Department of Insurance with general oversight over the local government premium tax system and express authority to promulgate administrative regulations providing for a reasonable collection fee and the accounting and reporting procedures related to the collection and reporting of the license fees, taxes, and collection fees. HB 524 of the 2008 Regular Session, which included new sections of Chapter 91A and required disclosures, reinforced the Department's authority by providing a two year period for assessments to pay for the Department's costs in administering the various local government premium tax requirements.



## PUBLIC PROTECTION CABINET

**Matthew G. Bevin**  
Governor

**Department of Insurance**  
P.O. Box 517  
Frankfort, Kentucky 40602-0517  
1-800-595-6053  
<http://insurance.ky.gov>

**K. Gail Russell**  
Secretary

**Nancy G. Atkins**  
Commissioner

April 4, 2019

Senator Stephen West, 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: Department of Insurance Regulation Review  
806 KAR 2:092 Disclosure of local government taxes and collection fee  
**806 KAR 2:100** Disclosure of insurance premium surcharge

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 806 KAR 2:092 and 806 KAR 2:100, the Department of Insurance proposes the attached amendments to 806 KAR 2:092 and 806 KAR 2:100.

Sincerely,

Patrick O'Connor II, Deputy Commissioner  
Kentucky Department of Insurance  
215 W. Main Street  
Frankfort, Kentucky 40601

Revised: 4/2/2019

**SUGGESTED AMENDMENT**

**PUBLIC PROTECTION CABINET  
Department of Insurance**

**806 KAR 2:100. Disclosure of insurance premium surcharge.**

**Page 1**

**STATUTORY AUTHORITY**

**Line 6**

After "136.392", insert "(1)(a)".

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 7**

After "136.392", insert "(1)(a)".

**Line 11**

After "regulation", insert "establishes".

Deletes "prescribes".

**Page 1**

**Section 1(1)**

**Lines 13-14**

After "issued to an insured", delete "for the first time".





## PUBLIC PROTECTION CABINET

**Matthew G. Bevin**  
Governor

**Department of Insurance**  
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Frankfort, Kentucky 40602-0517  
1-800-595-6053  
<http://insurance.ky.gov>

**K. Gail Russell**  
Secretary

**Nancy G. Atkins**  
Commissioner

April 4, 2019

Senator Stephen West, 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: Department of Insurance Regulation Review  
**806 KAR 5:011**. Repeal of 806 KAR 5:010, 806 KAR 5:020.

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 806 KAR 5:011, the Department of Insurance proposes the attached amendments to 806 KAR 5:011.

Sincerely,

Patrick O'Connor II, Deputy Commissioner  
Kentucky Department of Insurance  
215 W. Main Street  
Frankfort, Kentucky 40601



Revised: 4/2/19

**SUGGESTED AMENDMENT**

**PUBLIC PROTECTION CABINET  
Department of Insurance**

**806 KAR 5:011. Repeal of 806 KAR 5:010, 806 KAR 5:020.**

**Page 1**

**STATUTORY AUTHORITY**

**Line 7**

After "304.2-110", insert ", 304.2-210, 304.5-150, 304.5-155".

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Lines 10-15**

After "This administrative regulation repeals 806 KAR 5:010," insert the following:

Reinsurance treaties filing, which is no longer necessary due to the statutory authority to request all reinsurance treaties under KRS 304.5-150 and the broad authority to request all documents in the course of a financial examination under KRS 304.2-210; and 806 KAR 5:020, Illegitimate use of reinsurance agreements, which is no longer needed due to the stipulation within KRS 304.5-155 of the proper use of reinsurance agreements by authorized insurers.

Delete the remainder of this paragraph in its entirety.



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

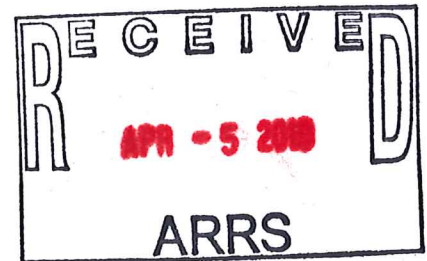
**Matthew G. Bevin**  
Governor

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**Adam M. Meier**  
Secretary

April 4, 2019

Senator Stephen West, 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 19:010. Kentucky Birth Surveillance Registry

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 902 KAR 19:010, the Department for Public Health proposes the enclosed amendment to 902 KAR 19:010.

Sincerely,

Jim Musser  
Executive Director  
Office of Legislative and Regulatory Affairs

Enclosure  
cc: file

**Suggested Amendment  
CABINET FOR HEALTH AND FAMILY SERVICES  
Department for Public Health  
Division of Maternal and Child Health**

**902 KAR 19:010. Kentucky Birth Surveillance Registry.**

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 9**

After "KRS 194A.050(1)", insert "requires".

Delete "authorizes".

**Line 16**

After "with them.", insert the following:

KRS 211.660(6) authorizes the department to implement the provisions of KRS 211.651 to 211.670 through the promulgation of administrative regulations.

**Page 2**

**Section 1(3)**

**Lines 2-3**

After "CMS 1450 Form", delete ", revised 03-01-2007".

**Page 4**

**Section 2(3)**

**Line 12**

After "birthing center", insert a comma.

**Page 5**

**Section 3(1)**

**Line 4**

After "be", delete "deemed".

**Page 6**

**Section 3(3)(c)**

**Line 3**

After "resubmitted;", insert "and".

**Page 7**

**Section 5(5)**

**Line 22**

After "condition", delete "deemed".



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

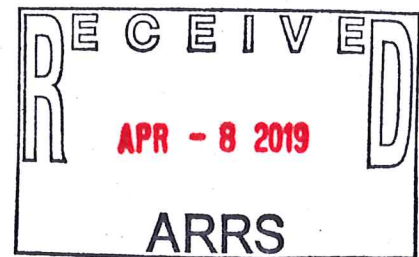
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**Adam M. Meier**  
Secretary

April 8, 2019

Senator Stephen West, 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 5:005**. Health Insurance Premium Payment (HIPP) Program.

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 907 KAR 5:005, the Department for Medicaid Services proposes the attached amendments to 907 KAR 5:005. If you have any questions, please feel free to contact Jonathan Scott, Regulatory and Legislative Advisor with the Department for Medicaid Services at (502) 564-4321 ext. 2015.

Sincerely,

Donna Little  
Deputy Executive Director  
Office of Legislative and Regulatory Affairs  
Cabinet for Health and Family Services



4/8/19

**SUGGESTED AMENDMENT**

**CABINET FOR HEALTH AND FAMILY SERVICES**

**Department for Medicaid Services**

**907 KAR 5:005. Health Insurance Premium Payment (HIPP) Program.**

**Page 1**

**RELATES TO**

**Line 6**

After "400.203," insert the following:

430.10, 26 U.S.C. 4980B, 5000(b)(1)

Delete the following:

430.110, 26 U.S.C. 500(b)(1), 4980B

**Page 9**

**Section 6(4)(e)**

**Line 23**

After "pursuant to", insert "KAR".

After "895", delete "KAR".

**Page 10**

**Section 8(3)**

**Lines 19-20**

After "907 KAR", insert "20:020".

Delete "1:640".

**Page 13**

**Section 15(1)**

**Line 4**

After "Coverage Form" and before the quotation mark, insert "KIHIPP-100".

**Lines 4-5**

After the comma, insert "April 2019".

Delete "November 2018".

COMMONWEALTH OF KENTUCKY  
CABINET FOR HEALTH AND FAMILY SERVICES  
DEPARTMENT FOR MEDICAID SERVICES

907 KAR 5:005

Health Insurance Premium Payment (HIPP) Program  
Summary of Material Incorporated by Reference

The "Healthcare Coverage Form, KIHIPP-100", April 2019 is incorporated by reference. This document is for Medicaid beneficiaries who have an offer of health insurance coverage to complete and send to the Department for Medicaid Services Third Party Liability office. The form requests information about the primary policy holder, employer, health insurance offered, and other household members who may be eligible for coverage. The amendments to this form from the November 2018 version clarify the title of the office and number of the form, update telephone and fax numbers, refer to the policy holder as the "primary policy holder" as appropriate, and make various technical amendments to page numbers.

The total number of pages incorporated by reference is six (6) pages.



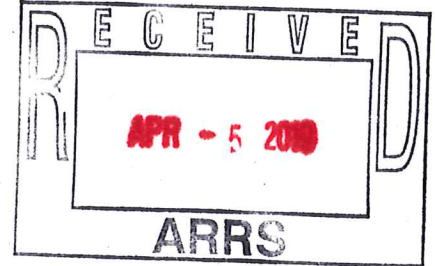
**CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF THE SECRETARY**

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Governor

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**Adam M. Meier**  
Secretary

April 4, 2019



Senator Stephen West, 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 10:820. Disproportionate share hospital distributions

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 907 KAR 10:820, the Department for Medicaid Services proposes the attached amendment to 907 KAR 10:820. If you have any questions, please feel free to contact Jonathan Scott, Regulatory and Legislative Advisor with the Department for Medicaid Services at (502) 564-4321 ext. 2015.

Sincerely,

James C. Musser  
Executive Director  
Office of Legislative and Regulatory Affairs  
Cabinet for Health and Family Services

**Suggested Amendment  
CABINET FOR HEALTH AND FAMILY SERVICES  
Department of Medicaid Services  
Division of Fiscal Management  
(Amended After Comments Version)**

**907 KAR 10:820. Disproportionate share hospital distributions.**

**Page 1**

**RELATES TO**

**Line 6**

After "205.640," delete "205.641,".

**Page 2**

**Section 1(3)(a)**

**Line 8**

After "Has", insert "a".

Delete "an inpatient".

After "Medicaid", insert "inpatient".

**Page 4**

**Section 2(3)**

**Line 16**

After "timely appeal", insert "pursuant to 907 KAR 1:671".

**Page 6**

**Section 5(1)(a)**

**Line 13**

After "timely fashion", insert "pursuant to 907 KAR 1:671".

**Page 6**

**Section 5(1)(b)**

**Line 14**

After "timely appeal", insert "pursuant to 907 KAR 1:671".





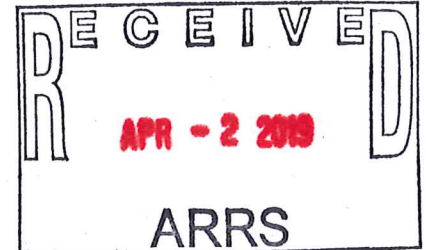
**CABINET FOR HEALTH AND FAMILY SERVICES  
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**Matthew G. Bevin**  
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**Adam M. Meier**  
Secretary

April 3, 2019



Senator Stephen West, 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: Suggested amendments

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by **922 KAR 1:565**, the Department for Community Based Services requests the enclosed amendments be made.

Sincerely,

James C. Musser  
Executive Director  
Office of Legislative and Regulatory Affairs

Enclosure

**Suggested Amendment  
Cabinet for Health and Family Services  
Department for Community Based Services  
Division of Protection and Permanency**

**922 KAR 1:565. Service array for a relative or fictive kin caregiver.**

**(AMENDED AFTER COMMENTS version)**

**Page 1**

**NECESSITY, FUNCTION, AND CONFORMITY**

**Line 14**

After "secretary", insert the following:  
of the Cabinet for Health and Family Services

**Page 3**

**Section 2**

**Line 6**

After "Identification of a Relative", insert "or Fictive Kin".