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
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 “,”.

Page 2
Section 4(5)
Lines 19 and 20
After “employers, Section B”, delete “only”.

After “may be duplicated”, delete “,”.

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“. 
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,

[Signature]

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

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 ",".
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,

[Signature]

Robert B. Barnes
Deputy Executive Secretary Operations & General Counsel
Teachers’ Retirement System
479 Versailles Road
Frankfort, Kentucky 40601
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 “,”.
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 10:49 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”. 
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,

[Signature]

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:
Part 370,

Line 9
After “39E.230,”, insert the following:
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”.
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”.

1
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
(ii)
Delete “and (i)”.

3
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


Page 1

NECESSITY, FUNCTION, AND CONFORMITY

Line 11

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

[Signature]

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”.

1
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,

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.
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”.

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”.
March 18, 2019

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,

Deanna L. Durrett
General Counsel

attachment
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”.

Staff-suggested Amendment

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

PUBLIC PROTECTION CABINET
Department of Insurance


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.
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
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                      Department of Insurance                      K. Gail Russell
Governor                                P.O. Box 517                                Secretary
                                             Frankfort, Kentucky 40602-0517
                                             1-800-595-6053
                                             http://insurance.ky.gov

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.
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 Heath 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


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”.
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”.
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.
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,

[Signature]

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".
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".