May 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


Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 16 KAR 3:011, the Education Professional Standards Board proposes the attached amendment to 16 KAR 3:011.

Sincerely,

Cassie Trueblood, Policy Advisor and Counsel
Education Professional Standards Board
Staff-suggested Amendment

Version 4/16/2019 2:12 p.m.
EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Education Professional Standards Board


Page 1
Title
Lines 4 and 5
After “16 KAR 3:040, and 16 KAR 3:050.”, return and insert the following:

RELATES TO: KRS 13A.310

STATUTORY AUTHORITY: KRS 161.020
May 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: 16 KAR 3:090. Certifications for Advanced Educational Leaders

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 16 KAR 3:090, the Education Professional Standards Board proposes the attached amendment to 16 KAR 3:090.

Sincerely,

Cassie Trueblood, Policy Advisor and Counsel
Education Professional Standards Board

Page 4
Section 5(1)
Line 8

After “requirements of Section 2”, insert “of this administrative regulation”.

Page 5
Section 5(3)(a)
Line 7

After “central office settings;”, delete “and”.

Page 5
Section 5(5)(a)
Line 16

After “program of preparation”, delete “,”.

After “required by Section 2”, insert “of this administrative regulation”.
Delete “,”.

Page 5
Section 5(5)(b)
Line 18

After “requirements in Section 3”, insert “of this administrative regulation”.
Page 6  
Section 6  
Lines 6 and 9  
After "Instruction shall be issued", insert ".".

After "accordance with Section 4", insert "of this administrative regulation".

After "KAR 5:010 and Section 2", insert "of this administrative regulation".

Page 6  
Section 7(1)  
Lines 12, 13, and 15  
After "Services shall be issued", insert ".".

After "accordance with Section 4", insert "of this administrative regulation".

After "approved program of preparation", insert "".

After "KAR 5:010 and Section 2", insert "of this administrative regulation".

Page 7  
Section 8(1)  
Lines 9, 10, and 12  
After "Education shall be issued", insert ".".

After "accordance with Section 4", insert "of this administrative regulation".

After "approved program of preparation", insert "".

After "KAR 5:010 and Section 2", insert "of this administrative regulation".

Page 7  
Section 8(2)  
Line 16  
After "requirements of Section 2(1)(a)", insert "of this administrative regulation".

Page 7  
Section 8(3)  
Line 18  
After "of Section 2(1)(a)", insert "of this administrative regulation".
Page 8
Section 8(5)
Line 6
After “superintendent”, insert “.”.

After “board of education”, insert “.”.

Page 8
Section 9(1)
Line 18
After “requirements of Section 2”, insert “of this administrative regulation”.

Page 10
Section 9(3)(c)
Line 4
After “identified in Section 2”, insert “of this administrative regulation”.
Delete “.”.

Page 11
Section 9(4)(c)
Line 1
After “requirements in Section 3”, insert “of this administrative regulation”.

Material Incorporated by Reference
Forms CA-1 and CA-2
Edition Dates
In the top right corner insert the new edition date of “10/18”.
Delete “06-17”.
May 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: 16 KAR 3:090. Certifications for Advanced Educational Leaders

Dear Co-Chairs:

The Education Professional Standards Board proposes the attached agency amendment to 16 KAR 3:090.

Sincerely,

Cassie Trueblood, Policy Advisor and Counsel
Education Professional Standards Board
Agency Amendment
Version 4/19/2019 9:48 a.m.
EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Education Professional Standards Board


Page 2
Section 3(1)
Line 15

After "Advanced Educational Leaders. (1)", insert the following:

Until December 1, 2020, an applicant for advanced educational leadership-school principal, or a career and technical school principal, shall complete the following tests and attain the minimum score specified for each test:

(a) School Leaders Licensure Assessment (6011) - 160; and

(b) The Kentucky Specialty Test of Instructional and Administrative Practices (1015) - 158.

(2) After December 1, 2020, all applicants for certification for advanced educational leadership, or a career and technical school principal, shall attain the specified minimum score on the School Leaders Licensure Assessment (6990). An applicant for advanced educational leadership-school principal, or a career and technical school principal, shall also be required to take the Kentucky Specialty Test of Instructional and Administrative Practices (1015) and attain the minimum score of 158.

(3) The Education Professional Standards Board shall determine the specified minimum score for the School Leaders Licensure Assessment (6990).

(4) The Education Professional Standards Board shall specify the passing score for Advanced Educational Leaders on the School Leaders Licensure Assessment (6990). The order shall be posted to the website for the Education Professional Standards Board.
(5) Until December 1, 2020, an applicant for advanced educational leadership-school principal, or a career and technical school principal, may substitute a passing score on the School Leaders Licensure Assessment (6990) for the requirement of paragraph (1)(a) of this section.

(6) An applicant for certification for advanced educational leadership, or a career and technical school principal, shall only be required to pass the School Leaders Licensure Assessment once. The applicant shall not be required to pass the assessment if they pursue additional certification for advanced educational leadership or career and technical school principal.

(7) The successful completion of the School Leaders Licensure Assessment shall not be required for an applicant who has:

(a) Two (2) years of experience as a certified advanced educational leader in another state; and

(b) Successfully completed a nationally administered test in the area of educational leadership and administration.

(8) An applicant shall take the required assessments on a date established by the Educational Testing Service. An applicant shall authorize that test results be forwarded to the Education Professional Standards Board by the Educational Testing Service.

(9) An applicant shall seek information regarding the dates and location of the test and make application for the appropriate examination prior to the deadline established and sufficiently in advance of anticipated employment to permit test results to be received by the Education Professional Standards Board and processed in the normal certification cycle.

(10) An applicant shall pay all fees assessed by the Educational Testing Service.

(11) An applicant who fails to achieve a minimum score on a required test as specified in this section shall be permitted to retake the test during a regularly scheduled test administration.
(12) A temporary certificate issued in accordance with KRS 161.027(6)(a) shall not be extended for an applicant who does not successfully complete the assessments within the year.

(13) For an applicant applying for a certificate under KRS 161.027(6)(b), the school superintendent of the employing district shall submit a request that shall include an affirmation that the applicant pool consisted of three (3) or less applicants who met the requirements for selecting a principal.

(14) The temporary certificate issued in accordance with KRS 161.027(6)(b) shall not be extended beyond the one (1) year period.

(15) On an annual or biennial basis, the Education Professional Standards Board shall collect and analyze data provided by the Educational Testing Service through score and institution reports which permit evaluation of the examination prerequisites covered by this administrative regulation.

Delete the following:

“An applicant for certification for advanced educational leadership, or a career and technical school principal, shall attain the specified minimum score on the School Leadership Licensure Assessment.

(2) The Education Professional Standards Board shall determine the specified minimum score for the School Leadership Licensure Assessment.

(3) The Education Professional Standards Board shall specify the passing score for Advanced Educational Leaders on the School Leadership Licensure Assessment. The order shall be posted to the website for the Education Professional Standards Board.
(4) An applicant for certification for advanced educational leadership, or a career and technical school principal, shall only be required to pass the School Leadership and Licensure Assessment once. The applicant shall not be required to pass the assessment if they pursue additional certification for advanced educational leadership or career and technical school principal."
May 1, 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


Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 101 KAR 2:034, the Personnel Cabinet proposes the attached amendment to 101 KAR 2:034.

Sincerely,

[Signature]

Thomas B. Stephens
Secretary

Attachment
Staff-suggested Amendment

Final version 4/30/2019 8:40 a.m.
PERSONNEL CABINET

101 KAR 2:034. Classified compensation administrative regulations.

Page 2
Section 2(2)(b)
Line 21
   After "is reinstated, reemployed", insert "."

Page 17
Section 9(5)(e)
Line 12
   After "special duty, promotion", insert "."
May 1, 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: 101 KAR 3:045: Compensation plan and pay incentives for unclassified service.

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 101 KAR 3:045, the Personnel Cabinet proposes the attached amendment to 101 KAR 3:045.

Sincerely,

Thomas B. Stephens
Secretary

Attachment
Staff-suggested Amendment

Final version 4/30/2019 8:41 a.m.
PERSONNEL CABINET

101 KAR 3:045. Compensation plan and pay incentives for unclassified service.

Page 1
STATUTORY AUTHORITY
Line 5
After “KRS 18A.030(2),” insert “18A.110(2),”.

After “18A.155(1)(b), (e),” delete “18A.110(2),”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 8
After “(k), (p), (t),” insert “.”.

Page 8
Section 5(5)
Lines 11 and 12
After “qualifying conditions established”, insert the following:

in subsection (5) of this Section

Delete “by this section”.

Page 11
Section 8(1)(c)
Line 2
After “special duty, promotion”, insert “.”.

Page 11
Section 8(2)(c)
Lines 15 and 16
After “transfer, promotion”, insert “.”.
April 19, 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, Capital Annex
Frankfort, Kentucky 40601

Dear Co-Chairs:

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

Sincerely,

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

Version 4/18/2019 11:39 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 “.”.

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 19, 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, Capital Annex
Frankfort, Kentucky 40601

Dear Co-Chairs:

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

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 6
Section 4(23)
Line 4

After “(23)”, delete the following:

“TRS shall not process a refund to a deceased member’s estate earlier than ninety (90) days following the death of the member. (24)”
State Board of Accountancy  
332 W. Broadway, Suite 310  
Louisville, KY  40202  
Phone: (502) 595-3037  
Fax: (502) 595-4500  
cpa.ky.gov

May 7, 2019

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

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 1:290, 201 KAR 1:300 and 201 KAR 1:310 the State Board of Accountancy proposes the attached Suggested Amendments to 201 KAR 1:290, 201 KAR 1:300, and 201 KAR 1:310. Twenty copies of each suggested amendment is enclosed.

Sincerely,

[Signature]
Richard C. Carroll  
Executive Director  
Enclosure
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky State Board of Accountancy

201 KAR 1:290. Standards of Practice.

Pages 1 and 2
NECESSITY, FUNCTION, AND CONFORMITY
Line 14
   After “of 1996” insert a comma.
Line 15
   After “Part 200”, and before “require”, insert a comma.
Line 21
   After “2002” insert a comma.
Line 1
   After “98”, insert a comma.

Page 2
Section 1(2)
Line 13
   After "standards", insert “(GAAS)".
   After "Accountants", insert “(AICPA)".

Page 3
Section 1(7)
Line 8
   After “accounting principles”, insert “(GAAP)".

Page 3
Section 1(10)
Line 15
   After “Office”, delete the closing quotation marks.

Page 3
Section 1(13)
Line 19
   After “KRS 325.220(6)”, insert a period.

Page 4
Section 2
Line 6
   After "with", insert “29 U.S.C. 18 and".
Page 4
Section 2(1)
Line 7
After "(1)", insert "The".
After "Standards", insert the following:
    as reflected in the following documents:
    (a) General Principles for Engagements Performed in Accordance with Statements
        on Standards for Accounting and Review Services;
    (b) Review of Financial Statements, SSARS 21 and 23;
    (c) Review of Financial Statements, SSARS 21, 23, and 24;
    (d) Compilation Engagements;
    (e) General Principles for Engagements Performed in Accordance with Statements
        on Standards for Accounting and Review Services, SSARS 21 and 23;
    (f) General Principles for Engagements Performed in Accordance with Statements
        on Standards for Accounting and Review Services, SSARS 21, 23, and 24;
    (g) Preparation of Financial Statements;
    (h) Statements on Standards for Valuation Services;
    (i) Review of Financial Statements: Accounting and Review Services;
    (j) Special Considerations-International Reporting Issues; and
    (k) Review of Financial Statements: Accounting and Review Services Interpretation
        of Section 90

Page 4
Section 2(3)
Line 9
After "Board;", insert "and".

Page 4
Section 2(4) and Section 2(5)
Line 11-12
After "www.ifac.org", delete the following:
    ; and

Page 5
Section 4(3)
Line 12
After "specified in", lowercase the first letter of "Subsection".

Line 13
After "Standards", insert the following:
    and that includes the documents listed in Section 2(1)(a) through (k) of this
    administrative regulation
Page 5
Section 4(4)
Line 15
After “Accountants”, capitalize the first letter of “web”.

Page 5
Section 4(4)(a)
Line 16
After “standards in”, lowercase the first letter of “Subsection”.

Page 6
Section 6(1)(a)
Line 1
After “December 2015 Edition;”, insert the following:
1. “General Principles for Engagements Performed in Accordance with Statements on Standards for Accounting and Review Services”, December 15, 2015;
5. “General Principles for Engagements Performed in Accordance with Statements on Standards for Accounting and Review Services, SSARS 21 and 23”, December 15, 2015;
8. “Statements on Standards for Valuation Services”, June 2007;
10. “Special Considerations-International Reporting Issues”, June 15, 2019; and
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky State Board of Accountancy

201 KAR 1:290. Standards of Practice.

Pages 1 and 2
NECESSITY, FUNCTION, AND CONFORMITY
Line 14
After "of 1996" insert a comma.
Line 15
After "Part 200", and before "require", insert a comma.
Line 21
After "2002" insert a comma.
Line 1
After "98", insert a comma.

Page 2
Section 1(2)
Line 13
After "standards", insert "(GAAS)".
After "Accountants", insert "(AICPA)".

Page 3
Section 1(7)
Line 8
After "accounting principles", insert "(GAAP)".

Page 3
Section 1(10)
Line 15
After "Office", delete the closing quotation marks.

Page 3
Section 1(13)
Line 19
After "KRS 325.220(6)", insert a period.

Page 4
Section 2
Line 6
After "with", insert "29 U.S.C. 18 and".
May 7, 2019

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

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 1:290, 201 KAR 1:300 and 201 KAR 1:310 the State Board of Accountancy proposes the attached Suggested Amendments to 201 KAR 1:290, 201 KAR 1:300, and 201 KAR 1:310. Twenty copies of each suggested amendment is enclosed.

Sincerely,

Richard C. Carroll
Executive Director
Enclosure
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky State Board of Accountancy

201 KAR 1:300. Rules of professional conduct.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 7
After “CONFORMITY:”, insert the following:
KRS 325.240(2) authorizes the Kentucky State Board of Accountancy to promulgate administrative regulations for the administration of KRS Chapter 325, and to establish and maintain a high standard of integrity and dignity in the profession of public accounting.

Lines 8-9
After “This administrative regulation”, insert “establishes”.
Delete “is necessary to establish”.

Lines 9-10
After “Rules of Professional Conduct”, insert “that”.
Delete the following:
. The State Board of Accountancy decided to adopt and

Lines 11-16
After “Code of Professional Conduct.”, delete the following:
The State Board of Accountancy may review the AICPA’s interpretations of its code of professional conduct for guidance when applying the provisions of this administrative regulation.

Page 10
Section 2
Line 3
After “Section 2.”, insert the following:
Each licensee and firm shall comply with the AICPA’s interpretation of the rules of professional conduct in the AICPA Code of Professional Conduct adopted by the board.
Section 3.
May 7, 2019

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

Dear Regulations Compiler:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 1:290, 201 KAR 1:300 and 201 KAR 1:310 the State Board of Accountancy proposes the attached Suggested Amendments to 201 KAR 1:290, 201 KAR 1:300, and 201 KAR 1:310. Twenty copies of each suggested amendment is enclosed.

Sincerely,

Richard C. Carroll
Executive Director
Enclosure
Suggested Amendment
GENERAL GOVERNMENT CABINET
Kentucky State Board of Accountancy

201 KAR 1:310. Expungement of minor violation.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 7
After "CONFORMITY:", insert the following:
KRS 325.240(2) authorizes the Kentucky State Board of Accountancy to promulgate administrative regulations to administer KRS Chapter 325.
After "KRS", insert "325.340".
Delete "325.240".
After "(5)", insert "requires".
Delete "directs".
After "the", immediately following, insert "board".

Lines 7-8
Delete the following:
Kentucky State Board of Accountancy

Line 8
After "to establish", insert "procedures".
Delete "a procedure".

Line 9
After "This administrative regulation", insert "establishes those expungement procedures".
Delete "describes that procedure".

Page 1
Section 1
Line 10
After "means", delete "that".
After "all affected records", insert "are".
Delete "shall be", immediately following.
After "sealed and", delete "that".

Line 11
After "to which", insert "the records".
Delete "they".
After "refer", delete "shall be deemed".
After "never", delete "to have".

Page 1
Section 2
Line 12
After “properly reply”, insert “upon inquiry.”

Line 13
After “do not exist”, delete “upon inquiry”.

Page 1
Section 4(1)
Line 17
After “request, the board shall”, insert “: (a)”.  
   Capitalize the first letter of “review”.
Line 18
After expungement insert a semicolon.  
After “and”, immediately following, insert “(b)”.  
Delete “shall”, immediately following.  
   Capitalize the first letter of “provide”.

Page 1
Section 4(2)
Line 19
After “the board shall”, insert “explain”.  
Delete “set forth”.

Page 2
Section 5(2)
Line 1
After “hearing request shall”, insert “: (a)”.  
   Capitalize the first letter of “be”.
Line 2
After “deny the request”, insert a semicolon.  
Delete the comma immediately following.  
After the “and” immediately following, insert “(b) Explain”.  
Delete “shall set forth”.

2
Board of Medical Imaging and Radiation Therapy

Matthew G. Bevin
Governor

Amy L. Adkins
Board Chair

125 Holmes Street, Suite 320
Frankfort, KY 40601
502-782-5687
http://kbmirt.ky.gov/

May 1, 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: 201 KAR 46:010 Definitions for 201 KAR Chapter 46

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 46:010, the Board of Medical Imaging and Radiation Therapy proposes the attached amendment to 201 KAR 46:010.

Sincerely,

Elizabeth Morgan

Elizabeth Morgan, Executive Director
Board of Medical Imaging and Radiation Therapy
125 Holmes Street, Suite 320
Frankfort, Kentuck 40601
May 1, 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: 201 KAR 46:010 Definitions for 201 KAR Chapter 46

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 201 KAR 46:010, the Board of Medical Imaging and Radiation Therapy proposes the attached amendment to 201 KAR 46:010.

Sincerely,

Elizabeth Morgan

Elizabeth Morgan, Executive Director
Board of Medical Imaging and Radiation Therapy
125 Holmes Street, Suite 320
Frankfort, Kentucky 40601
201 KAR 46:010. Definitions for 201 KAR Chapter 46.

Page 6
Section 1(43)
Line 4
  After “means”, insert “: (a)”.  
  Capitalize the first letter of “the” immediately following.

Line 5
  After “injury or disease”, insert a semicolon.  
  After “and”, immediately following, insert “(b) Includes”.

Line 5-6
  Delete “shall include”.

May 10, 2019

Senator Stephen West, 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: 202 KAR 7:520. Allocation of block grant funding assistance for emergency medical services.

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 202 KAR 7:520, the Kentucky Board of Emergency Medical Services proposes the attached amendment to 202 KAR 7:520.

Sincerely,

Philip Dietz, Chairman
Kentucky Board of Emergency Medical Services
118 James Court, Suite 50, Lexington, KY 40505
Suggested Amendment
KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Kentucky Board of Emergency Medical Services

202 KAR 7:520. Allocation of block grant funding assistance for emergency medical services.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 9
After “KRS 311A.155(3)”, insert the following:
requires the Kentucky Board of Emergency Medical Services to administer the emergency medical services grant program, and

Lines 9-10
After “authorizes the”, insert “board”.
Delete the following:
Kentucky Board of Emergency Medical Services

Line 11
After “of the emergency”, insert “medical”.

Lines 11-12
After “KRS 311A.155”, insert “(1) requires”.
Delete “authorizes”.
After “the”, immediately following, insert “board”.
Delete the following:
Kentucky Board of Emergency Medical Services

Page 2
Section 1(3)
Line 2
After “202 KAR”, insert “Chapter”.

Page 2
Section 1(5)(b)
Line 11
After “ambulance service”, insert a comma.

Page 3 and Page 4
Section 2 and Section 3
Line 20 and Line 20
After “Section 2.”, delete “Section 3.”.
Page 4
Section 2(1)
Line 22
After "Grant, KBEMS", insert a space and then "G-1".
Delete "-G1".

Page 5
Section 2(1)
Line 1
After "Grant, KBEMS", insert a space and then "G-2".
Delete "-G2".

Page 5
Section 2(3)
Line 7
After "quantity of", insert "those".
Delete "said".

Page 5
Section 2(4)
Line 14
After "mandated by", insert "this administrative regulation".
Delete "statute".

Page 5
Section 2(5)(a)
Line 17
After "submit the", lowercase the first letter of "Electronic".
After "Form, KBEMS", insert a space and then "G-3".
Delete "-G3".

Page 5
Section 2(5)(b)
Line 20
After "on a KBEMS", insert a space and then "G-3".
Delete "-G3".

Line 21
After "for all KBEMS", insert a space and then "G-3".
Delete "-G3".

Page 6
Section 2(8)(f)
Line 18
After "all awarded grant funds", insert the following:
, except any approved carry-over funds.

Page 6
Section 2(8)(g)
Line 19
After "approved grant funds", insert the following:
, except any approved carry-over funds.

Page 6
Section 2(9)
Line 23
After "Grant, KBEMS", insert a space and then "G-1".
Delete "-G1".

Page 7
Section 2(9)
Line 3
After ", The", insert "KBEMS", and a space before "G-1".
Line 4
After "Kentucky", lowercase the first letter of "Ambulance" and "Grant".

Page 7
Section 2(10)
Line 7
After "Grant, KBEMS", insert a space and then "G-1".
Delete "-G1".

Page 7
Section 2(10)(b)
Line 11
After "Grant, KBEMS", insert a space and then "G-1".
Delete "-G1".

Page 7
Section 2(10)(f)
Line 20
After "all awarded grant funds", insert the following:
, except any approved carry-over funds.

Page 7
Section 2(10)(g)
Line 21
After "approved grant funds", insert the following:

except any approved carry-over funds.

Page 8
Section 3(1)
Line 6
After "approved in the", lowercase the first letter of "Electronic".

Line 7
After "Grant, KBEMS", insert a space and then "G-2".
Delete "-G2".
After "submit the", lowercase the first letter of "Electronic".

Line 8
After "Form, KBEMS", insert a space and then "G-3".
Delete "-G3".

Page 8
Section 3(2)
Line 11
After "applicable, the", insert "electronic".
After "Substitute Item", delete "Electronic".
After "Form, KBEMS", insert a space and then "G-3".
Delete "-G3".

Page 12
Section 5(2)
Line 5
After "Funds, KBEMS", insert a space and then "G-4".
Delete "-G4".

Page 12
Section 5(3)
Lines 9-10
After "Funds, KBEMS", insert a space and then "G-4".
Delete "-G4".

Page 13
Section 6(2)(b)
Line 7
After "approved on the", lowercase the first letter of "Electronic".

Line 8
After "Grant, KBEMS", insert a space and then "G-2".
Delete "-G2".
Page 13  
Section 6(3)  
Line 10  
Lowercase the first letter of “Ambulance”, “Block”, and “Grant”.

Page 13  
Section 6(6)  
Lines 16-17  
After “Funds, KBEMS”, insert a space and then “G-4”.  
Delete “-G4”.

Page 14  
Section 6(9)  
Line 6  
After “approval of an”, lowercase the first letter of “Electronic”.
Lines 6-7  
After “Form, KBEMS”, insert a space and then “G-3”.  
Delete “-G3”.

Page 14  
Section 6(10)  
Line 9  
After “An”, lowercase the first letter of “Electronic”.  
After “Form, KBEMS”, insert a space and then “G-3”.  
Delete “-G3”.
Line 10  
After “listed on the”, lowercase the first letter of “Electronic”.
Line 11  
After “Grant, KBEMS”, insert a space and then “G-2”.  
Delete “-G2”.

Page 14  
Section 6(11)  
Line 13  
After “An”, lowercase the first letter of “Electronic”.  
After “Form, KBEMS”, insert a space and then “G-3”.  
Delete “-G3”.

Page 17  
Section 10(1)(a)  
Line 10  
After “KBEMS”, insert a space and then “G-1”.  
Delete “-G1”.

5
After the comma, insert “April 2019”.
Delete “9/18”.

Page 17
Section 10(1)(b)
Line 11
After “KBEMS”, insert a space and then “G-2”.
Delete “-G2”.
After the comma, insert “April 2019”.
Delete “1/29/2019”.

Page 17
Section 10(1)(c)
Line 13
After “KBEMS”, insert a space and then “G-3”.
Delete “-G3”.
After the comma, insert “April 2019”.
Delete “1/29/2019”.

Page 17
Section 10(1)(d)
Line 14
After “KBEMS”, insert a space and then “G-4”.
Delete “-G4”.
After the comma, insert “April 2019”.
Delete “1/29/2019”.

MATERIAL INCORPORATED BY REFERENCE

The agency needs to file one (1) clean copy of each of the following forms at the time that it files this staff suggested amendment. This includes screen shots of the forms, since these forms are all submitted electronically.

County Application, Kentucky Ambulance Grant, KBEMS G-1
- Updates the edition date of the electronic form to April 2019
- Updates the date to January 31 as the deadline for submission of the KBEMS G-4 Form
- Makes other technical corrections

Agency Application, Kentucky Ambulance Grant form, KBEMS G-2
- Updates the edition date of the electronic form to April 2019
- Updates the Form to be consistent with this administrative regulation as amended, which deleted the tiering provisions on Page 4, Lines 1-13. Page 2 of the electronic
form, previously included a tiering Section on Tier 1- Tier 3 that cited to 202 KAR 7:520, Section 2(2)(a), through 2(2)(c). These tiering provisions are deleted in the new version of the form.

Ambulance Grant Substitute Item Form, KBEMS G-3 form
- Updates the edition date of the electronic form to April 2019
- Makes technical corrections.

Grant Accountability of Funds, KBEMS G-4 form
- Updates the edition date of the electronic form to April 2019
- Updates the Form to be consistent with the administrative regulation as amended, by changing the March 15, 2019 deadline on the form to January 31.
May 10, 2019

Senator Stephen West, 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: 202 KAR 7:575. Fee schedules of licensed ambulance providers.

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 202 KAR 7:575, the Kentucky Board of Emergency Medical Services proposes the attached amendment to 202 KAR 7:575.

Sincerely,

Philip Dietz, Chairman
Kentucky Board of Emergency Medical Services
118 James Court, Suite 50, Lexington, KY 40505
Suggested Amendment
KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Kentucky Board of Emergency Medical Services


Page 1
TITLE
Line 4
After “202 KAR 7:575”, delete “Posting of”,
Capitalize the first letter of “Fee”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 7
After “KRS 311A.032”, insert “requires”.
Delete “authorizes”.

Page 2
Section 1(2)(k)
Line 7
After “mile;“, insert “and”.

Page 2
Section 2 and Section 2(1)
Line 9
After “Posting Requirements;“, delete “(1)“.

Page 2
Section 2(1)
Line 10
After “post fee schedules as“, insert “established in KRS 311A.032(1)(a)”.

Page 2
Section 2(1) and Section 2(1)(a) through (c)
Lines 10-14
Delete the following, except for the final period:
defined in Section 1:
(a) In a conspicuous area of the main office;
(b) Any satellite location, and;
(c) On the company Web site, if the company hosts or otherwise maintains a Web site itself or through contract with another party.
Page 2
Section 3(1)

Line 16
Afer “shall” insert “submit”.

Page 2
Section 3(1)(a)

Line 17
Afer “(a)”, delete “Submit”.
Capitalize the first letter of “an”.

Line 18
Afer “electronic”, capitalize the first letter of “application”.
Insert “for Initial Fee Schedule”.
Afer “account”, insert “; and”.
Dlete the period.

Page 2
Section 3(1)(b)

Line 19
Afer “(b)”, delete “Submit”.
Capitalize the first letter of “an”.

Line 20
Afer “agency licensure renewal”, insert the following:
with the electronic Renewal and Inspection Application for Class I, II, III, IV, VII and
VIII Agencies, and the Renewal and Inspection Application for Class VI Agencies

Page 2
Section 3(2)

Line 21
Afer “that are modified”, insert “shall”.
Dlete “must”.
Afer “posted as”, insert “established”.
Dlete “prescribed”.
Afer “in”, immediately following, insert “KRS 311A.032”.
Dlete “Section 2”.

Line 22
Afer “and”, immediately following, insert “an”.
Dlete “a modified fee schedule”.
Afer “electronic”, capitalize the first letter of “application”. 
insert the following:
for Ambulance Fee Schedule Modification shall
Dlete “must”.

2
Page 3
Section 4(1)
Line 1
After “Posting provisions as”, insert “required by KRS 311A.032(1)(a)”. Delete “prescribed in Section 2”.

Page 3
Section 4(3)(a)
Line 10
After “$150”, delete the following:
per occurrence for failure to post or update a modified fee schedule
After “as required”, insert “by KRS 311A.032(2)(a) and”. Delete “under”.

Page 3
Section 5
Line 14
After “Section 5.”, insert the following:
Incorporation by Reference. (1) The following material is incorporated by reference:
(a) "Application for Initial Fee Schedule", April 2019;
(b) "Application for Ambulance Fee Schedule Modification", April 2019;
(c) "Renewal and Inspection Application for Class I, II, III, IV, and VII Agencies", April 2019; and
(d) "Renewal and Inspection Application for Class VI Agencies", April 2019.
(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Emergency Medical Services, 118 James Court, Suite 50, Lexington, Kentucky 40505, Monday through Friday, 8:30 a.m. to 4:30 p.m.

Pages 3-4
Section 5, Section 5(1), and 5(1)(a) through (l)
Lines 14-23 and Lines 1-16

NOTE TO COMPILER: Beginning with “Unethical Conduct.”, delete all of this Section in its entirety, and including all paragraphs and subparagraphs.

MATERIAL INCORPORATED BY REFERENCE

The agency needs to file one (1) clean copy of each of the following forms at the time that it files this staff suggested amendment. This includes screen shots of the forms, since these forms are all submitted electronically. All of these forms include
an April 2019 Edition Date. These forms are required by KRS 311A.032, and have been incorporated by reference as required by KRS Chapter 13A.

- **Application for Initial Fee Schedule**
  - This application is used to initially notify the KBEMS office of the organization’s fee schedule.

- **Application for Ambulance Fee Schedule Modification**
  - This application is used to notify the KBEMS office of changes to the organization’s fee schedule.

- **Renewal and Inspection Application for Class I, II, III, IV, and VII Agencies**
  - This application is the ground agency renewal and inspection application that the fee schedule is submitted with by the agency.

- **Renewal and Inspection Application for Class VI Agencies**
  - This application is the Class VI ALS First Response agency renewal and inspection application that the fee schedule is submitted with by the agency.
April 22, 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: 704 KAR 3:303. Required Academic Standards

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 704 KAR 3:303, the Kentucky Board of Education proposes the attached amendment to 704 KAR 3:303.

Sincerely,

[Signature]

Deanna L. Durrett
General Counsel

attachment
Staff-suggested Amendment

Version 4/22/2019 3:12 p.m.
EDUCATION AND WORKFORCE DEVELOPMENT CABINET
Kentucky Board of Education
Department of Education


Page 1
STATUTORY AUTHORITY
Line 7
After "156.160, 158.6453", insert ", 160.290".

Page 2
Section 2
Line 1
After "Academic Standards", delete ".".
April 22, 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: 704 KAR 8:060. Required Academic Standards for Social Studies

Dear Co-Chairs:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 704 KAR 8:060, the Kentucky Board of Education proposes the attached amendment to 704 KAR 8:060.

Sincerely,

[Signature]

Deanna L. Durrett
General Counsel

attachment

Page 1
STATUTORY AUTHORITY
Line 7
   After “158.6453(2)”, insert “160.290”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 8
   After “CONFORMITY: KRS”, insert “156.160”.
   Delete “156.070”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 10
   After “expected goals, outcomes”, insert “.”.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 16
   After “academic standards and”, insert “assessments”.
   Delete “assessment”.

May 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: 803 KAR 25:270 Pharmaceutical Formulary

Dear Co-Chairs:

After discussion with Administrative Regulation Review Subcommittee staff of the issues raised by 803 KAR 25:270, the Department of Workers' Claims proposes the attached amendments to 803 KAR 25:270.

Sincerely,

B. Dale Hamblin, Jr., Assistant General Counsel
Workers' Claims Legal Division
Labor Cabinet
657 Chamberlin Avenue
Frankfort, KY 40601

Page 1
NECESSITY, FUNCTION, AND CONFORMITY
Line 10
   After “KRS Chapter 342”, insert “and”.
   Delete “or”.

Page 1
Section 1(1)
Line 17
   After “provided in Chapter”, insert “342”.
   Delete “42”.

Page 2
Section 1(3)
Line 1
   After “(3)”, insert ““Compound” or “Compounding”.
   Delete ““Compound/Compounding”.

Page 2
Section 1(10)
Line 21
   After “revoked, suspended, restricted”, insert “, ”.

Page 3
Section 1(14)
Line 3
   After “individual, corporation, government,”, delete “or”.
   After “governmental subdivision”, insert “,”.
   Delete “or”.
Page 3
Section 1(17)
Lines 9 and 10
After "for a drug, signed", insert "or".
Delete "or".

After "given", insert "and".

Page 3
Section 1(19)
Line 20
After "dose or strength," delete "and".

Page 3
Section 1(20)
Line 22
After "(20) "Utilization Review"", insert the following:

is defined by 803 KAR 25:190

Delete "means utilization review as defined in 803 KAR 25:19 § (6)".

Page 4
Section 2(4)
Line 11
After "prescriptive authority, including KRS", insert the following:

218A.020(3), 218A.172, 314.011(8)

Delete the following:

218A.172, KRS 218A.020(3), KRS 314.011(8)

Page 7
Section 5(1)
Line 21
After "for outpatient use", insert "and".
Delete ";".

2, 3, 4
May 9, 2019

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

Re: 805 KAR 3:100 - Equipment use and operation

Dear Co-Chair West and Co-Chair Hale:

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

Sincerely,

Michael S. Mullins  
Regulation Coordinator
Suggested Amendment
Final Version: 5/7/2019 1:05 PM

ENERGY AND ENVIRONMENT CABINET
Department for Natural Resources
Division of Mine Safety

805 KAR 3:100. Equipment use and operation.

Page 1
NECESSITY, FUNCTION, AND CONFORMITY

Line 9
After “promulgate, amend, or”, insert “repeal”.
Delete “rescind”.

Page 3
Sections 1(11)(b)1.b. and 1(11)(b)1.b.i.

Line 9
After “b.”, insert “(i)”.
Delete “i.”.

Page 3
Section 1(11)(b)1.b.i. (Should Have Been Section 1(11)(b)1.b.(i))

Line 11
After “of Mine Safety”, insert the following:
  in a course on the safe operation of an excavator and the course shall be
Delete “as having”

Line 11
After “successfully completed”, delete the remainder of clause (i), except the period.

Page 3
Section 1(11)(b)1.b.i. and ii. (Should Have Been Section 1(11)(b)1.b.(i) and (ii))

Lines 11 and 12
Renumber “ii.” as “(ii)”, respectively.

Page 3
Section 1(11)(b)1.b.ii. (Should Have Been Section 1(11)(b)1.b.(ii))

Line 12
After “established in subclause”, insert “(i)”.
Delete “i.”.

Line 13
After “Form 5000-23,”, insert the following:
  incorporated by reference in 805 KAR 7:030.
May 10, 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 10:030 Surplus lines reporting and tax payment structure.

Dear Co-Chairs West and Hale:

After discussions with Administrative Regulation Review Subcommittee staff of the issues raised by 806 KAR 10:030, the Department of Insurance proposes the attached amendments to 806 KAR 10:030.

Sincerely,

Patrick O'Connor II, Deputy Commissioner
Kentucky Department of Insurance
215 W. Main Street
Frankfort, Kentucky 40601
SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

806 KAR 10:030

Kentucky Surplus Lines Affidavit of Insurance Transaction

806 KAR 10:030 incorporates by reference the “Kentucky Surplus Lines Affidavit of Insurance Transactions” (05/2019), a one page electronic form to be completed by all entities required to report surplus lines transactions and pay the applicable surplus lines tax associated with such transaction. The form is accessible through the Department’s eServices website. The form requires detailed information regarding the insured, the carrier, and premium amount. Additionally, the surplus lines broker or responsible party will be required to include policy specific information including the policy number, the inception date of the policy, the expiration date of the policy, and the invoice date. These dates are all utilized under 806 KAR 10:030 to determine when the affidavit must be completed, which ultimately determines the quarter in which surplus lines premium is reported and any applicable taxes are due.
Surplus Lines Affidavit

Section 1 - Insured Information
Name(s) of Insured

Address

City

State

Select

Zip

Section 2 - KY Locations
Address Line 1
Address Line 2

City

State

KY

Zip

Premium

Add Location

Section 3 - General Information
Policy Number

Inception/Effective Date

Expiration Date

Invoice Date (Required)

Transaction Type

Select Transaction Type

Policy Type

Select a Policy

Section 4 - Carrier Information
Carrier

Premium

Miscellaneous Fees

Total

SL/Tax Rtid

Select a Carrier

Add Carrier

(You must click "Add Carrier")

Section 5 - Surplus Lines Tax
Premium

Misc Fees

Policy Total

Surplus Lines Tax Due

Submit Affidavit
May 9, 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 and other stakeholders of the issues raised by 907 KAR 5:005, the Department for Medicaid Services proposes the attached amendment 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,

Sarah A. Cooper
Legislative and Regulatory Analyst
Office of Legislative and Regulatory Affairs
Cabinet for Health and Family Services
AGENCY 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 3
Section 2(1)(a)
Line 15
   After “Completing the”, insert the following:
      Kentucky Health Insurance Premium Payment Program Application
   Delete “Healthcare Coverage Form”.

Page 3
Section 2(1)(b)
Line 17
   After “Submitting the”, insert the following:
      Kentucky Health Insurance Premium Payment Program Application
   Delete “Healthcare Coverage Form”.

Page 7
Section 5(3)(a)
Line 16
   After “within”, insert “thirty (30)”.  
   Delete “ten (10)”.

Page 9
Section 6(4)(e)
Line 23
   After “pursuant to”, insert “KAR”.  
   After “895”, delete “KAR”.

Page 10
Section 8(3)
Lines 19 and 20
   After “907 KAR”, insert “20:020”.
   Delete “1:640”.
After "(1)", insert the following:
"Kentucky Health Insurance Premium Payment Program Application", KIHIPP-100, April 2019
Delete the following:
The "Healthcare Coverage Form", November 2018
The “Kentucky Health Insurance Premium Payment Program Application”, 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.