



**Administrative Regulation Review Subcommittee
Meeting Agenda
Monday, September 16, 2019, 10 a.m.
Annex Room 149**



- 1. CALL TO ORDER AND ROLL CALL**
- 2. REGULATIONS FOR COMMITTEE REVIEW**

PERSONNEL CABINET

Personnel Cabinet, Classified

[101 KAR 002:102](#). Classified leave general requirements.

Personnel Cabinet, Unclassified

[101 KAR 003:015](#). Leave requirements for unclassified service.

FINANCE AND ADMINISTRATION CABINET

Department of Revenue

Sales and Use Tax; Registration and Collection

[103 KAR 025:131](#). Current month accelerated payment of sales and use taxes by larger taxpayers.

Sales and Use Tax; Service and Professional Occupations

[103 KAR 026:070](#). Contractors.

[103 KAR 026:090](#). Veterinarians and pet care providers.

Sales and Use Tax; Miscellaneous Retailer Occupations

[103 KAR 027:180](#). Vending machines.

Sales and Use Tax; Miscellaneous Retail Transactions

[103 KAR 028:010](#). Admissions.

Sales and Use Tax; General Exemptions

[103 KAR 030:170](#). Containers, wrapping, and packing materials.

Selective Excise Tax; Cigarettes

[103 KAR 041:220](#). Applications, stamp orders, returns, reports, and statements to be filed electronically – waiver.

FINANCE AND ADMINISTRATION CABINET

Office of Financial Management

State Investment Commission

[200 KAR 014:201](#). Repeal of 200 KAR 014:200. (Deferred from July)

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:165](#). Transfer of prescription information. (Not Amended After Comments)

Board of Cosmetology

[201 KAR 012:030](#). Licensing, permits, and examinations.

Board of Embalmers and Funeral Directors

[201 KAR 015:010](#). Definitions. (Deferred from August)

[201 KAR 015:015](#). Per Diem compensation of board members. (Deferred from August)

[201 KAR 015:030](#). Fees. (Deferred from August)

[201 KAR 015:040](#). Examination. (Deferred from August)

[201 KAR 015:050](#). Apprenticeship and supervision requirements. (Deferred from August)

[201 KAR 015:080](#). Complaints. (Deferred from August)

[201 KAR 015:110](#). Funeral establishment criteria. (Deferred from August)

[201 KAR 015:120](#). Requirements for applicants holding a license in another state. (Deferred from August)

[201 KAR 015:125](#). Surface Transportation Permit. (Deferred from August)

Real Estate Appraisers

[201 KAR 030:130](#). Education provider, instructor, and course. (Deferred from August)

TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Fish

[301 KAR 001:185](#). Pay lakes.

[301 KAR 001:201](#). Taking of fish by traditional fishing methods.

[301 KAR 001:410](#). Taking of fish by nontraditional fishing methods.

Game

[301 KAR 002:185](#). Hunter education.

GENERAL GOVERNMENT

Department of Agriculture

Kentucky Grain Insurance and Grain Dealers

[302 KAR 034:011](#). Repeal of 302 KAR 034:010, 302 KAR 034:020, 302 KAR 034:030, 302 KAR 034:040, 302 KAR 034:050 and 302 KAR 034:060.

Grain Storage

[302 KAR 035:011](#). Repeal of 302 KAR 035:020, 302 KAR 035:030, 302 KAR 035:040, 302 KAR 035:050, 302 KAR 035:060, and 302 KAR 035:070.

Bond and Grain Fund Distribution

[302 KAR 036:011](#). Repeal of 302 KAR 036:010.

Regulation and Inspection; Packaging and Labeling

[302 KAR 075:130](#). Packaging and labeling.

Regulation and Inspection; Method of Sale

[302 KAR 076:100](#). Method of sale.

Regulation and Inspection; Scanner

[302 KAR 080:010](#). Examination procedure for price verification.

Regulation and Inspection; Commercial Weighing and Measuring Devices

[302 KAR 081:010](#). Technical requirements for commercial weighing and measuring devices.

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection

Division of Water

Water Quality

[401 KAR 005:010](#). Operation of wastewater systems by certified operators. (Not Amended After Comments)

Water Quality Certification

[401 KAR 008:030](#). Water treatment plant and water distribution system classification and staffing. (Amended After Comments)

[401 KAR 008:050](#). Drinking water program fees. (Amended After Comments)

Certified Operators

[401 KAR 011:001](#). Definitions for 401 KAR Chapter 011. (Amended After Comments)

[401 KAR 011:030](#). Wastewater treatment and collection system operators; classification and qualifications. (Amended After Comments)

[401 KAR 011:040](#). Water treatment and distribution system operators; classification and qualifications. (Amended After Comments)

[401 KAR 011:050](#). Operator and training provider certification. (Amended After Comments)

[401 KAR 011:060](#). Operator and training provider certification fees. (Amended After Comments)

JUSTICE AND PUBLIC SAFETY CABINET

Department of Corrections

Office of the Secretary

[501 KAR 006:110](#). Roederer Correctional Complex. (Amended After Comments)

Department of Juvenile Justice

Child Welfare

[505 KAR 001:160](#). Department of Juvenile Justice Policy and Procedures Manual: juvenile sexual offender treatment program.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Board of Education

Department of Education

Office of Chief State School Officer

[701 KAR 005:090](#). Teacher disciplinary hearings. (Amended After Comments)

Office of District Support Services

School Administration and Finance

[702 KAR 003:130](#). Internal accounting. (Deferred from August)

Apprenticeship Standards

[787 KAR 003:010](#). Registration of apprenticeship programs. (Amended After Comments)

PUBLIC PROTECTION CABINET

Department of Financial Institutions Administration

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

Check Cashing

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

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health Division of Public Health Protection and Safety Public Accommodations

[902 KAR 007:010](#). Hotel and motel code. (Amended After Comments)

Office of Inspector General

Division of Healthcare Health Services and Facilities

[902 KAR 020:036](#). Operation and services; personal care homes. (Amended After Comments)
(Deferred from August)

Department for Public Health Division of Prevention and Quality Improvement Programs for the Underserved

[902 KAR 021:020](#). Kentucky Colon Cancer Screening Program.

Division of Public Health Protection and Safety Milk and Products

[902 KAR 050:003](#). Repeal of 902 KAR 050:002.

[902 KAR 050:005](#). Milk Advisory Committee.

Office of Inspector General

Division of Audits and Investigations Controlled Substances

[902 KAR 055:120](#). Disposal of prescription controlled substances.

Department for Medicaid Services Division of Fiscal Management Hospital Service Coverage and Reimbursement

[907 KAR 010:830](#) & E. Acute care inpatient hospital reimbursement. ("E" expires 12-16-2019.)

Department for Aging and Independent Living Division of Guardianship

[910 KAR 002:040](#). Service provisions for adult guardianship. (Amended After Comments)

Department for Community Based Services Division of Protection and Permanency Child Welfare

[922 KAR 001:470](#). Central registry. (Amended After Comments)

[922 KAR 001:560](#). Putative father registry and operating procedures.

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

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

COUNCIL ON POST SECONDARY EDUCATION

Nonpublic Colleges

[013 KAR 001:020](#). Private College licensing. (Comments Received; SOC ext. due 10-15-2019)

STATE BOARD OF ELECTIONS

Forms and Procedures

[031 KAR 004:120](#). Additional and emergency precinct officers. (Not Amended After Comments)
(Deferred from April)

FINANCE AND ADMINISTRATION CABINET

Teachers' Retirement System

General Rules

[102 KAR 001:032](#). Bona Fide Retirement. (Deferred from September)

BOARDS AND COMMISSIONS

Board of Dentistry

[201 KAR 008:540](#). Dental practices and prescription writing. (Amended After Comments)

Board of Pharmacy

[201 KAR 002:095](#). Pharmacist interns. (Deferred from July)

Real Estate Authority

Real Estate Commission

[201 KAR 011:002](#). Repeal of 201 KAR 011:030, 201 KAR 011:045, 201 KAR 011:062, 201 KAR 011:090, 201 KAR 011:095, 201 KAR 011:100, 201 KAR 011:110, 201 KAR 011:115, 201 KAR 011:135, 201 KAR 011:145, 201 KAR 011:147, 201 KAR 011:175, 201 KAR 011:180, 201 KAR 011:195, 201 KAR 011:215, 201 KAR 011:225, 201 KAR 011:230, 201 KAR 011:232, 201 KAR 011:235, 201 KAR 011:240, 201 KAR 011:245, 201 KAR 011:250, 201 KAR 011:300, 201 KAR 011:350, 201 KAR 011:400, 201 KAR 011:410, 201 KAR 011:440, 201 KAR 011:450, and 201 KAR 011:460. (Deferred from September)

[201 KAR 011:011](#). Definitions for 201 KAR Chapter 011. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:105](#). Advertising. (Amended After Comments)

[201 KAR 011:121](#). Standards of professional conduct. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:170](#). Education provider requirements. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:190](#). Consumer and administrative complaints; discipline; administrative hearings. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:210](#). Licensing, education, and testing requirements. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:220](#). Errors and omissions insurance requirements. (Comments Received; SOC ext. due 10-15-2019)

[201 KAR 011:461](#). Repeal of 201 KAR 011:420. (Comments Received; SOC ext. due 9-13-2019)

Board of Veterinary Examiners

[201 KAR 016:011](#). Repeal of 201 KAR 016:010, 201 KAR 016:015, 201 KAR 016:020, 201 KAR 016:030, 201 KAR 016:040, 201 KAR 016:050, 201 KAR 016:060, 201 KAR 016:080, 201 KAR 016:090, 201 KAR 016:100, and 201 KAR 016:110. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:200](#). Code of ethical conduct for veterinarians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:210](#). Fees for veterinarians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:212](#). Fees for veterinary technicians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:214](#). Fees for animal control agencies and animal euthanasia specialists. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:216](#). Fees – other fees. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:220](#). Approved veterinary colleges; approved programs for veterinary technicians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:230](#). Examination requirements for veterinarians and veterinary technicians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:240](#). Application requirements for veterinarians and veterinary technicians. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:250](#). Authorization for animal control agencies to apply for a restricted controlled substances certificate from DEA. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:260](#). Certification as an animal euthanasia specialist. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:270](#). License renewal for veterinarians and veterinary technicians; renewal notice. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:272](#). License renewal for registered animal control agencies and animal euthanasia specialists; renewal notice. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:280](#). License, inactive and retired statuses. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:290](#). Continuing education. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:300](#). Prescription and dispensation of drugs for animal use. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:310](#). Procedures for grievances, investigations, and administrative charges. (Comments Received; SOC due 9-13-2019)

[201 KAR 016:400](#). Material Incorporated by Reference. (Comments Received; SOC due 9-13-2019)

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection

Division of Water

Water Wells

[401 KAR 006:001](#) & E. Definitions for 401 KAR Chapter 006. ("E" expires 02-08-2020) (Comments Received; SOC ext. due 10-15-2019)

[401 KAR 006:211](#). Repeal of 401 KAR 006:200. (Comments Received; SOC ext. due 10-15-2019)

[401 KAR 006:310](#) & E. Water supply well construction practices and standards. ("E" expires 02-08-2020) (Comments Received; SOC ext. due 10-15-2019)

[401 KAR 006:320](#) & E. Certification of water well drillers and water well driller assistants. ("E" expires 02-08-2020) (Comments Received; SOC ext. due 10-15-2019)

[401 KAR 006:350](#) & E. Monitoring well construction practices ad standards. ("E" expires 02-08-2020)

(Comments Received; SOC ext. due 10-15-2019)

Water Quality Standards

[401 KAR 010:001](#). Definitions for 401 KAR Chapter 010. (Amended After Comments)

[401 KAR 010:026](#). Designation of uses of surface waters. (Amended After Comments))

[401 KAR 010:029](#). General provisions. (Amended After Comments)

[401 KAR 010:030](#). Antidegradation policy implementation methodology. (Amended After Comments)

[401 KAR 010:031](#). Surface water standards. (Amended After Comments)

Division for Air Quality

Attainment and Maintenance of the National Ambient Air Quality Standards

[401 KAR 051:010](#). Attainment status designations. (Not Amended After Comments)

JUSTICE AND PUBLIC SAFETY CABINET

Asset Forfeiture

[500 KAR 009:011](#). Repeal of 500 KAR 009:010, 500 KAR 009:020, 500 KAR 009:030, and 500 KAR 009:040. (Deferred from June)

Motorcycle Safety Education Commission

[500 KAR 015:010 & E](#). Motorcycle safety education program. ("E" expires 10-02-2019) (Not Amended After Comments) (Deferred from July)

Department of Corrections

Office of the Secretary

[501 KAR 006:060](#). Northpoint Training Center. (Not Amended After Comments)

[501 KAR 006:140](#). Bell County Forestry Camp. (Not Amended After Comments)

TRANSPORTATION CABINET

Department of Vehicle Licensing

Driver Improvement

[601 KAR 013:090](#). Medical Review Board; basis for examination, evaluation, tests. (Amended After Comments)

[601 KAR 013:100](#). Medical standards for operators of motor vehicles. (Amended After Comments)

LABOR CABINET

Department of Workers' Claims

803 KAR 025:271E. Pharmaceutical formulary. ("E" expires 12-18-2019.) (Withdrawn)

ENERGY AND ENVIRONMENT CABINET

Department for Natural Resources

Division of Oil and Gas

[805 KAR 001:001](#). Definitions for 805 KAR Chapter 001. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:020](#). Protection of fresh water zones. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:030](#). Well location and as-drilled location plat, preparation, form and contents. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:050](#). Bonds, requirements, cancellation. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:060](#). Plugging wells. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:080](#). Gas storage reservoirs; drilling, plugging in vicinity. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:110](#). Underground injection control. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:120](#). Operating or deepening existing wells and drilling deeper than the permitted depth. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:140](#). Directional and horizontal wells. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:170](#). Content of the operations and reclamation plan. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:180](#). Production reporting. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:190](#). Gathering lines. (Comments Received; SOC ext. due 10-15-2019)

[805 KAR 001:200](#). General information associated with oil and gas permits. (Comments Received; SOC ext. due 10-15-2019)

Sanctions and Penalties

[805 KAR 009:011](#). Repeal of 805 KAR Chapter 009. (Deferred from September)

PUBLIC PROTECTION CABINET

Department of Insurance

Agents, Consultants, Solicitors, and Adjustors

~~[806 KAR 009:001](#). Prelicensing courses of study. (Deferred from June) (Withdrawn)~~

[806 KAR 009:020](#). False or deceptive names, titles, prohibited. (Deferred from June)

[806 KAR 009:030](#). Adjuster licensing restrictions. (Deferred from July)

[806 KAR 009:061](#). Repeal of 806 KAR 009:060. (Deferred from June)

[806 KAR 009:070](#). Examinations. (Deferred from June)

[806 KAR 009:110](#). Agent's rights after contract termination. (Amended After Comments)

[806 KAR 009:190](#). Disclosure requirements for financial institutions authorized to engage in insurance agency activities. (Deferred from July)

[806 KAR 009:200](#). Volume of insurance agent exchange of business. (Deferred from July)

[806 KAR 009:310](#). Life settlement licenses. (Deferred from June)

[806 KAR 009:321](#). Repeal of 806 KAR 009:320. (Deferred from June)

[806 KAR 009:341](#). Repeal of 806 KAR 009:341. (Deferred from July)

[806 KAR 009:350](#). Recognition of financial planning certification and designation for receipt of fees and commissions. (Deferred from July)

Department of Insurance

Rates and Rating Organizations

~~[806 KAR 013:120](#). Workers' compensation deductible policies. (Comments Received; SOC due 08-15-2019) (Withdrawn 8-15-2019, SOC not filed by deadline)~~

Department of Financial Institutions

Administration

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

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Inspector General

Division of Healthcare

Health Services and Facilities

[902 KAR 020:036](#). Operation and services; personal care homes. (Amended After Comments)
(Deferred from August)

[902 KAR 020:370](#). Operations and services; private duty nursing agencies. (Comments Received; SOC ext. due 10-15-2019)

[902 KAR 020:430](#) & E. Facilities specifications, operation and services; behavioral health services organizations for mental health treatment. ("E" expires 01-23-2020) (Comments Received; SOC ext. due 10-15-2019)

Department for Public Health

Division of Audits and Investigations

Controlled Substances

[902 KAR 055:070](#). Emergency medication kits in long-term care facilities. (Not Amended After Comments)

Department for Medicaid Services

Payments and Services

[907 KAR 003:170 & E](#). Telehealth service coverage and reimbursements. ("E" expires 01-09-2020)
(Amended After Comments)

Division of Policy and Operations

Behavioral Health

[907 KAR 015:005](#) & E. Definitions for 907 KAR Chapter 015. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)

[907 KAR 015:010](#) & E. Coverage provisions and requirements regarding behavioral health services provided by individual approved behavioral health practitioners, behavioral health provider groups, and behavioral health multi-specialty groups. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)

[907 KAR 015:015](#) & E. Reimbursement provisions and requirements for behavioral health services provided by individual approved behavioral health practitioners, behavioral health provider groups or behavioral health multi-specialty groups. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)

[907 KAR 015:020](#) & E. Coverage provisions and requirement regarding services provided by behavioral health services organizations for mental health treatment. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)

[907 KAR 015:022](#) & E. Coverage provisions and requirements regarding services provided by behavioral health services organizations for substance use disorder treatment and co-occurring disorders. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)

[907 KAR 015:025](#) & E. Reimbursement provisions and requirements regarding behavioral health services provided by behavioral health services organizations. ("E" expires 01-23-2020) (Comments Received; SOC ext. 10-15-2019)