



**Administrative Regulation Review Subcommittee
Detailed Meeting Agenda
Tuesday, October 13, 2020 at 1 p.m.
Annex Room 171**



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

AGRICULTURAL EXPERIMENT STATION

Fertilizer

- [012 KAR 004:075](#). Licenses and fertilizer product registration. (Deferred from September)
- [012 KAR 004:080](#). Plant nutrient guarantees and labeling. (Amended After Comments)
- [012 KAR 004:091](#). Repeal of 012 KAR 004:090, 004:120, and 004:160. (Deferred from September)
- [012 KAR 004:100](#). Slowly released nutrients; labeling. (Deferred from September)
- [012 KAR 004:110](#). Definitions for 012 KAR Chapter 004. (Deferred from September)
- [012 KAR 004:130](#). Investigational allowances. (Deferred from September)
- [012 KAR 004:140](#). Monetary penalties. (Deferred from September)
- [012 KAR 004:170](#). Maximum chlorine guarantees for tobacco fertilizers. (Deferred from September)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Education Professional Standards Board

Administrative Certificates

- [016 KAR 003:090](#). Certifications for advanced educational leaders.

Alternative Routes to Certification

- [016 KAR 009:010](#). Professional certificate for exceptional work experience.

PERSONNEL CABINET

Organ Donor Leave

- [101 KAR 006:010 & E](#). Living organ donor leave. ("E" expires 04-11-2021)

BOARDS AND COMMISSIONS

Board of Pharmacy

- [201 KAR 002:311](#). Compounding for veterinary use. (Amended After Comments)

Board of Medical Licensure

- [201 KAR 009:016](#). Restrictions on use of amphetamine and amphetamine-like anorectic controlled substances.
- [201 KAR 009:200](#). National Practitioner Data Bank Reports.
- [201 KAR 009:210](#). Criminal background checks required for all new applicants.
- [201 KAR 009:230](#). Required registration in the KASPER system; legal requirements for prescribing controlled substances in the Commonwealth of Kentucky; enforcement.

Meeting materials may be accessed online at <https://apps.legislature.ky.gov/CommitteeDocuments/3> In response to COVID-19, access to the Capitol Annex and Capitol is closed to the public. Kentucky Education Television (KET) provides coverage of legislative meetings (<https://www.ket.org/legislature>) and if a scheduling conflict arises, proceedings will livestream on the following site: <https://legislature.ky.gov/Public%20Services/PIO/Pages/Live-Streams.aspx>

[201 KAR 009:240](#). Emergency orders and hearings; appeals and other proceedings.

[201 KAR 009:260](#). Professional standards for prescribing, dispensing, and administering controlled substances.

[201 KAR 009:360](#). Continuing education requirements for physician assistants.

Board of Chiropractic Examiners

[201 KAR 021:041](#). Licensing, standards, fees. (Not Amended After Comments)

[201 KAR 021:042](#). Standards, application and approval of continuing education. (Deferred from September)

[201 KAR 021:095](#). Licensure, registration, and standards of persons performing peer review. (Deferred from September)

JUSTICE AND PUBLIC SAFETY CABINET

Department of Corrections

Office of the Secretary

[501 KAR 006:120](#). Blackburn Correctional Complex. (Amended After Comments)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Board of Education

School Administration and Finance

[702 KAR 003:270E](#). SEEK funding formula. ("E" expires 04-10-2021)

School Terms, Attendance, and Operation

[702 KAR 007:125E](#). Pupil attendance. ("E" expires 04-10-2021)

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Kentucky Fire Commission

Commission on Fire Protection Personnel Standards and Education

[739 KAR 002:040](#). Survivor benefits for death of a firefighter.

[739 KAR 002:155](#). Alan "Chip" Terry Professional Development and Wellness Program.

PUBLIC PROTECTION CABINET

Department of Insurance

Authorization of Insurers and General Requirements

[806 KAR 003:170](#). Annual audited financial reports.

Assets and Liabilities

[806 KAR 006:010](#). Valuation standards; audits.

[806 KAR 006:080](#). Reserve standards for individual health insurance policies.

[806 KAR 006:100](#). Actuarial opinion and memorandum.

Investments

[806 KAR 007:035](#). Finance committee of domestic insurers.

[806 KAR 007:090](#). Custodial accounts for investment securities of insurance companies.

Administration of Deposits

[806 KAR 008:010](#). Valuation of assets on deposit.

Captive Insurers

[806 KAR 049:020](#). Captive insurer application requirements.

[806 KAR 049:030](#). Captive insurer reporting requirements.

CABINET FOR HEALTH AND FAMILY SERVICES

Department of Public Health

Maternal and Child Health

[902 KAR 004:110](#). Abortion information.

Milk and Milk Products

[902 KAR 050:010](#). Definitions for milk and milk products.

[902 KAR 050:031](#). Standards for producer eligibility for manufactured grade milk.

[902 KAR 050:032](#). Standards for farm requirements for manufactured grade milk.

[902 KAR 050:033](#). Standards for enforcement procedures for manufactured grade milk.

Radiology

[902 KAR 100:012](#). Fee schedule.

Department for Community Based Services

Child Welfare

[922 KAR 001:330](#). Child protective services.

3. REGULATIONS ~~REMOVED~~ FROM OCTOBER'S AGENDA

FINANCE AND ADMINISTRATION CABINET

Teachers' Retirement System

[102 KAR 001:340](#). Calculation of final average salary if there is a corresponding change in position or in length of employment during any of the final three (3) years prior to retirement. (Deferred from October)

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:050](#). Licenses and permits; fees. (Deferred from June)

[201 KAR 002:105](#). Requirements for wholesalers, medical gas wholesalers, wholesale distributors, and virtual wholesale distributors. (Comments Received; SOC ext., due 10-15-2020)

[201 KAR 002:106](#). Licensed or permitted facility closures. (Deferred from September)

[201 KAR 002:225](#). Special limited pharmacy permit – medical gas. (Comments Received; SOC due 10-15-2020)

[201 KAR 002:240](#). Special limited pharmacy permit- Charitable. (Deferred from September)

[201 KAR 002:320](#). Requirements or manufacturers and virtual manufacturers. (Comments Received; SOC ext., due 10-15-2020)

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COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Board of Emergency Medical Services

[202 KAR 007:201](#). Emergency Medical Responders. (Comments Received; SOC ext., due 10-15-2020)

[202 KAR 007:301](#). Emergency Medical Technician. (Comments Received; SOC ext., due 10-15-2020)

[202 KAR 007:330](#). Advanced Emergency Medical Technician. (Comments Received; SOC ext., due 10-15-2020)

[202 KAR 007:401](#). Paramedics. (Comments Received; SOC ext., due 10-15-2020)

[202 KAR 007:601](#). Training, education and continuing education. (Deferred from September)

TRANSPORTATION CABINET

Department of Vehicle Regulation

Administration

[601 KAR 002:231](#). Repeal of 601 KAR 002:030. (Deferred from October)

[601 KAR 002:232 & E](#). Kentucky Ignition Interlock Program. ("E" expires 04-25-2021) (Comments Received; SOC ext., due 11-13-2020)

LABOR CABINET

Department of Workers' Claims

[803 KAR 025:089 & E](#). Workers; compensation medical fee schedule for physicians. ("E" expires 03-28-2021) (No Notice, Deferred from October)

PUBLIC PROTECTION CABINET

Department of Alcoholic Beverage Control

Licensing

[804 KAR 004:415](#). Direct shipper license. (Comments Received; SOC due 10-15-2020)

Horse Racing Commission

Licensing

[810 KAR 003:020](#). Licensing of racing participants. (Comments Received; SOC due 10-15-2020)

Department of Charitable Gaming

[820 KAR 001:050 & E](#). Raffles. ("E" expires 03-18-2021) (Comments Received; SOC ext., due 10-15-2020)

CABINET FOR HEALTH AND FAMILY SERVICES

Department of Public Health

Vital Statistics

[901 KAR 005:120](#). Abortion reporting. (Comments Received; SOC ext., due 11-13-2020)

Communicable Diseases

[902 KAR 002:020 & E](#). Reportable disease surveillance. ("E" expires 04-11-2021) (Comments Received; SOC ext., due 10-15-2020)

~~902 KAR 002:190E. Covering the face in response to declared national or state public health emergency. ("E" expires 04-06-2021) (Withdrawn by agency; 8-10-2020)~~

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Maternal and Child Health

[902 KAR 004:030](#). Newborn screening program. (Comments Received; SOC ext. 10-15-2020)

Local Health Departments

[902 KAR 008:160 & E](#). Local health department operations requirements. ("E" expires 05-05-2021) (Comments Received; SOC ext., due 11-13-2020)

[902 KAR 008:170 & E](#). Local health department financial management requirements. ("E" expires 05-05-2021) (Comments Received; SOC ext., due 11-13-2020)

Sanitation

[902 KAR 010:030](#). Registered environmental health specialists and sanitarians. (Comments Received; SOC ext., due 11-13-2020)

[902 KAR 010:036](#). Repeal of 902 KAR 010:035. (Deferred from October)

Office of Inspector General

Health Services and Facilities

~~[902 KAR 020:160](#). Chemical dependency treatment services and facility specifications. (Withdrawn; SOC not filed by deadline, 09-15-2020)~~

~~[902 KAR 020:440](#). Facilities specifications, operation and services; residential crisis stabilization units. (Withdrawn; SOC not filed by deadline, 09-15-2020)~~

Department for Public Health

Food and Cosmetics

[902 KAR 045:110](#). Permits and fees for retail food establishments, vending machine companies, and restricted food concessions. (Comments Received; SOC ext., due 10-15-2020)

[902 KAR 045:180](#). Permits and fees for food manufacturing plants, food storage warehouses, salvage processors and distributors, cosmetic manufacturers, and certificate of free sale. (Comments Received; SOC ext., due 10-15-2020)

Milk and Milk Products

[902 KAR 050:040](#). Hauler requirements. (Comments Received; SOC ext., due 11-13-2020)

Department for Medicaid Services

Behavioral Health

~~[907 KAR 015:070](#). Coverage provisions and requirements regarding services provided by residential crisis stabilization units. (Withdrawn; SOC not filed by deadline, 09-15-2020)~~

~~[907 KAR 015:080](#). Coverage provisions and requirements regarding chemical dependency treatment center services. (Withdrawn; SOC not filed by deadline, 09-15-2020)~~

Department for Behavioral Health, Developmental and Intellectual Disabilities

Substance Abuse

[908 KAR 001:381](#). Repeal of 908 KAR 001:380. (Deferred from October)

[908 KAR 001:400](#). Licensing and standards for substance use and misuse prevention. (Comments Received; SOC ext., due 11-13-2020)

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Department for Community Based Services
Child Welfare

[922 KAR 001:450 & E](#). Eligibility confirmation for tuition waiver. ("E" expires 05-05-2021) (Comments Received; SOC ext., due 11-13-2020)

[922 KAR 001:520 & E](#). Supplements to per diem rates. ("E" expires 4-26-2021) (Comments Received; SOC ext., due 11-13-2020)