

The following agenda may not take into consideration all of the administrative regulations that may be deferred by promulgating agencies. Deferrals may be made any time prior to or during the meeting.

Updated: March 4, 2021 at 8 am.



Administrative Regulation Review Subcommittee

TENTATIVE Meeting Agenda

Monday, March 8, 2021 at 10 a.m.

Annex Room 149



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

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:410E](#). Ordering and administering vaccinations. ("E" expires 08-20-2021)

Board of Physical Therapy

[201 KAR 022:170](#). Physical Therapy Compact Commission.

Board of Social Work

[201 KAR 023:070](#). Qualifying education and clinical practice experience under supervision. (Amended After Comments)

Board of Real Estate Appraisers Board

[201 KAR 030:040](#). Professional standards of practice and conduct.

[201 KAR 030:190](#). Certification and licensing requirements.

Board of Licensed Diabetes Educators

[201 KAR 045:130](#). Continuing education. (Deferred from February)

TOURISM, ARTS, AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Game

[301 KAR 002:221 & E](#). Waterfowl seasons and limits. ("E" expires 07-27-2021) (Deferred from February)

GENERAL GOVERNMENT CABINET

Department of Agriculture

Agriculture Tax Credits

[302 KAR 004:010](#). Renewable Chemical Production Program.

Livestock, Poultry, and Fish

[302 KAR 022:150](#). Cervids.

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection New Source Performance Standards

[401 KAR 060:005](#). 40 C.F.R. Part 60 standards of performance for new stationary sources.

General Standards of Performance

[401 KAR 063:002](#). 40 C.F.R. Part 63 national emission standards for hazardous pollutants.

JUSTICE AND PUBLIC SAFETY CABINET

Department of Corrections Office of the Secretary

[501 KAR 006:080 & E](#). Department of Corrections manuals. ("E" expires 07-30-2021) (Amended After Comments)

TRANSPORTATION CABINET

Department of Vehicle Regulation Motor Carriers

[601 KAR 001:113](#). Transportation Network Company. (Deferred from February)

Certification of Title

[601 KAR 023:030](#). Motor vehicle speed title process exceptions. (Deferred from February)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Department of Education Pupil Transportation

[702 KAR 005:080](#). Bus drivers' qualifications, responsibilities, and training.

Academic Standards

[704 KAR 008:110](#). Kentucky Academic Standards for World Language.

LABOR CABINET

Department of Workplace Standards Occupational Safety and Health

[803 KAR 002:010](#). Board procedures. (Deferred from February)

Department of Workers' Claims

[803 KAR 025:300](#). Mediation Program.

Department of Insurance

Agents, Consultants, Solicitors, and Adjustors

[806 KAR 009:360](#). Pharmacy benefit manager license. (Not Amended After Comments) (Deferred from January)

ENERGY AND ENVIRONMENT CABINET

Public Service Commission

Utilities

[807 KAR 005:056](#). Fuel adjustment clause.

PUBLIC PROTECTION CABINET

Horse Racing Commission

General

[810 KAR 002:020](#). Thoroughbred and flat racing officials. (Deferred from February)

Flat and Steeplechase Racing

[810 KAR 004:010](#). Horses. (Deferred from February)

[810 KAR 004:030](#). Entries, subscriptions, and declarations. (Not Amended After Comments)

Medication Guidelines

[810 KAR 008:060](#). Post-race sampling and testing procedures. (Deferred from February)

Department of Housing, Buildings and Construction

Plumbing

[815 KAR 020:150](#). Inspections and tests. (Deferred from January)

CABINET FOR HEALTH AND FAMILY SERVICES

Office of the Secretary

Medical Review Panels

[900 KAR 011:011](#). Repeal of 900 KAR 011:010. (Deferred from February)

Department for Public Health

Sanitation

[902 KAR 010:010](#). Public restrooms. (Deferred from February)

[902 KAR 010:110](#). Issuance of on-site sewage disposal system permits. (Deferred from February)

[902 KAR 010:131](#). Repeal of 902 KAR 010:060 and 902 KAR 010:130. (Deferred from February)

[902 KAR 010:140](#). On-site sewage disposal system installer certification program standards. (Deferred from February)

[902 KAR 010:150](#). Domestic septage disposal site approval procedures. (Deferred from February)

[902 KAR 010:160](#). Domestic septage disposal site operation. (Deferred from February)

[902 KAR 010:170](#). Septic tank servicing. (Deferred from February)

Office of Inspector General

Health Services and Facilities

[902 KAR 020:160 & E](#). Chemical dependency treatment services and facility specifications. ("E" expires 08-10-2021) (Amended After Comments)

[902 KAR 020:440 & E](#). Facilities specifications, operation and services; residential crisis stabilization units. ("E" expires 08-10-2021) (Amended After Comments)

Food and Cosmetics

[902 KAR 045:160](#). Kentucky food and cosmetic processing, packaging, storage, and distribution operations.

[902 KAR 045:190](#). Hemp-derived cannabidiol products and labeling requirements. (Amended After Comments)

Department for Medicaid Services

Behavioral Health

[907 KAR 015:070 & E](#). Coverage provisions and requirements regarding services provided by residential crisis stabilization units. ("E" expires 08-10-2021) (Amended After Comments)

[907 KAR 015:080 & E](#). Coverage provisions and requirements regarding chemical dependency treatment center services. ("E" expires 08-10-2021) (Amended After Comments)

Department for Behavioral Health, Developmental and Intellectual Disabilities

Mental Health

[908 KAR 002:270](#). Community behavioral health training. (Deferred from February)

Department for Community Based Services

Supplemental Nutrition Assistance Program

[921 KAR 003:010](#). Definitions.

[921 KAR 003:045](#). Issuance procedures.

Daycare

[922 KAR 002:120](#). Child-care center health and safety standards. (Amended After Comments)

[922 KAR 002:230](#). Director's Credential. (Deferred from February)

[922 KAR 002:240](#). Kentucky Early Care and Education Trainer's Credential and training approval. (Deferred from February)

[922 KAR 002:250](#). Commonwealth Child Care Credential. (Deferred from February)

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

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:380](#). Board authorized protocols. (Comments Received; SOC ext. due 04-15-2021)

Board of Social Work

[201 KAR 023:150](#). Complaint procedure, disciplinary action, and reconsideration. (Comments Received, SOC due 03-15-2021)

DEPARTMENT OF AGRICULTURE

Regulation and Inspection; Motor Fuel

[302 KAR 079:011](#). Motor fuel quality testing and inspection program. (Comments Received; SOC ext. due 03-15-2021)

[302 KAR 079:012](#). Motor fuel quality standards and specifications. (Comments Received; SOC ext. due 03-15-2021)

ENERGY AND ENVIRONMENT CABINET

Department for Environmental Protection

Existing Source Standards

[401 KAR 061:036](#). Emission guidelines and compliance times for municipal solid waste (MSW) landfills. (Comments Received, SOC due 03-15-2021)

TRANSPORTATION CABINET

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) (Not Amended After Comments) (Deferred from December)

LABOR CABINET

Department of Workplace Standards

Occupational Safety and Health

[803 KAR 002:021](#). Identification, classification and regulation of potential occupational carcinogens. (Deferred from March)

[803 KAR 002:050](#). Scope. (Deferred from March)

[803 KAR 002:080](#). Advance notice of inspections. (Deferred from March)

[803 KAR 002:090](#). Compliant inspections. (Deferred from March)

[803 KAR 002:096](#). Repeal of 803 KAR 002:095 and 803 KAR 002:430. (Deferred from March)

[803 KAR 002:100](#). Imminent danger. (Deferred from March)

[803 KAR 002:115](#). Penalties. (Deferred from March)

[803 KAR 002:240](#). Time for filing discrimination complaint. (Deferred from March)

[803 KAR 002:314](#). Machinery and machine guarding. (Deferred from March)

[803 KAR 002:413](#). Helicopters, hoists, elevators, and conveyers. (Deferred from March)

[803 KAR 002:420](#). Blasting and use of explosives. (Deferred from March)

Department of Workers' Claims

[803 KAR 025:091](#). Workers' compensation hospital fee schedule. (Amended After Comments) (Deferred from February)

[803 KAR 025:092](#). Workers' compensation pharmacy fee schedule. (Comments Received; SOC ext. due 03-15-2021)

[803 KAR 025:170](#). Filing of claims information with the Office of Workers' Claims. (Deferred from February)

[803 KAR 025:175](#). Filing of insurance coverage and notice of policy change or termination. (Deferred from February)

[803 KAR 025:185](#). Procedure for E-mail notification of cancellation or removal of location of specific workers' compensation coverage. (Deferred from February)

PUBLIC PROTECTION CABINET

Horse Racing Commission

Thoroughbred Racing

[810 KAR 001:001](#). Definitions for 810 KAR Chapter 001. (Deferred from December) (Withdrawn by Agency)

[810 KAR 001:011](#). Pari-mutuel wagering. (Deferred from December) (Withdrawn by Agency)

[810 KAR 001:120](#). Exotic wagering. (Deferred from December) (Withdrawn by Agency)

Harness Racing

[811 KAR 001:005](#). Definitions. (Deferred from December) (Withdrawn by Agency)

[811 KAR 001:125](#). Pari-mutuel wagering. (Deferred from December) (Withdrawn by Agency)

[811 KAR 001:250](#). Exotic wagering. (Deferred from December) (Withdrawn by Agency)

Quarter Horse, Paint Horse, Appaloosa, and Arabian Racing

[811 KAR 002:010](#). Definitions. (Deferred from December) (Withdrawn by Agency)

[811 KAR 002:060](#). Pari-mutuel wagering. (Deferred from December) (Withdrawn by Agency)

[811 KAR 002:160](#). Exotic wagering. (Deferred from December) (Withdrawn by Agency)

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Radon

[902 KAR 095:040](#). Radon Contractor Registration Program. (Comments Received; SOC due 03-15-2021)

Department for Community Based Services

Supplemental Nutrition Assistance Program

[921 KAR 003:035](#). Certification process. (Amended After Comments) (Deferred from January)

Daycare

[922 KAR 002:410E](#). Enhanced requirements for certified and licensed child care and limited duration child care programs as result of a declared state of emergency. ("E" expires 09-06-2021) (Deferred from March)