



**Administrative Regulation Review Subcommittee
Meeting Agenda**

**MONDAY, January 10, 2022 at 1 p.m.
Annex Room 149**



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

PERSONNEL CABINET

General Rules

[101 KAR 002:095](#). Classified service general requirements.

- 3. FILED REGULATIONS FOR COMMITTEE REVIEW**

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Education Professional Standards Board

General Administration

[016 KAR 001:030](#). Procedures for educator certificate surrender, revocation, suspension, reinstatement, and reissuance, and for application denial.

SECRETARY OF STATE

Office of Business Services

Implementation of Revised Article 9

[030 KAR 005:011E](#). Definitions for 030 KAR Chapter005. ("E" expires 07-26-2022)

[030 KAR 005:021E](#). Filing methods and forms. ("E" expires 07-26-2022)

[030 KAR 005:031E](#). Acceptance and refusal of records. ("E" expires 07-26-2022)

[030 KAR 005:041E](#). UCC information management system. ("E" expires 07-26-2022)

[030 KAR 005:051E](#). Filing, indexing, and data entry procedures. ("E" expires 07-26-2022)

[030 KAR 005:060E](#). Search requests, reports, and copies. ("E" expires 07-26-2022)

GENERAL GOVERNMENT CABINET

Personnel Board

[101 KAR 001:335](#). Employee actions. (Not Amended After Comments)

[101 KAR 001:345](#). Disciplinary actions. (Deferred from December)

[101 KAR 001:365](#). Appeal and hearing procedures. (Not Amended After Comments)

[101 KAR 001:367](#). Standards of conduct and technology governing recording board proceedings. (Deferred from December)

[101 KAR 001:375](#). Employee grievances and complaints. (Deferred from December)

[101 KAR 001:395](#). Restoration from military duty. (Deferred from December)

[101 KAR 001:400](#). Promotion. (Not Amended After Comments)

BOARDS AND COMMISSIONS

Board of Cosmetology

[201 KAR 012:082E](#). Education requirements and school administration. (Filed with Ordinary) ("E" expires 06-28-2022) (Amended After Comments)

[201 KAR 012:082](#). Education requirements and school administration. (Filed with Emergency)

TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Game

[301 KAR 002:082](#). Transportation and holding of live exotic wildlife. (Amended After Comments)

Hunting and Fishing

[301 KAR 003:010](#). Public use of Wildlife Management Areas. (Deferred from November)

[301 KAR 003:026](#). Access to Wildlife Management Areas for mobility-impaired individuals. (Deferred from November)

TRANSPORTATION CABINET

Motor Vehicle Commission

[605 KAR 001:051](#). Dealer and salesman.

[605 KAR 001:071](#). Change of ownership.

[605 KAR 001:091](#). Motor vehicle dealership names.

[605 KAR 001:131](#). Procedures.

[605 KAR 001:191](#). Motor vehicle advertising.

[605 KAR 001:211](#). Nonprofit motor vehicle dealer requirements and licensing.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Board of Education

General Administration

[702 KAR 001:191](#). District Employee Quarantine Leave. (Filed with Emergency) (Emergency Withdrawn by Agency) (Amended After Comments)

Board of Education

School Terms, Attendance, and Operation

[702 KAR 007:065](#). Designation of agent to manage middle and high school interscholastic athletics.

Department for Libraries and Archives

Archives

[725 KAR 001:010](#). Records officers; duties. (Deferred from October)

[725 KAR 001:020](#). Recording and reproducing public records. (Deferred from October)

[725 KAR 001:025](#). Transfer of public records. (Deferred from October)

[725 KAR 001:030](#). Scheduling public records for retention and disposal; procedures. (Deferred from October)

[725 KAR 001:040](#). Collection and distribution of reports and publications. (Deferred from October)

[725 KAR 001:050](#). Records management program. (Deferred from October)

[725 KAR 001:061](#). Records retention schedules; authorized schedules. (Deferred from October)

Libraries

[725 KAR 002:015](#). Public library facilities construction. (Deferred from October)

[725 KAR 002:080](#). Interstate Library Compact. (Deferred from October)

PUBLIC PROTECTION CABINET

Department of Alcoholic Beverage Control

Licensing

[804 KAR 004:221](#). Alternating proprietorship agreements. (Amended After Comments)

Department of Insurance

Trade Practices and Frauds

[806 KAR 012:010](#). Advertising of accident and sickness benefits.

Insurance Contract

[806 KAR 014:007](#). Rate and form filing for health insurers.

Department of Housing, Buildings, and Construction

Electrical

[815 KAR 035:020](#). Electrical inspections.

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Telehealth Services

Telehealth

[900 KAR 012:005](#). Telehealth terminology and requirements. (Filed with Emergency) (Amended After Comments) (Deferred from December)

Office of Inspector General

Health Services and Facilities

[902 KAR 020:081](#). Operations and services; home health agencies. (Deferred from December)

[902 KAR 020:460E](#). Essential visitor programs; visitation guidelines for long-term care facilities. (Emergency only) ("E" expires 06-28-2022) (Not Amended After Comments)

Division of Health Care

[906 KAR 001:180](#). Operation and services; personal services agencies. (Deferred from December)

Department for Aging and Independent Living

Office of Dementia Services

[910 KAR 004:010](#). Alzheimer's and dementia services curriculum review and approval. (Not Amended After Comments)

4. REGULATIONS **REMOVED** FROM JANUARY'S AGENDA

DEPARTMENT OF LAW

Medical Examination of Sexual Abuse Victims

[040 KAR 003:020](#). Protocol for operation of local multidisciplinary teams on child sexual abuse. (Deferred from November)

FINANCE AND ADMINISTRATION CABINET

Kentucky Retirement Systems

General Rules

[105 KAR 001:210](#). Disability procedures. (Deferred from November)

[105 KAR 001:310](#). Fred Capps Memorial Act. (Deferred from November)

[105 KAR 001:330](#). Purchase of service credit. (Deferred from November)

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:430](#). Emergency orders and hearings. (Comments Received; SOC ext. due 01-14-2022)

Board of Embalmers and Funeral Directors

[201 KAR 015:030E](#). Fees. (Filed with Ordinary) ("E" expires 03-27-2022) (Deferred from September)

[201 KAR 015:030](#). Fees. (Filed with Emergency) (Deferred from October)

[201 KAR 015:040](#). Examination. (Filed with Emergency) (Deferred from October)

[201 KAR 015:050](#). Apprenticeship and supervision requirements. (Filed with Emergency) (Deferred from October)

[201 KAR 015:110](#). Funeral establishment criteria. (Filed with Emergency) (Deferred from October)

[201 KAR 015:125](#). Surface transportation permit. (Filed with Emergency) (Deferred from October)

Board of Nursing

[201 KAR 020:471](#). Repeal of 201 KAR 020:470. (Deferred from September)

[201 KAR 020:472](#). Initial approval for dialysis technician training programs. (Amended After Comments) (Deferred from November)

[201 KAR 020:474](#). Continuing approval and periodic evaluation of dialysis technician training programs. (Not Amended After Comments) (Deferred from November)

[201 KAR 020:476](#). Dialysis technician credentialing requirements for initial credentialing, renewal, and reinstatement. (Deferred from September)

[201 KAR 020:478](#). Dialysis technician scope of practice, discipline, and miscellaneous requirements. (Deferred from September)

Board of Licensure for Massage Therapy

[201 KAR 042:010](#). Goals for massage therapy sessions. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:020](#). Fees. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:030](#). Licensee's change of name, home address, or place of business. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:035](#). Application process, exam, and curriculum requirements. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:040](#). Renewal and reinstatement. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:050](#). Complaint procedure and disciplinary action. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:060](#). Code of ethics and standards of practice for massage therapists. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:070](#). Endorsement. (Comments Received, SOC ext. due 01-14-2022)

[201 KAR 042:110](#). Continuing education requirements. (Comments Received, SOC ext. due 01-14-2022)

TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Wildlife

[301 KAR 004:001](#). Selection of Fish and Wildlife Resources Commission nominees. (Deferred from November)

[301 KAR 004:010](#). Districts. (Deferred from November)

[301 KAR 004:020](#). Ballard Wildlife Management Area restrictions. (Deferred from November)

[301 KAR 004:100](#). Peabody Wildlife Management Area use requirements and restrictions. (Deferred from November)

[301 KAR 004:110](#). Administration of drugs to wildlife. (Deferred from November)

Licensing

[301 KAR 005:001](#). Definitions for 301 KAR Chapter 5. (Deferred from November)

[301 KAR 005:030](#). Purchasing licenses and permits. (Deferred from November)

[301 KAR 005:100](#). Interstate Wildlife Violators Compact. (Deferred from November)

GENERAL GOVERNMENT CABINET

Department of Agriculture

Industrial Hemp

[302 KAR 050:021](#). Procedures and policies for hemp growers. (Comments Received; SOC due 01-14-2022)

[302 KAR 050:031](#). Procedures and policies for hemp processors and handlers. (Comments Received; SOC due 01-14-2022)

[302 KAR 050:046](#). Department's reports to the USDA; records retention for three years. (Comments Received; SOC due 01-14-2022)

[302 KAR 050:056](#). Sampling and THC testing; disposal of non-compliant harvests; post-testing actions. (Comments Received; SOC due 01-14-2022)

[302 KAR 050:080](#). Materials incorporated by reference. (Comments Received; SOC due 01-14-2022)

JUSTICE AND SAFETY CABINET

Department of State Police

Driver Training

[502 KAR 010:010](#). Definitions. (Deferred from December)

[502 KAR 010:020](#). Department facilities; facility inspection; conflict of interest. (Deferred from December)

[502 KAR 010:030](#). Instructor's license. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 010:035](#). Commercial driver's license skill testing. (Deferred from December)

[502 KAR 010:040](#). Training school facilities. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 010:050](#). Contracts and agreements. (Deferred from December)

[502 KAR 010:060](#). School advertising. (Deferred from December)

[502 KAR 010:070](#). Training vehicle, annual inspection. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 010:080](#). License suspension, revocation, denial. (Deferred from December)

[502 KAR 010:090](#). Procedure for denial, suspension, nonrenewal or revocation hearings. (Deferred from December)

[502 KAR 010:110](#). Third-party CDL skills test examiner standards. (Deferred from December)

[502 KAR 010:120](#). Hazardous materials endorsement requirements. (Deferred from December)

Department of State Police

Concealed Deadly Weapons

[502 KAR 011:010](#). Application for license to carry concealed deadly weapon. (Deferred from December)

[502 KAR 011:060](#). License denial and reconsideration process. (Deferred from December)

[502 KAR 011:070](#). License revocation and suspension notice and reinstatement process. (Deferred from December)

Law Enforcement Officers Safety Act of 2004

[502 KAR 013:010](#). Application for certification under the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 013:030](#). Range qualification for certification under the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Deferred from December)

[502 KAR 013:040](#). Issuance, expiration, and renewal of certification to carry a concealed deadly weapon pursuant to the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Deferred from December)

[502 KAR 013:050](#). Replacement of licenses to carry a concealed deadly weapon pursuant to the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Deferred from December)

[502 KAR 013:060](#). Change of personal information regarding certification to carry a concealed deadly weapon pursuant to the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Deferred from December)

[502 KAR 013:080](#). Incomplete application for certification to carry a concealed deadly weapon pursuant to the Law Enforcement Officers Safety Act of 2004 ("LEOSA"), 18 U.S.C. 926C, for honorably retired elected or appointed peace officers. (Deferred from December)

General Traffic

[502 KAR 015:010](#). Traffic collision. (Deferred from December)

[502 KAR 015:020](#). Abandoned vehicles. (Deferred from December)

Criminal History Record Information System

[502 KAR 030:010](#). Criminal History Record Information System. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 030:020](#). Arrest and disposition reporting procedure. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 030:030](#). Audit of Criminal History Record Information System. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 030:050](#). Security of centralized criminal history record information. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 030:060](#). Dissemination of criminal history record information. (Deferred from December)

[502 KAR 030:070](#). Inspection of criminal history record information by record subject. (Comments Received; SOC ext. due 01-14-2022)

Kentucky Missing Child Information Center

[502 KAR 035:010](#). Definitions. (Deferred from December)

[502 KAR 035:020](#). Capabilities of the Missing Child Information Center computer system. (Deferred from December)

[502 KAR 035:030](#). Quality of information reported to the Kentucky Missing Child Information Center. (Deferred from December)

[502 KAR 035:040](#). Reporting of missing children by law enforcement agencies. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 035:050](#). Statistical analysis of information related to missing children. (Deferred from December)

Candidate Selection

[502 KAR 045:005](#). Definitions. (Deferred from December)

[502 KAR 045:015](#). Qualifications. (Comments Received; SOC ext. due 01-14-2022)

[502 KAR 045:035](#). Application and selection process. (Deferred from December)

[502 KAR 045:045](#). Aptitude examination. (Deferred from December)

[502 KAR 045:075](#). Register. (Deferred from December)

[502 KAR 045:085](#). Medical examination. (Deferred from December)

[502 KAR 045:105](#). Appointment. (Deferred from December)

[502 KAR 045:115](#). Appeals. (Deferred from December)

[502 KAR 045:150](#). Physical Fitness Test (PFT). (Deferred from December)

TRANSPORTATION CABINET

Department of Highways

Right-of-way

[603 KAR 004:035](#). Logo sign panels; placement along fully controlled and partially controlled access highways. (Comments Received, SOC due 12-15-2021) (Withdrawn by Agency)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Department of Workforce Investment

Office of Vocational Rehabilitation

[781 KAR 001:010](#). Office of Vocational Rehabilitation appeal procedures. (Deferred from November)

[781 KAR 001:020](#). General provisions for operation of the Office of Vocational Rehabilitation. (Deferred from November)

[781 KAR 001:030](#). Order of selection and economic need test for vocational rehabilitation services. (Deferred from November)

[781 KAR 001:040](#). Rehabilitation technology services. (Deferred from November)

[781 KAR 001:050](#). Carl D. Perkins Vocational Training Center. (Deferred from November)

Office for the Blind

[782 KAR 001:010](#). Kentucky Business Enterprises. (Deferred from November)

[782 KAR 001:070](#). Certified driver training program. (Deferred from November)

Kentucky Commission on Proprietary Education

[791 KAR 001:010](#). Applications, permits, and renewals. (Deferred from November)

[791 KAR 001:020](#). Standards for licensure. (Deferred from November)

[791 KAR 001:025](#). Fees. (Deferred from November)

[791 KAR 001:027](#). School record keeping requirements (Deferred from November)

[791 KAR 001:030](#). Procedures for hearings. (Deferred from November)

[791 KAR 001:035](#). Student protection fund. (Deferred from November)

[791 KAR 001:040](#). Commercial driver license training school curriculum and refresher course. (Deferred from November)

[791 KAR 001:050](#). Application for license for commercial driver license training school. (Deferred from November)

[791 KAR 001:060](#). Application for renewal of license for commercial driver license training school. (Deferred from November)

[791 KAR 001:070](#). Commercial driver license training school instructor and agency application and renewal procedures. (Deferred from November)

[791 KAR 001:080](#). Maintenance of student records, schedule of fees charged to students, contracts and agreements involving licensed commercial driver license training schools. (Deferred from November)

[791 KAR 001:100](#). Standards for Kentucky resident commercial driver training school facilities. (Deferred from November)

[791 KAR 001:150](#). Bond requirements for agents and schools. (Deferred from November)

[791 KAR 001:155](#). School closing process. (Deferred from November)

[791 KAR 001:160](#). Transfer of ownership, change of location, change of name, revision of existing programs. (Deferred from November)

LABOR CABINET

Department of Workplace Standards

Labor Standards; Wages and Hours

[803 KAR 001:005](#). Employer-employee relationship. (Deferred from September)

[803 KAR 001:025](#). Equal pay provisions, meaning and application. (Deferred from September)

[803 KAR 001:060](#). Overtime pay requirements. (Deferred from September)

[803 KAR 001:063](#). Trading time. (Deferred from September)

[803 KAR 001:065](#). Hours worked. (Deferred from September)

[803 KAR 001:066](#). Recordkeeping requirements. (Deferred from September)

[803 KAR 001:070](#). Executive, administrative, supervisory or professional employees; salesmen. (Deferred from September)

[803 KAR 001:075](#). Exclusions from minimum wage and overtime. (Deferred from September)

[803 KAR 001:080](#). Board, lodging, gratuities and other allowances. (Deferred from September)

[803 KAR 001:090](#). Workers with disabilities and work activity centers' employee's wages. (Not Amended After Comments) (Deferred from November)

PUBLIC PROTECTION CABINET

Department of Insurance

Surplus Lines

~~[806 KAR 010:030](#). Surplus lines reporting and tax payment structure. (Comments Received; SOC due 01-14-2022) (Withdrawn by Agency)~~

Health Insurance Contracts

[806 KAR 017:350](#). Life insurance and managed care. (Deferred from October)

[806 KAR 017:590](#). Annual report on providers prescribing medication for addiction treatment. (Comments Received; SOC due 01-14-2022)

Horse Racing Commission

Pari-Mutuel Wagering

[810 KAR 008:025E](#). Drug, medication, and substance withdrawal guidelines. ("E" expires 07-18-2022) (Deferred from January)

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Sanitation

[902 KAR 010:120](#). Kentucky public swimming and bathing facilities. (Amended After Comments) (Deferred from December)

[902 KAR 010:121](#). Plan review, annual permitting, and inspection fees for public swimming and bathing facilities, including splash pads operated by local governments. (Comments Received; SOC ext. due 01-14-2022)

[902 KAR 010:190](#). Splash pads operated by local governments. (Amended After Comments) (Deferred from December)

Department for Medicaid Services

Medicaid Services

[907 KAR 001:005](#). Nonduplication of payments. (Comments Received; SOC ext. due 01-14-2022)

Payments and Services

[907 KAR 003:170](#). Telehealth service coverage and reimbursement. (Comments Received; SOC ext. due 02-15-2022)

Outpatient Pharmacy Program

[907 KAR 023:020](#). Reimbursement for outpatient drugs. (Filed with Emergency) (Amended After Comments) (Deferred from December)

**Expiration dates in this document have been determined pursuant to KRS Chapter 13A provisions. Other statutes or legislation may affect a regulation's actual end date.*