



**Administrative Regulation Review Subcommittee
Meeting Agenda**
MONDAY, February 7, 2022 at 1 p.m.
Annex Room 149



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

SECRETARY OF STATE

Office of Business Services

Implementation of Revised Article 9

- [030 KAR 005:011](#). Definitions for 030 KAR Chapter 005. (Filed with Emergency)
- [030 KAR 005:021](#). Filing methods and forms. (Filed with Emergency)
- [030 KAR 005:031](#). Acceptance and refusal of records. (Filed with Emergency)
- [030 KAR 005:041](#). UCC information management system. (Filed with Emergency)
- [030 KAR 005:051](#). Filing, indexing, and data entry procedures. (Filed with Emergency)
- [030 KAR 005:060](#). Search requests, reports, and copies. (Filed with Emergency)

GENERAL GOVERNMENT CABINET

Personnel Board

- [101 KAR 001:325](#). Probationary periods.

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 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)

TOURISM, ARTS AND HERITAGE CABINET

Fish

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

Wildlife

[301 KAR 004:091](#). Buying and selling mounted wildlife specimens.

JUSTICE AND PUBLIC SAFETY CABINET

Department of State Police

General Traffic

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

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. (Amended After Comments)

[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. (Amended After Comments)

[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

Traffic

[603 KAR 005:150](#). Encroachment permits.

LABOR CABINET

Occupational Safety and Health

[803 KAR 002:321E](#). Occupational health and environmental control. (Filed with Ordinary) ("E" expires 08-20-2022)

[803 KAR 002:426E](#). Stairways and ladders. (Filed with Ordinary) ("E" expires 08-20-2022)

PUBLIC PROTECTION CABINET

Department of Alcoholic Beverage Control Licensing

[804 KAR 004:415](#). Direct shipper license.

Department of Insurance Health Insurance Contracts

[806 KAR 017:300](#). Provider agreement and risk-sharing agreement filing requirements.

[806 KAR 017:575](#). Pharmacy benefit managers.

[806 KAR 017:590](#). Annual report on providers prescribing medication for addiction treatment.

(Not Amended After Comments)

Group and Blanket Health Insurance

[806 KAR 018:030](#). Group health insurance coordination of benefits.

Horse Racing Commission Pari-Mutuel Wagering

[810 KAR 006:001](#). Definitions for 810 KAR Chapter 006.

Medication Guidelines

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

[810 KAR 008:025](#). Drug, medication, and substance withdrawal guidelines. (Filed with Emergency)

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. (Amended After Comments)

[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. (Not Amended After Comments)

Managed Care

[907 KAR 017:005](#). Definitions for 907 KAR Chapter 017.

[907 KAR 017:010](#). Managed care organization requirements and policies relating to enrollees.

Medicaid Eligibility

[907 KAR 020:001](#). Definitions for 907 KAR Chapter 020.

[907 KAR 020:020](#). Income standards for Medicaid other than Modified Adjusted Gross Income (MAGI) standards or for former foster care individuals.

**Department for Community Based Services
Energy Assistance Program/Weatherization**

[921 KAR 004:122E](#). Assistance for low-income households with water or wastewater utility arrears. (Filed with Ordinary) ("E" expires 08-28-2022)

3. REGULATIONS ~~REMOVED~~ FROM FEBRUARY'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)

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:106E](#). Licensed or permitted facility closures. (Filed with Ordinary) ("E" expires 09-10-2022) (Deferred from February)

[201 KAR 002:430](#). Emergency orders and hearings. (Amended After Comments) (Deferred from February)

Board of Licensure for Long-Term Care Administrators

[201 KAR 006:040](#). Renewal, reinstatement, and reactivation of license. (Deferred from February)

Board of Barbering

[201 KAR 014:015](#). Retaking of examination. (Deferred from February)

[201 KAR 014:030](#). Five (5) year expiration of license. (Deferred from February)

[201 KAR 014:040](#). Inspection of shops and schools. (Deferred from February)

[201 KAR 014:050](#). Apprentice license; qualifications. (Deferred from February)

[201 KAR 014:065](#). Place of business requirements. (Deferred from February)

[201 KAR 014:085](#). Sanitation requirements. (Deferred from February)

[201 KAR 014:105](#). Barbering school enrollment and postgraduate requirements. (Deferred from February)

[201 KAR 014:110](#). School equipment; plant layout. (Deferred from February)

[201 KAR 014:115](#). Examinations; school and board. (Deferred from February)

[201 KAR 014:125](#). Instructor requirements. (Deferred from February)

[201 KAR 014:150](#). School records. (Deferred from February)

[201 KAR 014:180](#). Fees. (Deferred from February)

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 020:220](#). Nursing continuing education provider approval. (Comments Received; SOC due 02-15-2022)

[201 KAR 020:280](#). Standards for developmental status, initial status, and approval of prelicensure registered nurse and practical nurse programs. (Comments Received; SOC due 02-15-2022)

[201 KAR 020:360](#). Continuing approval and periodic evaluation of prelicensure registered nursing and licensed practical nursing programs. (Comments Received; SOC due 02-15-2022)

[201 KAR 020:480](#). Licensure of graduates of foreign nursing schools. (Withdrawn by Agency)

Board of Examiners of Psychology

[201 KAR 026:115](#). Definition of psychological testing. (Deferred from February)

[201 KAR 026:125](#). Health service provider designation. (Deferred from February)

[201 KAR 026:130](#). Grievances and administrative complaints. (Deferred from February)

[201 KAR 026:155](#). Licensed psychologist: application and temporary license. (Deferred from February)

[201 KAR 026:160](#). Fee schedule. (Deferred from February)

[201 KAR 026:175](#). Continuing education. (Deferred from February)

[201 KAR 026:185](#). Requirements for granting licensure as a psychologist to an applicant licensed in another state. (Deferred from February)

[201 KAR 026:190](#). Requirements for supervised professional experience. (Deferred from February)

[201 KAR 026:215](#). Nonresident status. (Deferred from February)

[201 KAR 026:225](#). Renewal and reinstatement. (Deferred from February)

[201 KAR 026:230](#). Examinations and applications. (Deferred from February)

[201 KAR 026:250](#). Employment of a psychological associate, a temporarily licensed psychological associate, or temporarily licensed psychologist. (Deferred from February)

[201 KAR 026:270](#). Change of license status. (Deferred from February)

[201 KAR 026:310](#). Telehealth and telepsychology. (Comments Received; SOC due 02-15-2022)

Board of Licensure for Massage Therapy

[201 KAR 042:010](#). Goals for massage therapy sessions. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:020](#). Fees. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:030](#). Licensee's change of name, home address, or place of business. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:035](#). Application process, exam, and curriculum requirements. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:040](#). Renewal and reinstatement. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:050](#). Complaint procedure and disciplinary action. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:061](#). Code of ethics and standards of practice for massage therapists. (Deferred from February)

[201 KAR 042:070](#). Endorsement. (Not Amended After Comments) (Deferred from February)

[201 KAR 042:080](#). Programs of massage therapy instruction. (Deferred from February)

[201 KAR 042:110](#). Continuing education requirements. (Not Amended After Comments) (Deferred from February)

Applied Behavior Analysis Licensing Board

[201 KAR 043:010](#). Application procedures for licensure. (Deferred from February)

[201 KAR 043:020](#). Application procedures for temporary licensure. (Comments Received; SOC ext. due 03-15-2022)

[201 KAR 043:030](#). Fees. (Deferred from February)

[201 KAR 043:040](#). Code of ethical standards and standards of practice. (Comments Received; SOC ext. due 03-15-2022)

[201 KAR 043:050](#). Requirement for supervision. (Comments Received; SOC ext. due 03-15-2022)

[201 KAR 043:060](#). Complaint and disciplinary process. (Deferred from February)

[201 KAR 043:071](#). Repeal of 201 KAR 043:070. (Deferred from February)

[201 KAR 043:080](#). Renewals. (Comments Received; SOC ext. due 03-15-2022)

[201 KAR 043:090](#). Voluntary inactive and retired status. (Deferred from February)

[201 KAR 043:100](#). Telehealth and telepractice. (Deferred from February)

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)

DEPARTMENT OF AGRICULTURE

Industrial Hemp

[302 KAR 050:021](#). Procedures and policies for hemp growers. (Comments Received; SOC ext. due 02-15-2022)

[302 KAR 050:031](#). Procedures and policies for hemp processors and handlers. (Comments Received; SOC ext. due 02-15-2022)

[302 KAR 050:046](#). Department's reports to the USDA; records retention for three years. (Comments Received; SOC ext. due 02-15-2022)

[302 KAR 050:056](#). Sampling and THC testing; disposal of non-compliant harvests; post-testing actions. (Comments Received; SOC ext. due 02-15-2022)

[302 KAR 050:080](#). Materials incorporated by reference. (Comments Received; SOC ext. due 02-15-2022)

JUSTICE AND PUBLIC SAFETY CABINET

Department of Corrections

Office of the Secretary

[501 KAR 006:290](#). Southeast State Correctional Complex. (Comments Received; SOC due 02-15-2021)

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. (Amended After Comments) (Deferred from February)

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

[502 KAR 010:040](#). Training school facilities. (Amended After Comments) (Deferred from February)

[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. (Amended After Comments) (Deferred from February)

[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)

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. (Amended After Comments) (Deferred from February)

[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)

Criminal History Record Information System

[502 KAR 030:010](#). Criminal History Record Information System. (Amended After Comments) (Deferred from February)

[502 KAR 030:020](#). Arrest and disposition reporting procedure. (Amended After Comments) (Deferred from February)

[502 KAR 030:030](#). Audit of Criminal History Record Information System. (Amended After Comments) (Deferred from February)

[502 KAR 030:050](#). Security of centralized criminal history record information. (Amended After Comments) (Deferred from February)

[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. (Amended After Comments) (Deferred from February)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Department of Education

General Administration

[702 KAR 001:192E](#). District employee quarantine leave. (Comments Received; SOC due 02-15-2022)

**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)

**Department of Workforce Investment
Apprenticeship Standards**

[787 KAR 003:020](#). Confidentiality of records of the Office of Employer and Apprenticeship Services. (Comments Received; SOC due 02-15-2022)

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

Health Insurance Contracts

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

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Medicaid Services

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)

Department for Aging and Independent Living

Aging Services

[910 KAR 001:190](#). Nutrition program for older persons. (Comments Received; SOC due 02-15-2022)

**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.*