



**Administrative Regulation Review Subcommittee  
Meeting Agenda  
WEDNESDAY, April 13, 2022 at 8 a.m.  
Annex Room 154**



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

**BOARDS AND COMMISSIONS**

**Board of Licensure for Long-Term Care Administrators**

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

**Board of Nursing**

[201 KAR 020:220](#). Nursing continuing education provider approval. (Not Amended After Comments)

[201 KAR 020:280](#). Standards for developmental status, initial status, and approval of prelicensure registered nurse and practical nurse programs. (Not Amended After Comments)

[201 KAR 020:360](#). Continuing approval and periodic evaluation of prelicensure registered nursing and licensed practical nursing programs. (Not Amended After Comments)

**Board of Physical Therapy**

[201 KAR 022:001](#). Definitions for 201 KAR Chapter 022.

[201 KAR 022:053](#). Code of ethical standards and standards of practice for physical therapists and physical therapist assistants.

**Board of Medical Imaging and Radiation Therapy**

[201 KAR 046:020](#). Fees. (Filed with Emergency)

**ENERGY AND ENVIRONMENT CABINET**

**Department for Environmental Protection**

**Attainment and Maintenance of the National Ambient Air Quality Standards**

[401 KAR 051:010](#). Attainment status designations.

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**Department of Workforce Investment**

**Apprenticeship Standards**

[787 KAR 003:020](#). Confidentiality of records of the Office of Employer and Apprenticeship Services. (Amended After Comments)

## **PUBLIC PROTECTION CABINET**

### **Team Kentucky**

#### **General**

[800 KAR 001:020E](#). Team Western Kentucky Tornado Relief Fund. (Emergency Only) (Amended After Comments)

### **Horse Racing Commission**

#### **Incentive and Development Funds**

[810 KAR 007:050](#). Kentucky Horse Breeders' Incentive Fund.

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Office of Health Data Analytics**

#### **Guaranteed Acceptance Program (GAP)**

[900 KAR 13:010](#). Guaranteed Acceptance Program (GAP) reporting requirements.

### **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) (Deferred from February)

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

## **3. REGULATIONS ~~REMOVED~~ FROM APRIL'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 002:430](#). Emergency orders and hearings. (Amended After Comments) (Deferred from February)

[201 KAR 002:440](#). Legend drug repository. (Comments Received; SOC ext. due 04-15-2022)

#### ~~**Board of Embalmers and Funeral Directors**~~

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

~~[201 KAR 015:030](#). Fees. (Filed with Emergency - Emergency expired 03-27-2022) (Deferred from October) (Withdrawn by Agency, 4-7-2022)~~

~~[201 KAR 015:040](#). Examination. (Filed with Emergency—Emergency expired 03-27-2022) (Deferred from October) (Withdrawn by Agency, 4-7-2022)~~

~~[201 KAR 015:050](#). Apprenticeship and supervision requirements. (Filed with Emergency—Emergency expired 03-27-2022) (Deferred from October) (Withdrawn by Agency, 4-7-2022)~~

~~[201 KAR 015:110](#). Funeral establishment criteria. (Filed with Emergency—Emergency expired 03-27-2022) (Deferred from October) (Withdrawn by Agency, 4-7-2022)~~

~~[201 KAR 015:125](#). Surface transportation permit. (Filed with Emergency—Emergency expired 03-27-2022) (Deferred from October) (Withdrawn by Agency, 4-7-2022)~~

### **Board of Nursing**

[201 KAR 020:260E](#). Organization and administration standards for prelicensure registered nurse or practical nurse programs of nursing. (Emergency Only) (“E” expires 10-08-2022) (Not Amended After Comments) (Deferred from April)

[201 KAR 020:480E](#). Licensure of graduates of foreign nursing schools. (“E” expires 10-30-2022) (Filed with Ordinary) (Deferred from April)

### **Board of Alcohol and Drug Counselors**

[201 KAR 035:070](#). Supervision experience. (Comments Received, SOC due 4-15-2022)

### **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. (Not Amended After Comments) (Deferred from April)

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

[201 KAR 043:040](#). Code of ethical standards and standards of practice. (Amended After Comments) (Deferred from April)

[201 KAR 043:050](#). Requirement for supervision. (Amended After Comments) (Deferred from April)

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

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

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

## **~~KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM~~**

### **~~Board of Emergency Medical Services~~**

~~[202 KAR 007:560](#). Ground vehicle staff. (Withdrawn by Agency, 3-25-2022)~~

## **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)

## **JUSTICE AND PUBLIC 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. (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)

### **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**

### **Board of Education**

#### **Office of Learning Support Services**

[704 KAR 007:170](#). Corporal punishment. (Comments Received; SOC ext. due 04-15-2022)

#### **Alternative Education Programs**

[704 KAR 019:002](#). Alternative education programs. (Comments Received; SOC ext. due 04-15-2022)

### **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)

## **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 001:006](#). Employer-employee relationship. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:026](#). Equal pay provisions, meaning and application. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:061](#). Overtime pay requirements. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:064](#). Trading time. (Deferred from April)

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

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

[803 KAR 001:067](#). Hours worked. (Deferred from April)

[803 KAR 001:068](#). Recordkeeping requirements. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:071](#). Executive, administrative, supervisory or professional employees; salesmen. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:076](#). Exclusions from minimum wage and overtime. (Comments Received; SOC due 04-15-2022)

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

[803 KAR 001:081](#). Board, lodging, gratuities and other allowances. (Deferred from April)

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

[803 KAR 001:091](#). Workers with Disabilities and Work Activities Centers' employee's wages. (Comments Received; SOC due 04-15-2022)

## **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**

### **Office of Inspector General**

#### **State Health Plan**

[900 KAR 005:020E](#). State Health Plan for facilities and services. ("E" expires 10-24-2022) (Filed with Ordinary) (Comments Received; SOC due 04-15-2022)

#### **Certificate of Need**

[900 KAR 006:075E](#). Certificate of need nonsubstantive review. ("E" expires 10-24-2022) (Filed with Ordinary) (Comments Received; SOC due 04-15-2022)

### **Department for Public Health**

#### **Health Services and Facilities**

[902 KAR 020:016](#). Hospitals; operations and services. (Comments Received; SOC ext. due 05-13-2022)

[902 KAR 020:018](#). Operation and services; end-stage renal disease facilities. (Comments Received; SOC ext. due 04-15-2022)

[902 KAR 020:106](#). Operation and services; ambulatory surgical center. (Comments Received; SOC ext. due 05-13-2022)

#### **Office of Inspector General**

[906 KAR 001:110](#). Critical access hospital services. (Comments Received; SOC ext. due 05-13-2022)

### **Department for Medicaid Services**

#### **Outpatient Pharmacy Program**

[907 KAR 023:020](#). Reimbursement for outpatient drugs. (Filed with Emergency - Emergency expired 3-26-2022) (Amended After Comments) (Deferred from December)

## **Department for Community Based Services**

### **Child Welfare**

[922 KAR 001:360](#). Private child care placement, levels of care, and payment. (Filed with Emergency) (Comments Received; SOC ext. due 05-13-2022)

[922 KAR 001:470](#). Central registry. (Comments Received, SOC ext. due 04-15-2022)

[922 KAR 001:530](#). Post-adoption placement stabilization services. (Deferred from April)

### **Day Care**

[922 KAR 002:280](#). Background checks for child care staff members, reporting requirements, and appeals. (Comments Received; SOC due 04-15-2022)

### **Adult Services**

[922 KAR 005:070](#). Adult protective services. (Comments Received; SOC ext. due 05-13-2022)

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*\*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.*