



**Administrative Regulation Review Subcommittee  
Meeting Agenda  
Thursday, July 14, 2022 at 1 p.m.  
Annex Room 149**



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

**KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY**

**Student and Administrative Services**

[011 KAR 004:080](#). Student aid applications.

**KHEAA Grant Programs**

[011 KAR 005:145](#). CAP grant award determination procedure.

**Kentucky Educational Excellence Scholarship Program**

[011 KAR 015:090](#). Kentucky Educational Excellence Scholarship (KEES) Program.

**Early Childhood Development Scholarship Program**

[011 KAR 016:020](#). Early Childhood Development Scholarship Program disbursement process.

**Dual Credit Scholarship Program**

[011 KAR 022:010](#). Dual Credit Scholarship Program.

**Optometry Scholarship Program**

[011 KAR 023:010](#). Optometry Scholarship Program.

**PERSONNEL CABINET**

**Personnel Cabinet, Classified**

[101 KAR 002:046](#). Applying for employment, qualifications and examinations.

[101 KAR 002:095E](#). Classified service general requirements. (Filed with Ordinary) ("E" expires 01-10-2023) (Deferred from June)

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

[101 KAR 002:190](#). Employee performance management system.

**Personnel Cabinet, General**

[101 KAR 006:020E](#). Kentucky Employees Charitable Campaign. (Filed with Ordinary) ("E" expires 01-10-2023) (Deferred from June)

[101 KAR 006:020](#). Kentucky Employees Charitable Campaign. (Filed with Emergency)

**FINANCE AND ADMINISTRATION CABINET**

**Kentucky Retirement Systems**

[105 KAR 001:390](#). Employment after retirement.

## **BOARDS AND COMMISSIONS**

### **Board of Pharmacy**

[201 KAR 002:020](#). Examination.

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

[201 KAR 002:225](#). Special limited pharmacy permit- Medical gas.

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

[201 KAR 015:030E](#). Fees. (Filed with Ordinary) ("E" expires 01-02-2023) (Deferred from June)

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

[201 KAR 015:040E](#). Examination. (Filed with Ordinary) ("E" expires 01-02-2023) (Deferred from June)

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

[201 KAR 015:050E](#). Apprenticeship and supervision requirements. (Filed with Ordinary) ("E" expires 01-02-2023) (Deferred from June)

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

[201 KAR 015:110E](#). Funeral establishment criteria. (Filed with Ordinary) ("E" expires 01-02-2023) (Deferred from June)

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

[201 KAR 015:125E](#). Surface transportation permit. (Filed with Ordinary) ("E" expires 01-02-2023) (Deferred from June)

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

### **Board of Nursing**

[201 KAR 020:070](#). Licensure by examination. (Filed with Emergency)

[201 KAR 020:240](#). Fees for applications and for services.

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

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

[202 KAR 007:545](#). License classifications. (Filed with Emergency)

[202 KAR 007:560E](#). Ground vehicle staff. (Filed with Ordinary) ("E" expires 01-28-2023)

## **TOURISM, ARTS AND HERITAGE CABINET**

### **Department of Fish and Wildlife Services**

#### **Fish**

[301 KAR 001:201](#). Taking of fish by traditional fishing methods.

#### **Game**

[301 KAR 002:132](#). Elk hunting seasons, permits, zones, and requirements.

[301 KAR 002:172](#). Deer hunting seasons, zones, and requirements.

[301 KAR 002:221](#). Waterfowl seasons and limits.

## **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)

## **LABOR CABINET**

### **Office of Unemployment Insurance**

[787 KAR 001:360E](#). Overpayment waivers. (Filed with Ordinary) ("E" expires 01-23-2023)

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Department of Workforce Investment**

#### **Employment Services**

[787 KAR 002:040](#). Local workforce development area governance.

## **PUBLIC PROTECTION CABINET**

### **Department of Alcoholic Beverage Control**

#### **Advertising Distilled Spirits and Wine**

[804 KAR 001:102](#). General advertising practices.

#### **Malt Beverage Equipment, Supplies and Service**

[804 KAR 011:041](#). Growlers.

#### **Malt Beverages and Wine**

[804 KAR 014:011](#). Brewing and winemaking for personal use.

### **Department of Insurance**

#### **Agents, Consultants, Solicitors and Adjustors**

[806 KAR 009:380](#). Limited lines self-service storage space insurance requirements.

[806 KAR 009:390](#). Portable electronic retailer license.

## **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 11-26-2022) (Filed with Ordinary) (Emergency Amended After Comments) (Deferred from May)

[900 KAR 005:020](#). State Health Plan for facilities and services. (Filed with Emergency) (Amended After Comments)

#### **Certificate of Need**

[900 KAR 006:075E](#). Certificate of need nonsubstantive review. ("E" expires 11-26-2022) (Filed with Ordinary) (Emergency Amended After Comments) (Deferred from May)

[900 KAR 006:075](#). Certificate of Need nonsubstantive review. (Filed with Emergency) (Amended After Comments)

#### **Essential Personal Care Visitor Program**

[900 KAR 014:010E](#). Essential personal care visitor programs; visitation guidelines. (Filed with Ordinary) ("E" expires 11-18-2022) (Emergency Amended After Comments) (Deferred from June)

[900 KAR 014:010](#). Essential personal care visitor programs; visitation guidelines. (Filed with Emergency) (Amended After Comments)

### **Department for Public Health**

#### **Communicable Diseases**

[902 KAR 002:020E](#). Reportable disease surveillance. (Filed with Ordinary) ("E" expires 01-21-2023)

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

[902 KAR 020:016](#). Hospitals; operations and services. (Amended After Comments) (Deferred from June)

[902 KAR 020:106](#). Operation and services; ambulatory surgical center. (Amended After Comments) (Deferred from June)

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

[906 KAR 001:110](#). Critical access hospital services. (Amended After Comments) (Deferred from June)

### **Department for Behavioral Health, Developmental and Intellectual Disabilities**

#### **Institutional Care**

[908 KAR 003:010](#). Patient's rights. (Filed with Emergency) (Deferred from June)

## **3. REGULATIONS ~~REMOVED~~ FROM JULY'S AGENDA**

### **STATE BOARD OF ELECTIONS**

#### **Statewide Voter Registration**

[031 KAR 003:031E](#). Voting precinct and address of overseas voter whose last place of residence is in the Commonwealth is no longer a recognized residential address. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

## **Forms and Procedures**

[031 KAR 004:071E](#). Recanvas procedures. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 004:131E](#). Delivery and return of absentee ballots transmitted to covered voters via facsimile or electronically. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 004:141E](#). Submission of the federal postcard application via electronic mail. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 004:196E](#). Consolidation of precincts and precinct election officers. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 004:201E](#). Chain of custody for records during an election contest. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 004:210E](#). Establishment of risk-limiting audit pilot program. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

## **Voting**

[031 KAR 005:011E](#). Use of the federal writ-in absentee ballot. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

[031 KAR 005:026E](#). Ballot standards and election security. ("E" Expires 01-23-2023) (Filed with Ordinary) (Deferred from July)

## **PERSONNEL CABINET**

### **Personnel Cabinet, Classified**

[101 KAR 002:066](#). Certification and selection of eligible applicants for employment. (Comments Received; SOC due 07-15-2022)

[101 KAR 002:102](#). Classified leave general requirements. (Comments Received; SOC due 07-15-2022)

### **Personnel Cabinet, Unclassified**

[101 KAR 003:015](#). Leave requirements for unclassified service. (Deferred from July)

## **FINANCE AND ADMINISTRATION CABINET**

### **Kentucky Retirement Systems**

[105 KAR 001:450E](#). Quasi-governmental employer reports on independent contractors and leased employees. (Filed with Ordinary) ("E" expires 01-30-2023) (Comments Received; SOC due 07-15-2022)

## **BOARDS AND COMMISSIONS**

### **Board of Pharmacy**

[201 KAR 002:015](#). Continuing education. (Comments Received; SOC ext. due by 08-15-2022)

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

### **Board of Dentistry**

[201 KAR 008:520](#). Fees and fines. (Deferred from July)

[201 KAR 008:550](#). Anesthesia and sedation related to dentistry. (Comments Received; SOC due

07-15-2022)

~~[201 KAR 008:600](#)~~. Mobile dental facilities and portable dental units. (Comments Received; SOC ext., due 06-15-2022) (Withdrawn by Agency)

#### **Real Estate Commission**

[201 KAR 011:121](#). Standards of professional conduct. (Comments Received; SOC ext. due 08-15-2022)

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

~~[202 KAR 007:560](#)~~. Ground vehicle staff. (Filed with Emergency) (Withdrawn by Agency)

### **TOURISM, ARTS AND HERITAGE CABINET**

#### **Heritage Council**

[300 KAR 006:011E](#). Historic rehabilitation tax credit certifications. (Filed with Ordinary) ("E" expires 01-24-2023) (Comments Received; SOC due 07-15-2022)

### **JUSTICE AND PUBLIC SAFETY CABINET**

#### **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. (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)

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Department of Workforce Investment**

#### **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)

### **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)

**Department of Workers' Claims**

[803 KAR 025:195E](#). Utilization review, appeal of utilization review decisions, and medical bill audit. (Filed with Ordinary) ("E" expires 01-10-2023) (Emergency Amended After Comments) (Deferred from July)

[803 KAR 025:195](#). Utilization review, appeal of utilization review decisions and medical bill audit. (Filed with Emergency) (Comments Received; SOC ext. due 08-15-2022)

**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****Department for Public Health****Early Intervention System**

[902 KAR 030:120](#). Evaluation and eligibility. (Comments Received; SOC ext. due 07-15-2022)

**Department for Community Based Services****Child Welfare**

[922 KAR 001:310](#). Standards for child-placing agencies. (Comments Received; SOC ext. due 07-15-2022)

[922 KAR 001:315](#). Standards for child-placing agencies placing children who are not in the custody of the cabinet. (Comments Received; SOC ext. due 07-15-2022)

[922 KAR 001:340](#). Standards for independent living programs. (Comments Received; SOC ext. due 07-15-2022)

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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.*