



**Administrative Regulation Review Subcommittee
Meeting Agenda
Tuesday, August 9, 2022 at 1 p.m.
Annex Room 149**



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

PERSONNEL CABINET

Personnel Cabinet, Classified

[101 KAR 002:066](#). Certification and selection of eligible applicants for employment. (Not Amended After Comments)

[101 KAR 002:102](#). Classified leave general requirements. (Not Amended After Comments)

Personnel Cabinet, Unclassified

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

FINANCE AND ADMINISTRATION CABINET

Department of Revenue

[103 KAR 043:340E](#). Excise taxes on gasoline and special fuels; average wholesale price of gasoline and annual survey value. (Emergency Only) ("E" expires 02-27-2023)

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) (Not Amended After Comments)

BOARDS AND COMMISSIONS

Board of Architects

[201 KAR 019:035](#). Qualifications for examination and licensure.

[201 KAR 019:087](#). Continuing education.

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Board of Emergency Medical Services

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

TOURISM, ARTS AND HERITAGE CABINET

Heritage Council

[300 KAR 006:011E](#). Historic rehabilitation tax credit certifications. (Filed with Ordinary) ("E" expires 01-24-2023) (Not Amended After Comments)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Board of Education

General Administration

[702 KAR 001:140](#). Student records; hearing procedures.

LABOR CABINET

Office of Unemployment Insurance

[787 KAR 001:360](#). Overpayment waivers. (Filed with Emergency)

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

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)

PUBLIC PROTECTION CABINET

Horse Racing Commission

Medication Guidelines

[810 KAR 008:010](#). Medication; testing procedures; prohibited practices.

Hearings and Appeals

[810 KAR 009:010](#). Hearings, reviews, and appeals.

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Maternal and Child Health

[902 KAR 004:030](#). Newborn screening program.

Local Health Departments

[902 KAR 008:060](#). Salary adjustments for local health departments.

[902 KAR 008:100](#). Disciplinary procedures applicable for local health department employees.

Sanitation

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

Early Intervention System

[902 KAR 030:120](#). Evaluation and eligibility. (Not Amended After Comments)

Outpatient Pharmacy Program

[907 KAR 023:020E](#). Reimbursement for outpatient drugs. (Filed with Ordinary) ("E" expires 02-26-2023)

Department for Community Based Services

Child Welfare

[922 KAR 001:310](#). Standards for child-placing agencies. (Amended After Comments)

[922 KAR 001:315](#). Standards for child-placing agencies placing children who are not in the custody of the cabinet. (Amended After Comments)

[922 KAR 001:340](#). Standards for independent living programs. (Amended After Comments)

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

[031 KAR 003:031](#). Voting precinct and address of overseas voter whose last place of residence is in the Commonwealth is no longer a recognized residential address. (Filed with Emergency) (Deferred from August)

Forms and Procedures

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

[031 KAR 004:071](#). Recanvas procedures. (Filed with Emergency) (Deferred from August)

[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 004:131](#). Delivery and return of absentee ballots transmitted to covered voters via facsimile or electronically. (Filed with Emergency) (Deferred from August)

[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 004:141](#). Submission of the federal postcard application via electronic mail. (Filed with Emergency) (Deferred from August)

[031 KAR 004:170](#). Exceptions to prohibition on electioneering. (Deferred from August)

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

[031 KAR 004:196](#). Consolidation of precincts and precinct election officers. (Filed with Emergency) (Deferred from August)

[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 004:201](#). Chain of custody for records during an election contest. (Filed with Emergency) (Deferred from August)

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

[031 KAR 004:210](#). Establishment of risk-limiting audit pilot program. (Filed with Emergency) (Deferred from August)

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 005:011](#). Use of the federal writ-in absentee ballot. (Filed with Emergency) (Deferred from August)

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

[031 KAR 005:026](#). Ballot standards and election security. (Filed with Emergency) (Deferred from August)

FINANCE AND ADMINISTRATION CABINET

Kentucky Retirement Systems

[105 KAR 001:450](#). Quasi-governmental employer reports on independent contractors and leased employees. (Filed with Emergency) (Comments Received; SOC due 08-15-2022)

BOARDS AND COMMISSIONS

Board of Pharmacy

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

Board of Licensure for Long-Term Care Administrators

[201 KAR 006:060](#). Fees. (Deferred from August)

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 ext. due 08-15-2022)

Real Estate Commission

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

TOURISM, ARTS AND HERITAGE CABINET

Heritage Council

[300 KAR 006:011](#). Historic rehabilitation tax credit certifications. (Filed with Emergency) (Comments Received; SOC due 08-15-2022)

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

Employment Services

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

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)

EDUCATION AND WORKFORCE DEVELOPMENT 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)

Department of Workers' Claims

[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) (Withdrawn by Agency; 07-26-2022)

[806 KAR 017:585](#). Annual report mental health parity nonquantitative treatment limitation compliance. (Comments Received; SOC due 08-15-2022)

Department of Housing, Buildings and Construction

Kentucky Building Code

[815 KAR 007:120](#). Kentucky Building Code. (Comments Received; SOC due 08-15-2022)

Heating, Ventilation, and Air Conditioning Licensing Requirements

[815 KAR 008:010](#). Licensing requirements for master HVAC contractors and journeyman HVAC mechanics. (Deferred from August)

Standards of Safety

[815 KAR 010:060](#). Kentucky standards of safety. (Comments Received; SOC due 08-15-2022)

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Human Resource Management

Administration

[900 KAR 001:050](#). Child and adult protection employees subject to state and national criminal background checks. (Deferred from August)

Department for Public Health
Communicable Diseases

[902 KAR 002:020](#). Reportable disease surveillance. (Filed with Emergency) (Comments Received; SOC ext. due 09-15-2022)

Local Health Departments

[902 KAR 008:120](#). Leave provisions applicable to employees of local health departments. (Comments Received; SOC due 08-15-2022)

Department for Medicaid Services
Medicaid Services

[907 KAR 001:082](#). Coverage provisions and requirements regarding rural health clinic services. (Comments Received; SOC ext. due 09-15-2022)

[907 KAR 001:104](#). Reimbursement for advanced practice registered nurse services. (Comments Received; SOC ext. due 09-15-2022)

Department for Community Based Services
Child Welfare

[922 KAR 001:290](#). Background checks for private child-caring or child-placing staff members. (Comments Received; SOC ext. due 09-15-2022)

**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.*