



**Administrative Regulation Review Subcommittee
Meeting Agenda
Tuesday, September 13, 2022 at 1 p.m.
Annex Room 149**



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

EDUCATION AND LABOR CABINET

Education Professional Standards Board

Alternative Routes to Certification

[016 KAR 009:110E](#). Expedited route to certification. (Filed with Ordinary) ("E" expires 04-09-2023)

FINANCE AND ADMINISTRATION CABINET

Commonwealth Office of Technology

General Administration

[200 KAR 001:016](#). Data Breach Notification Forms.

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:015](#). Continuing education. (Not Amended After Comments)

[201 KAR 002:413E](#). Ordering and administering vaccinations. (Emergency Only) ("E" expires 03-24-2023)

Board of Dentistry

[201 KAR 008:550](#). Anesthesia and sedation related to dentistry. (Amended After Comments)

Board of Cosmetology

[201 KAR 012:030E](#). Licensing and examinations. (Filed with Ordinary) ("E" expires 04-08-2023)

[201 KAR 012:060E](#). Inspections. (Filed with Ordinary) ("E" expires 04-08-2023)

[201 KAR 012:082E](#). Education requirements and school administration. (Filed with Ordinary) ("E" expires 04-08-2023)

[201 KAR 012:230E](#). Code of ethics. (Filed with Ordinary) ("E" expires 04-08-2023)

[201 KAR 012:260E](#). Fees. (Filed with Ordinary) ("E" expires 04-08-2023)

[201 KAR 012:290E](#). Permits. (Filed with Ordinary) ("E" expires 04-08-2023)

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Board of Emergency Medical Services

[202 KAR 007:701E](#). Scope of practice matters. (Filed with Ordinary) ("E" expires 04-08-2023)

TOURISM, ARTS AND HERITAGE CABINET

Department of Fish and Wildlife Resources

Game

[301 KAR 002:090](#). Means by which migratory game birds may be taken.

[301 KAR 002:095](#). Importation, possession, and transportation of wildlife meat carcasses, and parts.

[301 KAR 002:300](#). Black bear seasons and requirements.

GENERAL GOVERNMENT CABINET

Department of Agriculture

Pesticides

[302 KAR 026:010](#). Definitions.

[302 KAR 026:020](#). Pesticide certification and licensing.

[302 KAR 026:030](#). Recordkeeping.

[302 KAR 026:040](#). Storage and handling of pesticides.

[302 KAR 026:050](#). Trainee registration and supervision requirements.

[302 KAR 026:060](#). Identification of service vehicles.

[302 KAR 026: 070](#). Non-certified applicator training and supervision.

[302 KAR 026:080](#). Lawn, turf, ornamental and interior plantscape notice posting.

[302 KAR 026:090](#). Wood destroying organism treatments an integrated pest management in schools.

[302 KAR 026:100](#). Structural pest control settlement proceedings.

[302 KAR 026:150](#). Penalties.

Regulation and Inspection; Motor Fuel

[302 KAR 079:009](#). Repeal of 302 KAR 079:010.

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)

Kentucky Law Enforcement Council

[503 KAR 001:140E](#). Peace officer, telecommunicator, and court security officer professional standards. (Filed with Ordinary) ("E" expires 04-09-2023)

TRANSPORTATION CABINET

Department of Highways

Traffic

[603 KAR 005:155](#). Vegetation management.

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Kentucky Fire Commission

Commission on Fire Protection Personnel Standards and Education

[739 KAR 002:070](#). Volunteer fire department loan fund.

EDUCATION AND LABOR CABINET

Department of Workforce Investment

Employment Services

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

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 Workers' Claims

[803 KAR 025:089E](#). Workers' compensation medical fee schedule for physicians. (Filed with Ordinary) ("E" expires 03-21-2023)

[803 KAR 025:195](#). Utilization review, appeal of utilization review decisions and medical bill audit. (Filed with Emergency) (Amended After Comments)

PUBLIC PROTECTION CABINET

Department of Insurance

Agents, Consultants, Solicitors and Adjusters

[806 KAR 009: 025](#). Licensing process.

Health Insurance Contracts

[806 KAR 017:585](#). Annual report mental health parity nonquantitative treatment limitation compliance. (Amended After Comments)

Department of Housing, Buildings and Construction
Kentucky Building Code

[815 KAR 007:120](#). Kentucky Building Code. (Amended After Comments)

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. (Amended After Comments)

CABINET FOR HEALTH AND FAMILY SERVICES

Department for Public Health

Local Health Departments

[902 KAR 008:120](#). Leave provisions applicable to employees of local health departments. (Not Amended After Comments)

Department for Medicaid Services

Medicaid Services

[907 KAR 001:065E](#). Payments for price-based nursing facility services. (Filed with Ordinary) ("E" expires 03-28-2023)

Outpatient Pharmacy Program

[907 KAR 023:020](#). Reimbursement for outpatient drugs. (Filed with Emergency)

Department for Community Based Services

Child Support

[921 KAR 001:380](#). Child support enforcement program application and intergovernmental process.

3. REGULATIONS ~~REMOVED~~ FROM SEPTEMBER'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

General Rules

[105 KAR 001:415E](#). Reimbursement of hospital and medical insurance premiums for Medicare eligible retired members reemployed with a participating employer. (Filed with Ordinary) ("E" expires 03-25-2023) (Comments Received; SOC due 09-15-2022)

[105 KAR 001:450](#). Quasi-governmental employer reports on independent contractors and leased employees. (Filed with Emergency) (Withdrawn-SOC not filed by deadline, 08-15-2022)

GENERAL GOVERNMENT CABINET

Department of Military Affairs

Disaster and Emergency Services

[106 KAR 001:141](#). Emergency management funding. (Deferred from September)

[106 KAR 001:171](#). Local emergency management agency program quarterly report. (Deferred from September)

[106 KAR 001:181](#). Project application. (Deferred from September)

[106 KAR 001:191](#). Project application reimbursement. (Deferred from September)

[106 KAR 001:201](#). Local plan. (Deferred from September)

[106 KAR 001:211](#). Local emergency management training. (Comments Received; SOC due 09-15-2022)

[106 KAR 001:221](#). Local exercise. (Deferred from September)

[106 KAR 001:231](#). Local emergency management agency ordinance requirement. (Deferred from September)

[106 KAR 001:241](#). Local emergency management director appointment process. (Deferred from September)

[106 KAR 001:251](#). Workers' Compensation Enrollment Form. (Deferred from September)

[106 KAR 001:261](#). Supplementary state fund expense reimbursement eligibility list. (Deferred from September)

[106 KAR 001:291](#). Specialized rescue squad alternative affiliation agreement process. (Deferred from September)

[106 KAR 001:341](#). Rescue aid fund allocation. (Deferred from September)

[106 KAR 001:371](#). Rescue aid fund expenditure documentation. (Deferred from September)

Military Assistance Trust Funds

[106 KAR 002:021](#). Military Family Assistance Trust Fund. (Deferred from September)

[106 KAR 002:031](#). National Guard Adoption Benefits Program. (Deferred from September)

KENTUCKY INFRASTRUCTURE AUTHORITY

[200 KAR 017:111E](#). Guidelines for Kentucky Infrastructure Authority drinking water and wastewater grant program. (Filed with Ordinary) ("E" expires 03-18-2023) (Deferred from September)

BOARDS AND COMMISSIONS

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)

Real Estate Commission

[201 KAR 011:121](#). Standards of professional conduct. (Amended After Comments) (Deferred from September)

Board of Cosmetology

[201 KAR 012:190E](#). Complaint and disciplinary process. (Filed with Ordinary) ("E" expires 04-08-2023) (Comments Received; SOC due 09-15-2022)

TOURISM, ARTS AND HERITAGE CABINET

Heritage Council

[300 KAR 006:011](#). Historic rehabilitation tax credit certifications. (Filed with Emergency) (Comments Received; SOC ext., due 09-15-2022)

Department of Fish and Wildlife Resources

Game

[301 KAR 002:142](#). Spring turkey hunting. (Comments Received; SOC due 09-15-2022)

JUSTICE AND PUBLIC SAFETY CABINET

Department of State Police

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 LABOR CABINET

Department of Education

Office of Instruction

[704 KAR 003:305](#). Minimum requirements for high school graduation. (Comments Received; SOC ext., due 10-14-2022)

Department of Workplace Standards

Labor Standards; Wages and Hours

~~[803 KAR 001:005](#). Employer-employee relationship. (Deferred from September) (Withdrawn 09-07-2022)~~

~~[803 KAR 001:025](#). Equal pay provisions, meaning and application. (Deferred from September) (Withdrawn 09-07-2022)~~

~~[803 KAR 001:060](#). Overtime pay requirements. (Deferred from September) (Withdrawn 09-07-2022)~~

[803 KAR 001:063](#). Trading time. (Deferred from September) (Withdrawn 09-07-2022)
[803 KAR 001:065](#). Hours worked. (Deferred from September) (Withdrawn 09-07-2022)
[803 KAR 001:066](#). Recordkeeping requirements. (Deferred from September) (Withdrawn 09-07-2022)
[803 KAR 001:070](#). Executive, administrative, supervisory or professional employees; salesmen. (Deferred from September) (Withdrawn 09-07-2022)
[803 KAR 001:075](#). Exclusions from minimum wage and overtime. (Deferred from September) (Withdrawn 09-07-2022)
[803 KAR 001:080](#). Board, lodging, gratuities and other allowances. (Deferred from September) (Withdrawn 09-07-2022)
[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

Insurance Holding Company Systems

[806 KAR 037:010](#). Insurance holding company systems. (Deferred from September)

Department of Charitable Gaming

Charitable Gaming

[820 KAR 001:001](#). Definitions. (Comments Received; SOC due 09-15-2022)

[820 KAR 001:032](#). Pulltabs. (Comments Received; SOC due 09-15-2022)

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)

Office of Health Data and Analytics

Kentucky Health Benefit Exchange

[900 KAR 010:120](#). KHBE eligibility and enrollment in qualified health plan, SHOP, and SHOP formal resolution process. (Comments Received; SOC ext., due 10-14-2022)

Vital Statistics

[901 KAR 005:120E](#). Abortion reporting. (Filed with Ordinary) ("E" expires 03-27-2023) (Comments Received; SOC due 09-15-2022)

Department for Public Health

Communicable Diseases

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

Department for Medicaid Services

Medicaid Services

[907 KAR 001:008](#). Ambulatory surgical center services and reimbursement. (Comments Received; SOC due 09-15-2022)

[907 KAR 001:044](#). Coverage provisions and requirements regarding community mental health center behavioral health services. (Comments Received; SOC due 09-15-2022)

[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)

[922 KAR 001:300](#). Standards for child-caring facilities. (Comments Received; SOC ext., due 10-14-2022)

Daycare

[922 KAR 002:160E](#). Child Care Assistance Program. (Filed with Ordinary) ("E" expires 03-28-2023) (Deferred from September)

**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.*