



**Administrative Regulation Review Subcommittee
Meeting Agenda
Tuesday, October 11, 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 009:100](#). Alternative route to certification institute.

[016 KAR 009:110](#). Expedited route to certification. (Filed with Emergency)

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)

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. (Not Amended After Comments)

[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)

BOARDS AND COMMISSIONS

Board of Medical Licensure

[201 KAR 009:305](#). Continued licensure of athletic trainers.

Board of Cosmetology

[201 KAR 012:030](#). Licensing and examinations. (Filed with Emergency)

[201 KAR 012:060](#). Inspections. (Filed with Emergency)

[201 KAR 012:082](#). Education requirements and school administration. (Filed with Emergency)

[201 KAR 012:190E](#). Complaint and disciplinary process. (Filed with Ordinary) ("E" expires 04-08-2023) (Not Amended After Comments)

[201 KAR 012:190](#). Complaint and disciplinary process. (Filed with Emergency)

[201 KAR 012:230](#). Code of ethics. (Filed with Emergency)

[201 KAR 012:260](#). Fees. (Filed with Emergency)

[201 KAR 012:290](#). Permits. (Filed with Emergency)

Board of Nursing

[201 KAR 020:260](#). Organization and administration standards for prelicensure registered nurse or practical nurse programs of nursing.

[201 KAR 020:310](#). Faculty for prelicensure registered nurse and practical nurse programs.

[201 KAR 020:490](#). Licensed practical nurse infusion therapy scope of practice.

[201 KAR 020:620](#). Licensing requirements for licensed certified professional midwives.

[201 KAR 020:650](#). Licensed certified professional midwives permitted medical tests and formulary.

KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Board of Emergency Medical Services

[202 KAR 007:701](#). Scope of practice matters. (Filed with Emergency)

TOURISM, ARTS AND HERITAGE CABINET

Heritage Council

[300 KAR 006:011](#). Historic rehabilitation tax credit certifications. (Filed with Emergency) (Amended After Comments)

Department of Fish and Wildlife Resources

Fish

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

Game

[301 KAR 002:142](#). Spring turkey hunting. (Not Amended After Comments)

GENERAL GOVERNMENT CABINET

Department of Agriculture

Agricultural Pest Control

[302 KAR 027:011](#). Repeal of 302 KAR 027:010, 302 KAR 027:020, 302 KAR 027:040, 302 KAR 027:050, and 302 KAR 027:060.

Ornamental Turf Lawn and Interior Plantscape Pest Control

[302 KAR 028:011](#). Repeal of 302 KAR 028:010, 302 KAR 028:020, 302 KAR 028:030, 302 KAR 028:040, 302 KAR 028:050, and 302 KAR 028:060.

Structural Pest Control

[302 KAR 029:011](#). Repeal of 302 KAR 029:010, 302 KAR 029:020, 302 KAR 029:040, 302 KAR 029:050, 302 KAR 029:060 and 302 KAR 029:070.

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)

Kentucky Law Enforcement Council

[503 KAR 001:140](#). Peace officer, telecommunicator, and court security officer professional standards. (Filed with Emergency)

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. (Not Amended After Comments)

[820 KAR 001:032](#). Pulltabs. (Not Amended After Comments)

CABINET FOR HEALTH AND FAMILY SERVICES

Office of Inspector General

Telehealth

[900 KAR 012:005E](#). Telehealth terminology and requirements. ("E" expires 05-05-2023) (Filed with Ordinary)

Department for Public Health

Vital Statistics

[901 KAR 005:120E](#). Abortion reporting. (Filed with Ordinary) ("E" expires 03-27-2023) (Emergency Amended After Comments)

Communicable Diseases

[902 KAR 002:020](#). Reportable disease surveillance. (Filed with Emergency) (Amended After Comments)

Programs for the Underserved

[902 KAR 021:040](#). Community health worker certification.

Department for Medicaid Services

Medicaid Services

[907 KAR 001:104](#). Reimbursement for advanced practice registered nurse services. (Not Amended After Comments)

Kentucky Children's Health Insurance Program

[907 KAR 004:020E](#). Kentucky Children's Health Insurance Program Medicaid Expansion Title XXI of the Social Security Act. ("E" expires 04-15-2023) (Filed with Ordinary)

[907 KAR 004:030E](#). Kentucky Children's Health Insurance Program Phase III Title XXI of the Social Security Act. ("E" expires 04-15-2023) (Filed with Ordinary)

Medicaid Eligibility

[907 KAR 020:020E](#). Income standards for Medicaid other than Modified Adjusted Gross Income (MAGI) standards or for former foster care individuals. ("E" expires 04-15-2023) (Filed with Ordinary)

[907 KAR 020:100E](#). Modified Adjusted Gross Income (MAGI) Medicaid eligibility standards. ("E" expires 04-15-2023) (Filed with Ordinary)

Department for Community Based Services

Child Support

[921 KAR 001:400](#). Establishment, review, and modification of child support and medical support orders.

Daycare

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

[922 KAR 002:160](#). Child Care Assistance Program. (Filed with Emergency)

3. REGULATIONS ~~REMOVED~~ FROM OCTOBER'S AGENDA

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) (Emergency Amended After Comments) (Deferred from October)

[105 KAR 001:415](#). Reimbursement of hospital and medical insurance premiums for Medicare eligible retired members reemployed with a participating employer. (Filed with Emergency) (Comments Received, SOC due 10-14-2022)

GENERAL GOVERNMENT CABINET

Department of Military Affairs

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)

[200 KAR 017:111](#). Guidelines for Kentucky Infrastructure Authority drinking water and wastewater grant program. (Filed with Emergency) (Deferred from October)

BOARDS AND COMMISSIONS

Board of Pharmacy

[201 KAR 002:380E](#). Board authorized protocols. ("E" expires 06-05-2023) (Filed with Ordinary) (Deferred from October)

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)

TOURISM, ARTS, AND HERITAGE CABINET

~~Department of Tourism~~

~~[300 KAR 001:020E](#). Process for the distribution of tourism recovery and investment funds appropriated by the General Assembly in the 2022 Regular Session from the State Fiscal Recovery fund of the American Rescue Plan Act of 2021. ("E" expires 04/21/2023) (Filed with Ordinary) (Withdrawn by Agency, 08-25-2022)~~

TRANSPORTATION CABINET

Department of Highways

Traffic

[603 KAR 005:350](#). Off-highway vehicles, safety, and routes. (Comments Received; SOC due 10-14-2022)

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)

EDUCATION AND LABOR CABINET

Department of Workplace Standards

Labor Standards; Wages and Hours

[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 025:089](#). Workers' Compensation medical fee schedule for physicians. (Filed with Emergency) (Deferred from October)

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)

Department for Public Health

Vital Statistics

[901 KAR 005:120](#). Abortion reporting. (Filed with Emergency) (Comments Received; SOC ext. due 11-15-2022)

[901 KAR 005:130](#). Certificate of abortion. (Comments Received; SOC ext., due 11-15-2022)

[901 KAR 005:140](#). Permit to transport fetal remains. (Comments Received; SOC ext., due 11-15-2022)

Office of Inspector General

Health Services and Facilities

[902 KAR 020:365](#). Kentucky abortion-inducing drug certification program and registration of qualified physicians. (Comments Received; SOC ext., due 11-15-2022)

Department for Medicaid Services

Medicaid Services

[907 KAR 001:008](#). Ambulatory surgical center services and reimbursement. (Comments Received; SOC ext., due 10-14-2022)

~~[907 KAR 001:044](#). Coverage provisions and requirements regarding community mental health center behavioral health services. (Comments Received; SOC ext., due 10-14-2022) (Withdrawn by Agency 10-07-2022)~~

[907 KAR 001:065](#). Payments for price-based nursing facility services. (Filed with Emergency) (Comments Received; SOC due 10-14-2022)

[907 KAR 001:082](#). Coverage provisions and requirements regarding rural health clinic services. (Amended After Comments) (Deferred from October)

Department for Aging and Independent Living

Aging Services

[910 KAR 001:090](#). Personal care attendant program and assistance services. (Deferred from October)

Department for Community Based Services

Child Welfare

[922 KAR 001:290](#). Background checks for private child-caring or child-placing staff members. (Amended After Comments) (Deferred from October)

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

[922 KAR 001:350](#). Requirements for public child welfare agency foster parents, adoptive parents, and respite care providers. (Comments Received; SOC due 10-14-2022)

**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.*