



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES

275 East Main Street, 5W-A
Frankfort, Kentucky 40621
Phone: (502) 564-7042
Fax: (502) 564-7091

June 5, 2024

The Honorable Stephen West, Co-Chair
The Honorable Derek Lewis, Co-Chair
Administrative Regulation Review Subcommittee
Legislative Research Commission
083 Capitol Annex
702 Capitol Avenue
Frankfort, KY 40601

Re: 902 KAR 20:036. Operations and Services; personal care homes.

Dear Senator West and Representative Lewis:

The Cabinet for Health and Family Services' Office of Inspector General proposes the attached agency amendment to 900 KAR 20:036 to comply with the passage of HB 493. The agency amendment amends language to exempt Specialized Personal Care Homes (SPCHs) from Assisted Living Community (ALC) licensure requirements and removes CMA 1, CMA II, and KMA licensure requirements for Specialized Personal Care Homes (SPCHs).

If you have any questions regarding the agency amendment, please contact David T. Lovely, Acting Inspector General, at davidt.lovely@ky.gov.

Sincerely,

Lucie Estill
Staff Assistant
Office of Legislative and Regulatory Affairs

**Agency Amendment
Cabinet for Health and Family Services
Office of Inspector General**

902 KAR 20:036. Operation and Services; personal care homes

Page 15

Section 5(1)

Line 13

Delete (d) through (f)2. in its entirety.

Re-number accordingly.

Page 17

Section 5(1)(j)3.

Line 12

Delete 3. in its entirety

Re-number accordingly.

Page 17

Section 5(1)(j)4.d.(i)

Line 22

After "Nurse", delete "or CMA"

Page 19

Section 5(1)(l)2.

Line 23

After "nurse or", delete "CMA"

Restore the following:

administrator or staff person designated by the administrator

Page 20

Section 5(1)(l)2.

Line 1

Restore the following:

or supervising the self-administration of

Page 24

Section 5(3)(b)4.a.

Line 9

After "facility shall", insert "ensure".

Delete "insure"

Page 25

Section 5(3)(c)2.

Line 2

After "licensed", insert "dietitian"

Delete “dietician”

Page 29

Section 6(3)(b)2.b.

Line 14

After “a nurse,”, insert the following:

administrator, or staff person designated by the administrator,

Delete the following:

CMA, or KMA in which case the nurse, CMA or KMA