



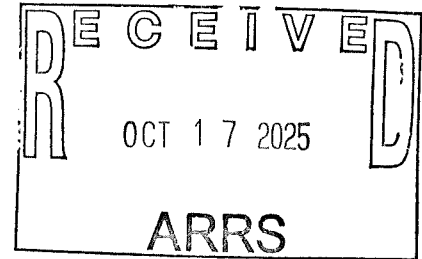
Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES

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October 17, 2025

Steven Stack, MD
SECRETARY



Senator Stephen Meredith, Co-Chair
Representative Kimberly Poore Moser, Co-Chair
Interim Joint Committee Health Services
Legislative Research Commission
Capitol Annex
702 Capitol Ave.
Frankfort KY 40601

Re: 900 KAR 6:075E. Certificate of need nonsubstantive review.

Dear Co-Chairs Meredith and Moser:

Upon consideration of the public comments received and subsequent amendments made to the Amended After Comments (AAC) administrative regulation for the ordinary version of 900 KAR 6:075, the Cabinet for Health and Family Services proposes the attached amendment to 900 KAR 6:075E, which matches the amendments made to the AAC version of the ordinary administrative regulation. The amendment removes Section 2(3)(l) related to the creation of four Level II Special Care Neonatal beds, meaning those applications will be subject to formal review. This language matches the Amended After Comments ordinary version of the administrative regulation.

The fiscal impact statement for the administrative regulation remains the same.

If you have any questions regarding this matter, please contact Josh Hardesty, Executive Director of the Office of Legislative and Regulatory Affairs, at (502) 229-5376.

Sincerely,

Lucie Estill
Staff Assistant

Office of Legislative and Regulatory Affairs

cc: Emily Caudill, Administrative Regulations Compiler

Attachment

Agency Amendment
FISCAL IMPACT STATEMENT

900 KAR 6:075E: Certificate of need nonsubstantive review.

Contact Person: Valerie Moore

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(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. This administrative regulation is necessary to comply with the content of the authorizing statutes, specifically KRS 216B.010, 216B.015(18), 216B.040, and 216B.095.

(2) Identify the promulgating agency and any other affected state units, parts, or divisions: The promulgating agency is the Office of Inspector General within the Cabinet for Health and Family Services. This administrative regulation affects entities that submit certificate of need applications subject to the nonsubstantive review process. The agency amendment does not impact the fiscal impact statement filed with the Amended After Comments administrative regulation on 8/15/25.

(a) Estimate the following for the first year:

Expenditures: There are no additional costs for implementation of this amendment.

Revenues: Revenue increases would be dependent on how many facilities applied for nonsubstantive review and is not able to be predicted.

Cost Savings: There are no anticipated cost savings as a result of this amendment.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? There is no anticipated expenditure, revenue, or cost savings difference from subsequent years.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts): This amendment should have no additional effect on local entities.

(a) Estimate the following for the first year:

Expenditures: There are no additional expenditures anticipated from this administrative regulation.

Revenues: No additional revenue is anticipated from this amendment.

Cost Savings: No cost savings are anticipated from this amendment.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? No changes are anticipated as a result of this amendment.

(4) Identify additional regulated entities not listed in questions (2) or (3): This administrative regulation affects entities that submit certificate of need applications subject to the nonsubstantive review process. The number of entities that submit certificate of need applications subject to nonsubstantive review varies.

(a) Estimate the following for the first year:

Expenditures: The certificate of need application filing fee is the same for nonsubstantive review and formal review and is established in a separate administrative regulation, 900 KAR 6:020.

Revenues: No additional revenue is anticipated from this amendment.

Cost Savings: No cost savings are anticipated from this amendment.

(b) How will expenditures, revenues, or cost savings differ in subsequent years? No changes are anticipated as a result of this amendment.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation: The certificate of need application filing fee is the same for nonsubstantive review and formal review and is established in a separate administrative regulation, 900 KAR 6:020.

(b) Methodology and resources used to determine the fiscal impact: The fees for licensure are established in 900 KAR 6:020 fees for licensure.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate) There is not an anticipated negative or adverse economic impact to entities discussed above.

(b) The methodology and resources used to reach this conclusion: The fees are the same whether a facility applies for substantive or nonsubstantive review.

Agency Amendment

Cabinet for Health and Family Services
Office of Inspector General

900 KAR 6:075E. Certificate of need nonsubstantive review.

Page 7
Section 2(3)(j)
Line 8

After “nonsubstantive review process;”, insert “or”

Page 8
Section 2(3)(k)6.
Line 10

After “term is currently defined”, insert a period
Delete the semicolon and “or”

Section 2(3)(l)
Line 15

After “term is currently defined.”, delete (l) in its entirety:

(l) The proposal involves an application to establish a Level II program with four
(4) Level II Special Care Neonatal beds and the applicant is under common
ownership with an existing provider of Level II services within the same area
development district.