

INTERIM JOINT COMMITTEE ON HEALTH SERVICES

Minutes of the 2nd Meeting of the 2026 Interim

July 16, 2026

Call to Order and Roll Call

The second meeting of the Interim Joint Committee on Health Services was held on July 16, 2026, at 2:30 PM ET/1:30 PM CT in Room 154 of the Capitol Annex. Representative Kimberly Poore Moser, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen Meredith, Co-Chair; Representative Kimberly Poore Moser, Co-Chair; Senators Julie Raque Adams, Karen Berg, Donald Douglas, Keturah J. Herron, Michael J. Nemes, Steve Rawlings, Craig Richardson, and Lindsey Tichenor; and Representatives Steve Bratcher, Josh Bray, Emily Callaway, Ryan Dotson, Robert Duvall, Amy Neighbors, Felicia Rabourn, Rebecca Raymer, Steve Riley, Scott Sharp, and Lisa Willner.

Guests: Jim Bartell, President, Bartell & Kwiatkowski; Heather Manus, Registered Nurse, Cannabis Nurses Network; Ken Sobel, Founding Attorney, Sobel Legal; Michael Frazier, State Affairs Manager, Goldwater Institute; Naomi Lopez, Senior Fellow, Goldwater Institute; Allison Ball, Auditor of Public Accounts, Commonwealth of Kentucky; Jonathan Grate, Executive Director, Office of the Ombudsman, Auditor of Public Accounts, General Government Cabinet; Alex Magera, General Counsel, Office of Legal and Records Services, Auditor of Public Accounts, General Government Cabinet; Dr. Mary Beth Emmick Morris, President, Kentucky Board of Optometric Examiners; Kristen Webb, General Counsel, Kentucky Board of Optometric Examiners; Christopher Thacker, General Counsel, Kentucky Attorney General's Office; Julie Brooks, Policy Specialist, Department for Public Health (DPH), Cabinet for Health and Family Services (CHFS); and Krista Hamilton, Branch Manager, Local Health Personnel, DPH, CHFS; Peyton Sands, Deputy Inspector General, Office of Inspector General (OIG), CHFS; and Susan Harris, Director, Audits and Investigations, OIG, CHFS.

LRC Staff: DeeAnn Wenk, Chris Joffrion, Ben Payne, Logan Bush, D. J. Burns, and Becky Lancaster.

Approval of Minutes

A motion was made by Senator Meredith, and seconded by Representative Duvall, to approve the minutes of the June 16, 2026, meeting. Minutes were approved by voice vote without objection.

Consideration of Referred Administrative Regulations

The following referred administrative regulations were placed on the agenda for consideration:

201 KAR 009:086 Superseded - License renewal and registration; reregistration of inactive license for physician assistants.

201 KAR 009:305 Superseded - License renewal and registration; reregistration of inactive licenses; and continuing education requirements for athletic trainers.

902 KAR 008:070 Proposed - Recruitment, examination, and certification of eligible applicants for local health departments.

902 KAR 008:080 Proposed - Initial appointment, probationary period, layoffs, performance evaluation, and the resignation of employees of local health departments.

902 KAR 008:096 Proposed - Local health department employee performance evaluation program.

902 KAR 008:120 Proposed - Leave provisions applicable to employees of local health departments.

902 KAR 055:095 Proposed - Prescription for Schedule II controlled substance – authorization of oral prescriptions for immediate administration, facsimile transmission, or partial filling.

907 KAR 003:005 Proposed - Coverage of physicians' services.

907 KAR 003:010 Proposed - Reimbursement for physicians' services.

All of the above listed administrative regulations were reviewed.

In response to Senator Douglas, Krista Hamilton, Branch Manager, Local Health Personnel, DPH, CHFS, stated in regard to 902 KAR 008:060, the initial probationary period is 6 months, the starting salary varies, and is based on the grade level of the position. Julie Brooks, Policy Specialist, DPH, CHFS, stated that the probationary period salary increase is mirrored to the Personnel Cabinet's rate of increase, employees can apply for a salary parity increase if eligible, and the local boards of health approve the operating budget for the local health departments.

In response to Senator Nemes, Ms. Brooks stated the executive branch post-probationary increase has been 5%.

Ms. Hamilton discussed the agency amendment to 902 KAR 008:060.

A motion to approve the agency amendment was made by Senator Meredith, seconded by Representative Herron, and approved by a roll call vote.

In response to Senator Douglas, Susan Harris, Director, Audits and Investigations, OIG, CHFS, stated in regard to 902 KAR 055:095, patients may request that a pharmacy fill a partial prescription.

In response to Representative Moser, Ms. Harris stated that a partially filled prescription would be less than what is prescribed by a physician and a patient would not be able to obtain additional medication unless prescribed by a physician.

A motion was made by Senator Meredith, and seconded by Senator Douglas, to defer administrative regulation 902 KAR 055:095. The motion was approved by voice vote.

Discussion of Optometry Administrative Regulations

Chair Moser discussed the committee amendment to 201 KAR 005:021- E regarding the process used by optometric examiners to establish certain licensure requirements.

Dr. Mary Beth Emmick Morris, President, Kentucky Board of Optometric Examiners, discussed the board's response to OAG 25-13 and the work that has been completed for compliance.

In response to Representative Willner, Dr. Morris stated the committee amendment updates the regulation to pre-COVID 19 standards. To renew an optometry license, the provider must show they have completed all exams required by the regulation. Kristen Webb, General Counsel, Kentucky Board of Optometric Examiners, stated that providers who have previously received optometric licensing through an alternate path can renew their license using the alternative path credentials but all other renewals going forward must show passage of specific testing listed in the regulation.

In response to Representative Duvall, Christopher Thacker, General Counsel, Kentucky Attorney General's Office, stated that the optometric review board can approve any testing organization they deem appropriate and discussed the rights of the licensee who obtained a license lawfully.

A motion to approve the agency amendment was made by Senator Meredith, seconded by Senator Douglas, and approved by a roll call vote.

Update from the Office of the Ombudsman

Allison Ball, Auditor of Public Accounts, Commonwealth of Kentucky, discussed the legislation that moved the Office of the Ombudsman from CHFS to the Auditor's Office, the relationship between the Office of the Ombudsman and CHFS, and several findings and recommendations in the 2025 Annual Report.

In response to Senator Berg, Auditor Ball stated the 43.10% error rate is Medicaid long-term care, specific to eligibility.

In response to Representative Callaway, Auditor Ball stated the Supplemental Nutrition Assistance Program (SNAP) information is online, the Office of the Ombudsman would be happy to present the information at other committee meetings, and discussed what items are included in the error rate.

Discussion of the Compassionate Access to Medical Cannabis Act "Ryan's Law"

Jim Bartell, President, Bartell & Kwiatkowski, Advocate, discussed his son Ryan's cancer diagnosis, treatment with medical cannabis, the establishment of "Ryan's Law", and implementation of the law across 37 states.

Heather Manus, Registered Nurse, Cannabis Nurses Network, discussed advocacy for Ryan's Law and the capabilities of nurses to implement Ryan's Law.

Ken Sobel, Founding Attorney, Sobel Legal, discussed the importance of Ryan's Law.

Discussion of the Right to Try Act

Michael Frazier, State Affairs Manager, Goldwater Institute, discussed the importance of Right to Try laws for individual treatments and the hope medical breakthroughs can bring patients in dire need of care.

Naomi Lopez, Senior Fellow, Goldwater Institute, discussed the regulatory challenges for patients with rare diagnoses seeking new or innovative medications or therapies for life-saving individualized measures.

In response to Representative Berg, Ms. Lopez stated the law does not require insurers to pay for innovative treatments, and the model for the law is guided by the federal Department of Health and Human Services.

Adjournment

There being no further business, the meeting was adjourned.