

197.020 Administrative regulations to be promulgated by Department of Corrections -- Fee for use of medical facilities -- Reimbursement of telehealth consultations -- Use of jail medical facilities by state prisoner governed by KRS 441.045 -- Department not required to promulgate administrative regulations regarding death penalty -- Public posting on website.

- (1) The Department of Corrections shall:
 - (a) Promulgate administrative regulations for the:
 1. Government and discipline of the penitentiary;
 2. Government and official conduct of all officials connected with the penitentiary; and
 3. Government of the prisoners in their department and conduct;
 - (b) Promulgate administrative regulations for the:
 1. Character of food and diet of the prisoners;
 2. Preservation of the health of the prisoners;
 3. Daily cleansing of the penitentiary;
 4. Cleanliness of the persons of the prisoners;
 5. General sanitary government of the penitentiary and prisoners;
 6. Character of the labor;
 7. Quantity of food and clothing; and
 8. Length of time during which the prisoners shall be employed daily;
 - (c) Promulgate administrative regulations, as the department deems necessary, for the disposition of abandoned, lost, or confiscated property of prisoners;
 - (d) Promulgate administrative regulations for the administration of a validated risk and needs assessment to assess the criminal risk factors and correctional needs of all inmates upon commitment to the department;
 - (e) Promulgate administrative regulations to:
 1. Create a certification process for county jails that may house female state inmates. The administrative regulations shall include a requirement of a physical barrier between male and female inmates; and
 2. Require telehealth services in county jails; and
 - (f) Cause the administrative regulations promulgated by the department, together with the law allowing commutation of time to prisoners for good conduct, to be printed and posted in conspicuous places in the cell houses and workshops.
- (2) The department may impose a reasonable fee for the use of medical facilities by a prisoner who has the ability to pay for the medical and dental care. These funds may be deducted from the prisoner's inmate account. A prisoner shall not be denied medical or dental treatment because he or she has insufficient funds in his or her inmate account.
- (3) The department may promulgate administrative regulations in accordance with KRS Chapter 13A to implement a program that provides for reimbursement of telehealth consultations.

- (4) Fees for the use of medical facilities by a state prisoner who is confined in a jail pursuant to KRS 532.100 or other statute shall be governed by KRS 441.045.
- (5) Notwithstanding any other provision of law, the Department of Corrections shall not be required to promulgate administrative regulations regarding the death penalty and may prescribe and implement execution protocols and procedures by internal policy, memorandum, or other form of action without proceeding through the administrative regulations process established in KRS Chapter 13A.
- (6) Any internal policy, memorandum, or other action adopted by the department under subsection (5) of this section shall be publicly available on the department's website.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 181, sec. 2, effective July 15, 2026. -- Amended 2022 Ky. Acts ch. 230, sec. 12, effective July 14, 2022. -- Amended 2020 Ky. Acts ch. 109, sec. 4, effective April 24, 2020. -- Amended 2018 Ky. Acts ch. 115, sec. 3, effective July 14, 2018. -- Amended 2011 Ky. Acts ch. 2, sec. 27, effective June 8, 2011. -- Amended 2010 Ky. Acts ch. 8, sec. 2, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 85, sec. 231, effective June 26, 2007. -- Amended 2000 Ky. Acts ch. 376, sec. 23, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 406, sec. 3, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 211, sec. 44, effective July 14, 1992; and ch. 445, sec. 5, effective July 14, 1992. -- Amended 1982 Ky. Acts ch. 344, sec. 21, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 74, Art. V, sec. 24(14). -- Amended 1966 Ky. Acts ch. 255 sec. 188. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 216c-4.

Legislative Research Commission Note (7/14/2018). Pursuant to 2018 Ky. Acts ch. 115, sec. 12, that Act shall be known as the Women's Dignity in the Justice System Act. This statute was amended in Section 3 of that Act.