

## CHAPTER 165

## (HB 29)

AN ACT relating to public health care.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔Section 1. KRS 334A.020 is amended to read as follows:

As used in this chapter, unless the context otherwise requires:

- (1) "Board" means the Kentucky Board of Speech-Language Pathology and Audiology;
- (2) "Person" means any individual, organization, or corporate body, except that only individuals can be licensed under this chapter;
- (3) "Speech-language pathologist" means one who practices speech-language pathology. A speech-language pathologist may describe himself to the public by any title or description of services incorporating the words "speech-language pathologist," "speech-language pathology," "speech-language therapy," "speech-language correction," "speech-language correctionist," "speech-language therapist," "speech clinic," "speech clinician," "***speech pathologist***," "language pathologist," "language pathology," "language therapist," "logopedics," "logopedist," "communicology," "communicologist," "aphasiologist," "voice therapy," "voice therapist," "voice pathology," "voice pathologist," "phoniatrist," "communication disorders," ***or "verbal therapist"*** ~~or any similar titles or descriptions~~;
- (4) "The practice of speech pathology" means the application of principles, methods, and procedures for the measurement, testing, audiometric screening, identification, appraisal, determination of prognosis, evaluation, consultation, remediation, counseling, instruction, and research related to the development and disorders of speech, voice, verbal and written language, cognition/communication, or oral and pharyngeal sensori-motor competencies for the purpose of designing and implementing programs for the amelioration of these disorders and conditions. Any representation to the public by title or by description of services, methods, or procedures for the evaluation, counseling, remediation consultation, measurement, testing, audiometric screening, identification, appraisal, ~~determination of prognosis,~~ instruction, and research of persons ***diagnosed with*** ~~suffering or suspected of suffering from~~ conditions or disorders affecting speech, voice, verbal and written language, cognition/communication, or oral and pharyngeal sensori-motor competencies shall be considered to be the practice of speech-language pathology;
- (5) "Audiologist" is defined as one who practices audiology. An audiologist may describe himself to the public by any title or description of services incorporating the words "audiologist," "audiology," "audiological," "hearing center," "hearing clinic," "hearing clinician," "hearing therapist," "audiometry," "audiometrist," "audiometrics," "otometry," "otometrist," ***aural rehabilitationist***, ***or "hearing conservationist"*** ~~or any similar titles or descriptions of service~~;
- (6) "The practice of audiology" means the application of principles, methods, and procedures of measurement, testing, appraisal, prediction, consultation, counseling, and instruction related to hearing and disorders of hearing for the purpose of modifying communicative disorders involving speech, language, auditory behavior, or other aberrant behavior related to hearing loss; planning, directing, conducting, or participating in identification and hearing conservation programs; and habilitative and rehabilitative programs, including hearing aid recommendations and evaluation, auditory training, or speech reading;
- (7) "Continuing professional education" in speech-language pathology and audiology consists of planned learning experiences beyond a basic educational program leading to a degree. These experiences are designed to promote knowledge, skills, and attitudes of speech-language pathology and audiology practitioners to enable them to provide ***professional services in their areas of training that are based on current research and best practices*** ~~improved health care to the public.~~
- (8) "Speech-language pathology assistant" means one who assists in the practice of speech-language pathology only under the supervision and direction of an appropriately qualified supervisor and only within the public school system in the Commonwealth. Any speech pathology services provided without appropriate supervision or outside the public school system shall be deemed to be the unlicensed practice of speech pathology and shall subject the offending party to penalties established pursuant to KRS 334A.990;~~;~~

- (9) "Assisting in the practice of speech pathology" means the provision of certain specific components of a speech or language service program provided by a speech-language pathology assistant under the supervision and direction of an appropriately qualified supervisor.
- (a) If the training, supervision, documentation, and planning are appropriate, the following tasks may be delegated to a speech-language pathology assistant:
1. Conduct speech-language and hearing screenings without interpretation following specified screening protocols developed by a speech-language pathologist and audiologist, respectively;
  2. Follow documented treatment plans or protocols as prescribed by the supervisor;
  3. Document student progress toward meeting established objectives as stated in the treatment plan;
  4. Provide direct treatment assistance to identified students under the supervision of the supervisor;
  5. Assist with clerical and other related duties as directed by the supervisor;
  6. Report to the supervisor about the treatment plan based on a student's performance;
  7. Schedule activities, prepare charts, records, graphs, or otherwise display data. This shall not include report generation;
  8. Perform simple checks and maintenance of equipment;
  9. Participate with the supervisor in research projects, inservice training, and public relations programs;
  10. Assist in the development and maintenance of an appropriate schedule for service delivery;
  11. Assist in implementing collaborative activities with other professionals;
  12. Assist in administering tests for diagnostic evaluations and progress monitoring; and
  13. Participate in parent conferences, case conferences, or any interdisciplinary team in consultation with, or in the presence of, the supervisor.
- (b) The following activities shall be outside the scope of practice of the speech-language pathology assistant:
1. Performing any activity which violates the code of ethics promulgated by the board by administrative regulation;
  2. Interpreting test results, or performing diagnostic evaluations without supervision;
  3. Conducting client or family counseling without the recommendation, guidance, and approval of the supervisor;
  4. Writing, developing, or modifying a student's individualized treatment plan in any way without the recommendation, guidance, and approval of the supervisor;
  5. Treating students without following the individualized treatment plan prepared by the supervisor or without access to supervision;
  6. Signing any due process document without the co-signature of the supervisor;
  7. Selecting or discharging students;
  8. Disclosing clinical or confidential information, either orally or in writing, to anyone not designated by the supervisor;
  9. Making referrals for additional services; and
  10. Representing himself or herself as something other than a speech-language pathology assistant;~~[-]~~
- (10) "Supervisor" means a person who holds a Kentucky license as a speech-language pathologist or who holds Education Professional Standards Board master's level certification as a teacher of exceptional children in the areas of speech and communication disorders as established by administrative regulation;~~[-]~~

- (11) *"Interim license" means a license issued by the board pursuant to Section 2 of this Act to a person for the purpose of completing the supervised postgraduate professional experience required under that section prior to an application for licensure as a speech-language pathologist or a speech-language pathology assistant; and*
- (12) *"Temporary license" means a license that may be issued by the board administrator pursuant to Section 4 of this Act to any applicant who has met all the requirements for permanent licensure in accordance with that section.*

➔Section 2. KRS 334A.035 is amended to read as follows:

- (1) (a) A person who has a Master's degree in the area of speech-language pathology or **communication disorders, or is currently enrolled in a doctoral degree program with emphasis in speech-language pathology or communication disorders, or has**~~audiology or~~ substantive equivalent course work as defined by the board's administrative regulations and who has completed supervised direct clinical practicum with individuals presenting a variety of disorders of communication **and swallowing**, the experience being obtained with a training institution or in one (1) of its cooperating programs, shall apply for an interim license during the time that person is completing postgraduate professional experience deemed necessary by the board. ~~The~~~~This~~ postgraduate professional experience shall be completed under the supervision of a speech-language pathologist who holds a Kentucky license, **or certification by other accrediting bodies at the discretion of the board**~~if the applicant is seeking interim licensure in speech language pathology, or under an audiologist who holds a Kentucky license, if the applicant is seeking interim licensure in audiology.~~
- (b) A person with interim licensure shall make every effort to take and pass **a national**~~an~~ examination **in speech-language pathology** approved by the board **at the time of the application for licensure. If unsuccessful with the examination, the licensee shall submit documentation of the applicant's preparation to take the national examination and continue to practice under supervision in accordance with this section. The board shall promulgate an administrative regulation in accordance with KRS Chapter 13A to establish the documentation required under this subsection.**
- (c) Upon completion of postgraduate professional experience deemed necessary by the board, the speech-language pathologist ~~or audiologist~~ shall make **an**~~immediate~~ application to the board **within thirty (30) days** for permanent licensure, if all requirements have been completed satisfactorily, or for renewal of the interim license at the discretion of the board. Failure to do so shall result in forfeiture of the interim license.
- (d) **An interim license shall not exceed a period of twenty-four (24) months without board approval.**
- (2) (a) A person who has a baccalaureate degree in the area of speech-language pathology **or communication disorders** as defined by administrative regulation ~~and who does not hold a valid and current Master's degree level credential as a speech hearing specialist issued by the Education Professional Standards Board,~~ shall apply for an interim license as a speech-language pathology assistant during the time that person is completing **his or her**~~their~~ professional experience as established by the board by administrative regulation. ~~The~~ **postgraduate**~~This~~ professional experience shall be completed under the supervision of an appropriately qualified supervisor.
- (b) Upon completion of the **postgraduate** professional experience, the speech-language pathology assistant shall make immediate application to the board **within thirty (30) days** for permanent licensure, if all requirements have been completed satisfactorily, or for renewal of the interim license at the discretion of the board. Failure to do so shall result in forfeiture of the interim license.
- (c) **An interim license shall not exceed a period of twenty-four (24) months without board approval.**
- (3) (a) **A speech-language pathologist employed solely by the public schools in a certified position who holds a teacher certification in communication disorders issued by the Education Professional Standards Board shall be exempt from holding a license issued by the board.**
- (b) **A speech-language pathologist in a classified position who does not hold a teacher certification in communication disorders issued by the Education Professional Standards Board shall apply for and maintain appropriate licensure.**

- (c) *The public school speech-language pathologist shall determine from the local school board how his or her position is categorized*~~[In order to regulate the quality of professional service to children in the public schools of the Commonwealth, any speech language pathologist employed by the public schools shall apply for and maintain appropriate licensure until the time the Kentucky Education Professional Standards Board promulgates an administrative regulation requiring speech language pathologists to meet the requirements of KRS 334A.050(2)(a) and (b)].~~

➔SECTION 3. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO READ AS FOLLOWS:

- (1) *Pursuant to administrative regulation promulgated pursuant to KRS Chapter 13A, the board, may issue a temporary license to any applicant who has met the requirements for licensure for the respective profession.*
- (2) *A speech-language pathologist, speech-language pathology assistant, or audiologist may practice his or her respective profession under a temporary license until the next board meeting, at which time the full board shall either extend the temporary license, issue a license, renew a license, or deny a license. If a license is denied, the person with a temporary license shall immediately cease the practice granted under the temporary license upon notification by the board.*
- (3) *A person may practice his or her respective profession under a temporary license for no longer than one hundred eighty (180) days.*

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO READ AS FOLLOWS:

- (1) *To be eligible for initial interim licensure by the board as a speech-language pathologist, the applicant shall:*
  - (a) *Provide a certified university transcript conferring a Master's degree or Doctorate degree in the area of speech-language pathology or communication disorders, or substantive equivalent. The board shall promulgate administrative regulations to specify the required course work; or*
  - (b) *Provide documentation of completion of degree requirements, including a supervised direct clinical practicum with individuals presenting with a variety of disorders of communications and swallowing. The experience shall be obtained with a training institution, or in one (1) of its cooperating programs.*
- (2) *To be eligible for initial licensure by the board as a speech-language pathologist, the applicant shall:*
  - (a) *Provide a certified university transcript conferring a Master's degree or Doctorate degree in the area of speech-language pathology or communication disorders, or substantive equivalent. The board shall promulgate administrative regulations to specify the required course work;*
  - (b) *Provide documentation of completion of a postgraduate professional experience approved by the board pursuant to administrative regulations promulgated pursuant to KRS Chapter 334A; and*
- (3) *Pass a national examination approved by the board at the time of the application for licensure or provide documentation of national certification.*

➔SECTION 5. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO READ AS FOLLOWS:

- (1) *To be eligible for initial licensure by the board as an audiologist, the applicant shall:*
  - (a) *Provide either a certified university transcript conferring a Master's degree in audiology prior to January 1, 2007 and show evidence of completion of a post-graduate professional experience as set forth in administrative regulations promulgated pursuant to KRS Chapter 334A, if the applicant has not held an interim license in audiology; or provide a certified university transcript conferring a Doctorate degree in Audiology from an accredited program, as determined by the board; and*
  - (b) *Pass a national examination approved by the board at the time of the application for licensure or provide documentation of national certification.*
- (2) *The board shall issue on a case-by-case basis, an interim license to practice audiology to an applicant who has a Doctoral degree other than an Au.D., who has completed all licensure requirements other than the supervised professional experience requirements. Application for an interim license shall be made within thirty (30) days of securing a supervisor. The supervised postgraduate professional experience shall be completed under the supervision of an appropriately qualified supervisor.*

➔SECTION 6. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO READ AS FOLLOWS:

- (1) *The board may grant a license to an application currently licensed in another state as a speech-language pathologist upon receipt of the following:*
  - (a) *A letter of good standing in that state;*
  - (b) *Documentation of national certification or a passing score on a national exam approved by the board; and*
  - (c) *A certified university transcript conferring at least a Master's degree in Communication Disorders.*
- (2) *The board may grant a license to an application currently licensed in another state as an Audiologist upon receipt of the following:*
  - (a) *A letter of good standing in that state;*
  - (b) *Documentation of national certification or a passing score on a national exam approved by the board; and*
  - (c) *A certified university transcript conferring a Master's degree in Audiology prior to January 1, 2007, or a Doctorate degree in Audiology.*

➔SECTION 7. A NEW SECTION OF KRS CHAPTER 334A IS CREATED TO READ AS FOLLOWS:

- (1) *Any person with an active license may request that his or her license be placed on inactive status.*
- (2) *An inactive license shall be renewed every other year by the last day of the month of the anniversary month granting the inactive license status.*
- (3) *An inactive license may be renewed for up to six (6) years with documentation of required continuing education and approval of the board chair, board co-chair, or administrator of the board. The board shall promulgate administrative regulations to establish the requirements for renewals after six (6) years.*

➔Section 8. KRS 334A.040 is amended to read as follows:

- (1) Nothing in this chapter ~~[, however,]~~ shall be construed to prevent a qualified person licensed in this state under any other law from engaging in the profession for which *the person* ~~[he]~~ is licensed.
- (2) Nothing in this chapter shall be construed to prevent qualified hearing aid dispensers from engaging in those practices and procedures used solely for the fitting and selling of hearing aids.
- (3) Nothing in this chapter shall be construed as restricting or preventing activities of a speech-language pathology or audiology nature or the use of the official title of the position for which they were employed on the part of the following persons:
  - (a) Speech-language pathologists or audiologists employed by the federal government, *if they* ~~[provided such persons]~~ are performing such activities solely within the confines or under the jurisdiction of the organization in which they are employed and do not offer to render speech-language pathology or audiology services as defined in subsections (4) and (6) of KRS 334A.020 to the public outside of the institutions or organizations in which they are employed. However, such persons may, without obtaining a license under this chapter, consult or disseminate their research findings and scientific information to other such accredited academic institutions or governmental agencies. They also may offer lectures to the public for a fee, monetary or otherwise, without being licensed under this chapter; or
  - (b) Registered and practical nurses or others trained to perform audiometric testing under the direct supervision of a licensed physician or surgeon.
- (4) Nothing in this chapter shall be construed as restricting the activities and services of a student or speech-language pathology intern pursuing a course of study leading to a degree in speech-language pathology at an accredited or approved college or university or an approved clinical training facility, ~~[if provided]~~ these activities and services constitute a part of the planned course of study and ~~[if that]~~ such persons are designated by such title as "speech-language pathology intern," "speech-language pathology trainee," or other such title clearly indicating the training status appropriate to his *or her* level of training under the supervision of a licensed speech-language pathologist.

- (5) Nothing in this chapter shall be construed as restricting the activities and services of a student or audiology intern pursuing a course of study leading to a degree in audiology at an accredited or approved college or university or an approved clinical training facility, ~~if provided that~~ these activities and services constitute a part of ~~the~~<sup>his</sup> planned course of study and ~~if that~~ such persons are designated by such title as "audiology intern," "audiology trainee," or other such title clearly indicating the training status appropriate to his *or her* level of training, under supervision of a licensed audiologist.
- (6) Nothing in this chapter shall be construed as restricting a speech-language pathologist or audiologist from another state from offering his *or her* speech-language pathology or audiology services in this state ~~if the~~<sup>provided such</sup> services are performed for no more than five (5) days in any calendar year and ~~if provided~~ that person meets the qualifications and requirements stated in the section on qualifications, except that such person need not apply for licensure under this chapter. ~~However, a person from another state who is licensed or certified as a speech language pathologist or audiologist by a similar board of another state, or territory of the United States, or of a foreign country or province whose standards are equivalent to or higher than, at the date of his certification or licensure, the requirements of this chapter and regulations duly adopted hereunder, or a person who meets the qualifications and requirements, and resides in a state or territory of the United States, or a foreign country or province which does not grant certification or license to speech language pathologists, may also offer speech language pathology services in this state for a total of not more than thirty (30) days in any calendar year without making application for licensure under this chapter.~~
- ~~(7) Nothing in this chapter shall be construed as restricting a speech language pathologist or audiologist who has all the qualifications necessary for licensure under this chapter, who is not certified or licensed by another administrative agency, and who has made application for licensure under this chapter from rendering speech language pathology or audiology services within this state while awaiting licensure.~~

➔Section 9. KRS 334A.070 is amended to read as follows:

- (1) There is hereby created a Board of Speech-Language Pathology and Audiology which shall consist of eight (8) members to be appointed by the Governor. Three (3) members shall be audiologists, three (3) members shall be speech-language pathologists, one (1) shall be an otolaryngologist and one (1) member shall be a citizen at large who is not associated with or financially interested in the practice or business regulated. The audiologists and speech-language pathologists members shall hold a Kentucky license from the board of speech-language pathology and audiology and shall practice in Kentucky. One (1) of the speech-language pathologist members shall be employed in the public schools of the Commonwealth. The members of the board shall serve until the expiration of the term for which they have been appointed or until their successors are qualified. All appointments made shall be for a term of three (3) years except for appointments to fill vacancies caused by a reason other than the expiration of a member's term which shall be filled for the remaining portion of the member's term. No person shall be appointed to serve more than two (2) consecutive terms.
- (2) The board shall reorganize annually and select a chairman. Four (4) members of the board shall constitute a quorum to do business. The board shall hold at least one (1) regular meeting each year. Additional meetings may be held upon call of the chairman or at the written request of any two (2) members of the board. All meetings of the board shall be open and public ~~except that the board may hold executive sessions to prepare, approve, grade or administer examinations; or upon the request of an applicant who fails an examination, prepare a response indicating the cause of his failure.~~

➔Section 10. KRS 334A.160 is amended to read as follows:

The amount of fees prescribed in connection with a license as a speech-language pathologist, speech-language pathology assistant, or audiologist shall be as follows:

- (1) The initial license fee for licensure as a speech-language pathologist or an audiologist shall not exceed *two hundred dollars (\$200)* ~~one hundred dollars (\$100)~~;
- (2) The delinquency fee for all credentials shall not exceed *forty dollars (\$40)* ~~twenty dollars (\$20)~~;
- (3) The application fee for all credentials shall not exceed fifty dollars (\$50);
- (4) The *initial and renewal fees for an inactive license shall not exceed twenty dollars (\$20)* ~~inactive license fee for all credentials shall not exceed ten dollars (\$10)~~;

- (5) The speech-language pathology assistant license fee shall not exceed **one hundred fifty dollars (\$150)**~~seventy five dollars (\$75)~~; and
- (6) The interim license fee shall not exceed **one hundred fifty dollars (\$150)**~~seventy five dollars (\$75)~~.

➔Section 11. KRS 334A.170 is amended to read as follows:

- (1) Each licensed speech-language pathologist, speech-language pathology assistant, or audiologist shall **biennially**~~annually~~, on or before January **31**~~30~~, pay to the board a renewal fee not to exceed **one hundred fifty dollars (\$150)**~~seventy five dollars (\$75)~~ for a renewal of his **or her** license. A thirty (30) day grace period shall be allowed after January **31**~~30~~, during which time licenses may be renewed on payment of a renewal fee plus grace period fee which combined shall not exceed **one hundred eighty dollars (\$180)**~~ninety dollars (\$90)~~. After expiration of the grace period, the board may renew each license upon payment of a renewal fee plus a delinquency fee which combined shall not exceed **two hundred fifty dollars (\$250)**~~one hundred twenty five dollars (\$125)~~. No person who applies for renewal, whose license has expired, shall be required to submit to any examination as a condition to renewal, if the renewal application is made within five (5) years from the date of expiration.
- (2) A suspended license is subject to expiration and shall be renewed as provided in this chapter, but the renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other activity or conduct in violation of the order of judgment by which the license was suspended. A license revoked on disciplinary grounds shall be subject to expiration as provided in this chapter, but it shall not be renewed. If it is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last preceding regular renewal date before the date on which it is reinstated, plus the delinquency fee, if any, accrued at the time of its revocation.
- (3) A person who fails to renew his **or her** license within the five (5) years after its expiration may not renew it, and it shall not be restored, reissued, or reinstated thereafter. The person may apply for and obtain a new license if **the person**~~he~~ meets the requirements of this chapter.
- (4) A person applying for renewal of licensure shall show evidence of completion of continuing professional education in speech-language pathology or audiology as prescribed by the board by administrative regulation.

➔Section 12. KRS 334A.180 is amended to read as follows:

- (1) The board may refuse to issue a license,~~or~~ may suspend or revoke the license of any licensee, **or fine a licensee an amount agreed upon by a two-thirds (2/3) vote of the board in an amount not to exceed one thousand dollars (\$1,000), and the board may take action against a license and fine a licensee** if he **or she** has been guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Such unprofessional conduct may include:
- Obtained **the**~~his~~ license by means of fraud, misrepresentation, or concealment of material facts;
  - Has been guilty of unprofessional conduct as defined by the rules established by the board, or has violated the code of ethics adopted and published by the board;
  - Has violated any lawful order, rule, or regulation rendered or adopted by the board;~~or~~
  - Has represented that the professional services or advice of physician has been used, or has used the words "doctor," "clinic," or similar words; abbreviations or symbols while failing to affix the word, term, or initials pertaining to "audiology," "audiologic," "audiologist," "doctor of audiology," "speech-language pathologist," "speech-language pathology," "Au.D.," "Ph.D.," "or "Sc.D.,"**
  - Has failed to affix the word, term, or initials specified in paragraph (d) of this subsection in any sign, written communication, or advertising media in which the term "doctor" or the abbreviation "Dr." is used in relation to the audiologist or speech-language pathologist holding a doctoral degree; or**
  - Has violated any provisions of this chapter.
- (2) The board shall deny an application for, or suspend or revoke, or impose probationary conditions upon, a license as ordered by the board in any decision made after hearing as provided in this chapter. One (1) year from the date of revocation of a license under this chapter, application may be made to the board for

reinstatement. The board shall have discretion to accept or reject an application for reinstatement ~~and may require an examination for such reinstatement~~.

- (3) *A person applying for reinstatement of licensure shall provide evidence of completion of continuing professional education in speech-language pathology or audiology as prescribed by the board.*
- (4) A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony ~~or of any offense involving moral turpitude~~ is deemed to be a conviction within the meaning of this chapter. At the direction of the board, the license shall be suspended or revoked, or shall decline to issue a license when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence irrespective of a subsequent order under the provisions of the penal code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the acquisition, information or indictment.

➔SECTION 13. A NEW SECTION OF KRS CHAPTER 344A IS CREATED TO READ AS FOLLOWS:

- (1) *Members of the board, its agents, and employees shall be immune from personal liability in any action, civil or criminal, which is based on any official act or acts performed in good faith.*
- (2) *Notwithstanding any other civil or criminal remedy, the board may institute and maintain actions to restrain or enjoin any violation of this chapter, related administrative regulations promulgated by the board pursuant to KRS Chapter 13A, or order of the board.*
- (3) *The surrender of a license shall not serve to deprive the board of jurisdiction to proceed with disciplinary action pursuant to this chapter.*
- (4) *The city, county, or Commonwealth's attorney, and the Attorney General shall within their jurisdictions and within their legal discretion, represent the board, its agents, and employees in the enforcement of the provisions of this chapter and related administrative regulations.*

➔Section 14. On or before September 1, 2008, the Cabinet for Health and Human Services shall report to the Interim Joint Committee on Health and Welfare on its progress toward the purchase of Kentucky's federal allotment of antiviral treatment under the federally subsidized price. If the cabinet has not purchased Kentucky's full allotment of the antiviral treatments before the report is given, the report shall include:

- (1) The cabinet's justification for not taking advantage of the federal offer;
- (2) The cabinet's plan for getting Kentucky's stockpile of antiviral treatments up to the federally recommended level; and
- (3) An analysis of the future cost to the state of not taking advantage of the federal subsidized price.

**Signed by Governor April 24, 2008.**