

STATEMENT OF EMERGENCY

921 KAR 3:026E.

This emergency repealer is being promulgated to comply with Senate Bill 65 (Regular Session 2021, Acts ch. 165), which deems 921 KAR 3:025 to be null, void, and unenforceable effective June 29, 2021. This emergency repealer conforms to KRS 13A.190(1)(a)3. in that it is necessary to meet an imminent deadline established by state statute and KRS 13A.310(1) by repealing an administrative regulation that is being replaced and is no longer desired to be effective. This emergency repealer will not be replaced by an ordinary repealer as the repeal of 921 KAR 3:025 will be effective immediately upon the filing of this repealer.

ANDY BESHEAR, Governor

ERIC C. FRIEDLANDER, Secretary

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Community Based Services
Division of Family Support
(New Emergency Administrative Regulation)

921 KAR 3:026E. Repeal of 921 KAR 3:025.

RELATES TO: KRS 13A.310, 205.2005, 7 C.F.R. Parts 271-285, 273.4, 273.5, 273.7, 273.11, 45 C.F.R. 261.2, 7 U.S.C. 2011, 2014, 2015(d), 20 U.S.C. 28 Part F, Pub. L. 116-260 Section 702(e)

STATUTORY AUTHORITY: KRS 194A.050(1), 7 C.F.R. 271.4, Part 272, Part 273

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations necessary to implement programs mandated by federal law or to qualify for the receipt of federal funds and necessary to cooperate with other state and federal agencies for the proper administration of the cabinet and its programs. 7 C.F.R. 271.4 requires the cabinet to administer a Supplemental Nutrition Assistance Program (SNAP) within the state. 7 C.F.R. Parts 272 and 273 establish requirements for the cabinet to participate in the SNAP. This administrative regulation repeals 921 KAR 3:025 because Senate Bill 65 (Regular Session 2021, Acts ch. 165) includes that 921 KAR 3:025 is null, void, and unenforceable effective June 29, 2021. 921 KAR 3:025 is being replaced with 921 KAR 3:027 in order to maintain federally-required SNAP eligibility provisions.

Section 1. 921 KAR 3:025, Technical requirements, is hereby repealed.

MARTA MIRANDA-STRAUB, Commissioner
ERIC C. FRIEDLANDER, Secretary

APPROVED BY AGENCY: June 8, 2021

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if requested, be held on July 26, 2021, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by July 19, 2021, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until July 31, 2021. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Krista Quarles, Policy Analyst, Office of Legislative and Regulatory Affairs, 275 East Main Street 5 W-A, Frankfort, Kentucky 40621; phone 502-564-6746; fax 502-564-7091; email CHFSregs@ky.gov.