

CABINET FOR HEALTH AND FAMILY SERVICES
Department for Public Health
Division of Epidemiology and Health Planning
(Emergency Amended at ARRS Committee)

902 KAR 2:240E. COVID-19 test acquisition and distribution.

RELATES TO: KRS 194A.050, 211.180

STATUTORY AUTHORITY: 2021 Extra. Sess. Ky. Acts Ch. 5

NECESSITY, FUNCTION, AND CONFORMITY: 2021 Extra. Sess. Ky. Acts Ch. 5 Section 3 requires the Cabinet for Health and Family Services to assist and support all hospitals, licensed health care providers, jails, prisons, homeless shelters, local health departments, and other entities in acquiring a sufficient number of COVID-19 tests. The cabinet is to develop a plan for the statewide distribution of the COVID-19 tests, and to distribute all COVID-19 tests. 2021 Extra. Sess. Ky. Acts Ch. 5 Section 4 requires the cabinet to promulgate an emergency administrative regulation to implement Section 3. This emergency administrative regulation is in fulfillment of this statutory directive.

Section 1. COVID-19 Tests Acquisition.

- (1) The Kentucky Department for Public Health (KDHP) shall coordinate testing operations in accordance with federal and state requirements.
- (2) Federal and state funding shall be made available to support testing operations including the purchase of testing and laboratory supplies.
- (3) Request for COVID-19 testing resources, including personnel, equipment, and supplies, shall be made to the State Emergency Operations Center or the State Health Operation Center.
- (4) KDHP shall distribute any COVID-19 test available upon request from all hospitals, licensed health care providers, jails, prisons, homeless shelters, local health departments, and other entities.

Section 2. COVID-19 Test Distribution in Support of Vulnerable Populations.

- (1) In accordance with Ky. Acts Ch. 5 Section 3 the cabinet shall, to the extent supplies and necessary funding is available, and in compliance with existing federal and state statutes and regulations, obtain and distribute BinaxNOW™ antigen test cards to jails, prisons, homeless shelters, local health departments, and other entities serving vulnerable populations;
- (2) KDHP will facilitate distribution of tests to eligible entities that have been approved through a standardized resource request process.

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