

JUSTICE AND PUBLIC SAFETY CABINET
Department of Corrections
(Amendment)

501 KAR 6:150. Eastern Kentucky Correctional Complex policies and procedures.

RELATES TO: KRS Chapters 196, 197, 439

STATUTORY AUTHORITY: KRS 196.035, 197.020, 439.470(2), 439.590, 439.640(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 196.035, 197.020, 439.470(2), 439.590, and 439.640(2) authorize the Justice Cabinet and Department of Corrections to promulgate administrative regulations necessary and suitable for the proper administration of the department or any division therein. These policies and procedures are incorporated by reference ~~[in order]~~ to comply with the accreditation standards of the American Correctional Association. This administrative regulation establishes the policies and procedures for the Eastern Kentucky Correctional Complex.

Section 1. Incorporation by Reference.

(1) "Eastern Kentucky Correctional Complex Policies and Procedures", February 09, 2023~~[December 13, 2016]~~, is incorporated by reference. Eastern Kentucky Correctional Complex Policies and Procedures include:~~[EKCC 01-06-02Crime Scene Camera]~~ EKCC 01-07-01Institutional Tours and Group Visits of EKCC (Amended 2/09/23) EKCC 01-07-03Outside Consultation and Research (Amended 2/09/23~~[12/13/16]~~)~~[EKCC 01-10-02Organization and Assignment of Responsibility]~~ ~~[EKCC 01-10-03Institutional Planning]~~ ~~[EKCC 01-13-01Organization of Operations Manual (Amended 8/13/02)]~~ ~~[EKCC 01-13-02Monitoring of Operations, Policies and Procedures]~~ ~~[EKCC 01-13-03Formulation and Revision of EKCC Operating Procedure (Amended 8/13/02)]~~ ~~[EKCC 01-13-04Meetings Conducted and Their Purpose]~~ EKCC 02-01-02Inmate Canteen (Amended 2/09/23~~[12/13/16]~~) EKCC 02-02-01Fiscal Management: Agency Funds (Amended 2/09/23~~[6/12/02]~~)~~[EKCC 02-05-01Fiscal Management: Budget]~~ ~~[EKCC 02-08-01Property Inventory]~~ ~~[EKCC 02-08-02Warehouse Operation and Inventory Control]~~ ~~[EKCC 02-08-03Inventory Control, Nonexpendable Items]~~ ~~[EKCC 02-08-04Warehouse Policy and Procedure]~~ ~~[EKCC 02-11-01Purchase and Supply Requisition]~~ ~~[EKCC 02-12-01Fiscal Management: Audits]~~ EKCC 02-14-01Screening Disbursements from Inmate Personal Accounts (Amended 2/09/23~~[6/12/02]~~)~~[EKCC 04-02-02Advisory Training Committee]~~ EKCC 06-03-01Case Record Management (Amended 2/09/23~~[12/13/16]~~)~~[EKCC 10-02-01Special Management Unit: Operating Procedures and Living Conditions]~~ EKCC 10-02-04Restrictive Housing Unit and Special Management Unit: Operating Procedures and Living Conditions (Added 2/09/23) EKCC 11-02-01Meal Planning (Amended 2/09/23~~[10/14/16]~~) EKCC 11-04-01Food Service: Inspections and Sanitation (Amended 2/09/23) EKCC 11-04-02Medical Screening of Food Handlers (Amended 2/09/23) EKCC 11-05-01Food Service: Security (Amended 2/09/23~~[12/13/16]~~) EKCC 11-07-01Dining Room Rules (Amended 2/09/23~~[12/13/16]~~) EKCC 12-01-01Vermin and Insect Control (Amended 2/09/23) EKCC 12-02-01Inmate Dress and Use of Access Areas (Amended 2/09/23~~[10/14/16]~~) EKCC 13-01-01Pharmacy Policy (Amended 2/09/23~~[12/13/16]~~) EKCC 13-01-02Self-Administration of Medication (SAM) Program (Amended 2/09/23~~[12/13/16]~~) EKCC 13-02-03Consultations (Amended 2/09/23~~[10/14/16]~~) EKCC 13-02-04Medical Services (Amended 2/09/23~~[9/14/05]~~) EKCC 13-02-05Health Evaluations (Amended 2/09/23~~[12/13/16]~~) EKCC 13-02-06Sick Call, General, and Dental (Amended 2/09/23~~[9/14/05]~~) EKCC 13-05-01HIV~~[Aids]~~ and Hepatitis B: Precautions Against Infection (Amended 2/09/23~~[9/14/05]~~) EKCC 13-07-01Serious Illness, Major Injuries, Death (Amended 2/09/23~~[9/14/05]~~) EKCC 13-08-01Psychiatric and Psychological Services (Amended 2/09/23~~[12/13/16]~~) EKCC 13-08-

02Psychiatric and Psychological Services Team (Amended ~~2/09/23~~~~[10/14/16]~~) EKCC 13-08-03Suicide Prevention and Intervention Program (Amended ~~2/09/23~~~~[12/13/16]~~) EKCC 13-08-04Detoxification (Amended ~~2/09/23~~~~[10/14/16]~~) EKCC 13-08-05Mental Health Services (Amended ~~2/09/23~~~~[Added 9/14/05]~~) EKCC 13-09-01Dental Services (Amended ~~2/09/23~~~~[9/14/05]~~) EKCC 13-10-01Optometric Services (Amended ~~2/09/23~~~~[9/14/05]~~) EKCC 13-12-02Resident Transfer/Medical Profiles (Amended ~~2/09/23~~~~[9/14/05]~~) EKCC 13-13-01Syringes, Needles and Sharps Control (Amended ~~2/09/23~~~~[9/14/05]~~) EKCC 13-15-01Medical Department - General Housekeeping, Decontamination Procedures, and Biohazard Waste Procedures (Amended ~~2/09/23~~~~[9/14/05]~~) EKCC 13-16-01Medical Records (Amended ~~2/09/23~~~~[11/8/2005]~~) EKCC 14-02-01Clothing, Bedding and Personal Hygiene Supplies: ~~Issuance and Replacement Schedule~~(Amended 2/09/23) EKCC 14-03-01Board of Claims (Added 2/09/23) EKCC 14-04-01Inmate Legal Services (Amended 2/09/23) EKCC 14-05-01Americans with Disabilities Act and Inmate Programs Access (Added 2/09/23)~~[EKCC 14-07-01Inmate Rights and Responsibilities]~~ EKCC 15-01-01Hair and Grooming Standards: Inmate Barber Shop (Amended 2/09/23) EKCC 16-01-01Inmate Visiting (Amended 2/09/23) EKCC 16-02-01Inmate Correspondence (Amended 2/09/23) EKCC 16-03-01Inmate Telephone Procedures (Amended 2/09/23) EKCC 16-05-01Inmate Access to and Communication with EKCC Staff (Amended 2/09/23) EKCC 16-05-02Unit Bulletin Boards & Inmate TV Channel (Amended 2/09/23) EKCC 17-01-02Personal Property Control (Amended 2/09/23) EKCC 17-02-01Assessment ~~and~~~~[/]~~Orientation (Amended 2/09/23) EKCC 17-04-01Inmate Reception Process (Amended 2/09/23)~~[at the EKCC]~~ EKCC 17-04-02Provisional Assessment Center Operations and Reception Program (Added 2/09/23) EKCC 18-01-01Inmate Classification (Amended 2/09/23) EKCC 18-02-01Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) (Amended 2/09/23)~~[EKCC 18-10-01Preparole Progress Report]~~ EKCC 18-13-01Meritorious Housing (Amended 2/09/23) EKCC 18-13-04Minimum Security Unit: Operating Procedures and Living Conditions (Amended 2/09/23)~~[Added 8/13/02]~~ EKCC 19-04-01Inmate Work Program (Amended 2/09/23) EKCC 20-01-01Educational Courses (Amended 2/09/23)~~[Program]~~ EKCC 21-01-01Library Services (Amended 2/09/23) EKCC 22-02-01Recreation and Inmate Activities (Amended 2/09/23) EKCC 23-01-01Religious Services (Amended 2/09/23) EKCC 24-01-01Social Services and Counseling Program (Amended 2/09/23) EKCC 25-02-01Inmate Discharge Procedure (Amended 2/09/23) EKCC 25-03-01Reentry~~[Prerelease]~~ Preparation (Amended 2/09/23).

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material may be obtained from the Department of Corrections Web site at <https://corrections.ky.gov/About/Pages/lrcfilings.aspx>

COOKIE CREWS, COMMISSIONER

APPROVED BY AGENCY: January 24, 2023

FILED WITH LRC: February 9, 2023 at 9:20 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on April 21, 2023 at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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 the proposed

administrative regulation. Written comments shall be accepted through April 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Amy V. Barker, Assistant General Counsel, Justice & Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, Justice.RegsContact@ky.gov, telephone number (502) 564-3279, facsimile number (502) 564-6686.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Amy Barker

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This regulation incorporates by reference the policies and procedures governing the operation of the Eastern Kentucky Correctional Complex (EKCC).

(b) The necessity of this administrative regulation:

This regulation meets statutory requirements in KRS 196.035 and 197.020 and American Correctional Association (ACA) policy requirements.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

The authorizing statutes permit the Secretary of the Cabinet or his delegate and the Commissioner to implement practices or procedures to ensure the safe and efficient operation of the institution.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

The regulation and material incorporated by reference provide direction and information to institutional employees and inmates concerning employee duties, inmate responsibilities, and the procedures that govern operations of the institution.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment brings the institution into compliance with ACA expected practices and updates the procedures for the institution.

(b) The necessity of the amendment to this administrative regulation:

The amendment meets the requirements of KRS 196.035 and 197.020 and updates practices for the institution in part to maintain accreditation with the ACA.

(c) How the amendment conforms to the content of the authorizing statutes:

The authorizing statutes permit the Secretary of the Cabinet or his delegate and the Commissioner to implement or amend practices or procedures to ensure the safe and efficient operation of the institution.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment provides staff and inmates information concerning the effective and orderly management of the institution.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This affects approximately 400 employees of the correctional institution, 1,900 inmates, and all visitors to the institution.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Staff, inmates, volunteers, and visitors will have to follow the changes made in the policies and procedures. They will have to change their actions to comply with the operational changes made by this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

An exact cost of compliance is unknown, but it is not anticipated that the amendment to this administrative regulation will increase current costs.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The operational changes will assist in the effective and orderly management of the institution.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

An exact cost of implementation is unknown, but it is not anticipated that the amendment to this administrative regulation will increase current costs.

(b) On a continuing basis:

An exact cost of implementation is unknown, but it is not anticipated that the amendment to this administrative regulation will increase costs.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

Funds budgeted for the institution for the biennium.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

An increase in fees or funding is not anticipated.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

The amendment does not create or increase any fee.

(9) TIERING: Is tiering applied?

No. Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all those individuals or entities regulated by it.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The amendment to this administrative regulation impacts the operation of the Eastern Kentucky Correctional Complex.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 61.870-61.884, 196.035, 197.020, 197.025, 197.170, 439.510, 532.120

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

The amendment to this regulation will not create any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

The amendment to this regulation will not create any revenue.

(c) How much will it cost to administer this program for the first year?

New programs are not created. The amendment to this regulation impacts how the institution operates but does not increase costs from what was previously budgeted.

(d) How much will it cost to administer this program for subsequent years?

The amendment to this regulation impacts how the institution operates but is not expected to increase costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

Cost savings are not anticipated.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

Cost savings are not anticipated.

(c) How much will it cost the regulated entities for the first year?

The regulation impacts how the institution operates, but does not increase costs from what is budgeted for the biennium.

(d) How much will it cost the regulated entities for subsequent years?

The regulation impacts how the institution operates, but an increase in costs is not anticipated.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)]. A major economic impact is not anticipated.