

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- {Crime Scene Camera}~~

~~02}~~

EKCC

01-07- Institutional Tours and Group Visits of EKCC (Amended 2/09/23).

01

EKCC

01-07- Outside Consultation and Research (Amended 2/09/23~~[12/13/16]~~)

03

~~{EKCC~~

~~01-10- {Organization and Assignment of Responsibility}~~

~~02}~~

~~{EKCC~~

~~01-10- {Institutional Planning}~~

~~03}~~

~~{EKCC~~

~~01-13- {Organization of Operations Manual (Amended 8/13/02)}~~

~~01}~~

~~{EKCC~~

~~01-13- {Monitoring of Operations, Policies and Procedures}~~

~~02}~~

~~{EKCC~~

~~01-13- {Formulation and Revision of EKCC Operating Procedure~~

~~03}~~

~~{EKCC~~

~~01-13- {Meetings Conducted and Their Purpose}~~

~~04}~~

EKCC
02-01- Inmate Canteen (Amended 2/09/23~~[12/13/16]~~)
02

EKCC
02-02- Fiscal Management: Agency Funds (Amended 2/09/23~~[6/12/02]~~)
01

~~{EKCC
02-05- {Fiscal Management: Budget}
01}~~

~~{EKCC
02-08- {Property Inventory}
01}~~

~~{EKCC
02-08- {Warehouse Operation and Inventory Control}
02}~~

~~{EKCC
02-08- {Inventory Control, Nonexpendable Items}
03}~~

~~{EKCC
02-08- {Warehouse Policy and Procedure}
04}~~

~~{EKCC
02-11- {Purchase and Supply Requisition}
01}~~

~~{EKCC
02-12- {Fiscal Management: Audits}
01}~~

EKCC
02-14- Screening Disbursements from Inmate Personal Accounts
01 (Amended 2/09/23~~[6/12/02]~~)

~~{EKCC
04-02- {Advisory Training Committee}
02}~~

EKCC
06-03- Case Record Management (Amended 2/09/23~~[12/13/16]~~)
01

~~{EKCC
10-02- {Special Management Unit: Operating Procedures and Living
01} Conditions}~~

EKCC
10-02- Restrictive Housing Unit and Special Management Unit: Operating
04 Procedures and Living Conditions (Added 2/09/23)

EKCC
11-02- Meal Planning (Amended 2/09/23~~[10/14/16]~~)
01

EKCC
11-04- Food Service: Inspections and Sanitation (Amended 2/09/23)
01

EKCC
11-04-02 Medical Screening of Food Handlers (Amended 2/09/23).

EKCC
11-05-01 Food Service: Security (Amended 2/09/23~~[12/13/16]~~)

EKCC
11-07-01 Dining Room Rules (Amended 2/09/23~~[12/13/16]~~)

EKCC
12-01-01 Vermin and Insect Control (Amended 2/09/23).

EKCC
12-02-01 Inmate Dress and Use of Access Areas (Amended 2/09/23~~[10/14/16]~~)

EKCC
13-01-01 Pharmacy Policy (Amended 2/09/23~~[12/13/16]~~)

EKCC
13-01-02 Self-Administration of Medication (SAM) Program (Amended 2/09/23~~[12/13/16]~~)

EKCC
13-02-03 Consultations (Amended 2/09/23~~[10/14/16]~~)

EKCC
13-02-04 Medical Services (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-02-05 Health Evaluations (Amended 2/09/23~~[12/13/16]~~)

EKCC
13-02-06 Sick Call, General, and Dental (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-05-01 HIV ~~[Aids]~~ and Hepatitis B: Precautions Against Infection (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-07-01 Serious Illness, Major Injuries, Death (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-08-01 Psychiatric and Psychological Services (Amended 2/09/23~~[12/13/16]~~)

EKCC
13-08-02 Psychiatric and Psychological Services Team (Amended 2/09/23~~[10/14/16]~~)

EKCC
13-08-03 Suicide Prevention and Intervention Program (Amended 2/09/23~~[12/13/16]~~)

EKCC
13-08-04 Detoxification (Amended 2/09/23~~[10/14/16]~~)

EKCC
13-08-05 Mental Health Services (Amended 2/09/23~~[Added 9/14/05]~~)

EKCC
13-09-01 Dental Services (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-10-01 Optometric Services (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-12-02 Resident Transfer/Medical Profiles (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-13-01 Syringes, Needles and Sharps Control (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-15-01 Medical Department - General Housekeeping, Decontamination Procedures, and Biohazard Waste Procedures (Amended 2/09/23~~[9/14/05]~~)

EKCC
13-16-01 Medical Records (Amended 2/09/23~~[11/8/2005]~~)

EKCC
14-02-01 Clothing, Bedding and Personal Hygiene Supplies: Issuance and Replacement Schedule(Amended 2/09/23).

EKCC
14-03-01 Board of Claims (Added 2/09/23).

EKCC
14-04-01 Inmate Legal Services_(Amended 2/09/23).

EKCC
14-05-01 Americans with Disabilities Act and Inmate Programs Access (Added 2/09/23).

~~EKCC~~
~~14-07-01~~ ~~[Inmate Rights and Responsibilities]~~

EKCC
15-01-01 Hair and Grooming Standards: Inmate Barber Shop(Amended 2/09/23).

EKCC
16-01-01 Inmate Visiting_(Amended 2/09/23).

EKCC
16-02-01 Inmate Correspondence_(Amended 2/09/23).

EKCC
16-03-01 Inmate Telephone Procedures_(Amended 2/09/23).

EKCC
16-05-01 Inmate Access to and Communication with EKCC Staff_(Amended 2/09/23).

EKCC
16-05-02 Unit Bulletin Boards & Inmate TV Channel (Amended 2/09/23).

EKCC
17-01-02 Personal Property Control_(Amended 2/09/23).

EKCC
17-02-01 Assessment and [4]Orientation_(Amended 2/09/23).

EKCC
17-04-01 Inmate Reception Process (Amended 2/09/23)[at the EKCC]

EKCC
17-04-02 Provisional Assessment Center Operations and Reception Program
(Added 2/09/23).

EKCC
18-01-01 Inmate Classification_(Amended 2/09/23).

EKCC
18-02-01 Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI)
(Amended 2/09/23).

~~EKCC~~
~~18-10-01~~ ~~[Parole Progress Report]~~

EKCC
18-13-01 Meritorious Housing_(Amended 2/09/23).

EKCC
18-13-04 Minimum Security Unit: Operating Procedures and Living
Conditions (Amended 2/09/23[A[added 8/13/02])

EKCC
19-04-01 Inmate Work Program_(Amended 2/09/23).

EKCC
20-01-01 Educational Courses (Amended 2/09/23)[~~Program~~]

EKCC
21-01-01 Library Services_(Amended 2/09/23).

EKCC
22-02-01 Recreation and Inmate Activities (Amended 2/09/23).

EKCC
23-01- Religious Services (Amended 2/09/23)
01
EKCC
24-01- Social Services and Counseling Program (Amended 2/09/23)
01
EKCC
25-02- Inmate Discharge Procedure (Amended 2/09/23)
01
EKCC
25-03- Reentry [~~Prerelease~~] Preparation (Amended 2/09/23)
01

(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, phone (502) 564-3279, fax(502) 564-6686, email Justice.RegContact@ky.gov.

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.