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This is an official publication of the Commonwealth of Kentucky, Legislative Research Commission, giving public notice of all proposed regulations filed by administrative agencies of the Commonwealth pursuant to the authority of Kentucky Revised Statutes Chapter 13.

Persons having an interest in the subject matter of a proposed regulation published herein may request a public hearing or submit comments within 30 days of the date of this issue to the official designated at the end of each proposed regulation.

The *Administrative Register of Kentucky* is the monthly advance sheets service for the 1977 Edition of KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE.

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KENTUCKY ADMINISTRATIVE REGULATIONS are codified according to the following system and are to be cited by Title, Chapter and Regulation number, as follows:

Title	Chapter	Regulation
806 KAR	50	: 155
Cabinet, Department, Board or Agency	Bureau, Division or Major Function	Specific Area of Regulation

Administrative Register of Kentucky

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Public Hearings Scheduled

DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION Bureau of Environmental Protection Division of Plumbing

The Department for Natural Resources and Environmental Protection has scheduled a public hearing on February 2, 1977 at 10 a.m. EST in the Auditorium of Capital Plaza Tower, Frankfort, Kentucky 40601 on the following proposed regulation, published in this issue:

401 KAR 1:105. Subsurface sewerage disposal systems.

Emergency Regulations Now In Effect

JULIAN M. CARROLL, GOVERNOR
Executive Order 76-1241
December 24, 1976

EMERGENCY REGULATION Kentucky Retirement Systems

WHEREAS, the Commonwealth of Kentucky seeks to provide the best possible retirement system for its employees; and

WHEREAS, an adjustment option available to the beneficiary of a deceased employee eligible to receive Social Security benefits would enable the Kentucky Retirement Systems to better serve the needs of its members; and

WHEREAS, the Kentucky Retirement Systems has determined and finds that an emergency exists and that there is an immediate necessity to establish a beneficiary Social Security adjustment option within the Kentucky Retirement Systems; and

WHEREAS, the General Manager of the Kentucky Retirement Systems, in conjunction with the Secretary of the Cabinet, pursuant to Kentucky Revised Statutes 61.635, has promulgated the Regulation attached hereto:

NOW, THEREFORE, I, JULIAN M. CARROLL, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by Section 13.085(2) of the Kentucky Revised Statutes, hereby acknowledge the finding of the Kentucky Retirement Systems that an emergency exists and direct that the attached Regulation become effective immediately upon being filed in the Office of the Legislative Research Commission.

JULIAN M. CARROLL, Governor
DREXELL R. DAVIS, Secretary of State

SECRETARY OF CABINET Kentucky Retirement Systems

105 KAR 1:050E. Beneficiary social security adjustment option.

RELATES TO: KRS 16.505 to 16.652, 61.510 to 61.692, 78.510 to 78.852

PURSUANT TO: KRS 13.082, 61.635, 16.578, 16.601(1), 61.640, 61.645, 78.545(19), 78.780

EFFECTIVE: January 1, 1976

EXPIRES: April 30, 1976

NECESSITY AND FUNCTION: KRS 61.635 provides that the Board may establish optional forms of annuities as it deems desirable provided such are based on actuarial equivalent values with due regard to selection against the fund. This regulation establishes a Social Security Adjustment payment option for beneficiaries of deceased State Police Retirement System, Kentucky Employees Retirement System and County Employees Retirement System members which may be elected by the beneficiary in certain cases where the member dies prior to retirement.

Section 1. Beneficiary Social Security Adjustment Option. This option is available to the beneficiary of a deceased member where such beneficiary has not attained age sixty (60), and is eligible to receive social security payments at age sixty (60). The beneficiary may elect to receive during his lifetime an increased retirement allowance based on his annual benefit payable for life. Such payment shall begin on his effective retirement date and continue through the month he attains age sixty (60) at which time his retirement allowance shall be decreased for the remainder of his lifetime.

GEORGE R. ARVIN, General Manager
ADOPTED: November 17, 1976
APPROVED: JACKSON W. WHITE, Secretary
RECEIVED BY LRC: January 1, 1977 at 8 a.m.

JULIAN M. CARROLL, GOVERNOR
EXECUTIVE ORDER 76-1244
December 24, 1976

EMERGENCY REGULATION
Department of Transportation

WHEREAS, the 1976 General Assembly enacted legislation authorizing the issuance of National Guard license plates; and

WHEREAS, the statutory authority for the issuance of such plates becomes effective at the beginning of the 1977 licensing year; and

WHEREAS, the Department of Transportation has determined and finds that an emergency exists and that there is an immediate necessity to establish a regulation relating to National Guard license plates that will become effective concurrently with the statute; and

WHEREAS, the Commissioner of the Bureau of Vehicle Regulation, in conjunction with the Secretary of the Department of Transportation, pursuant to Kentucky Revised Statutes 13.082 and 186.173 has promulgated the Regulation hereinabove referenced:

NOW, THEREFORE, I, JULIAN M. CARROLL, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by Section 13.085(2) of the Kentucky Revised Statutes, hereby acknowledge the finding of the Department of Transportation that an emergency exists and direct that the attached Regulation be filed in the Office of the Legislative Research Commission.

JULIAN M. CARROLL, Governor
DREXELL R. DAVIS, Secretary of State

DEPARTMENT OF TRANSPORTATION
Bureau of Vehicle Regulation

601 KAR 9:013E. National Guard license plates.

RELATES TO: KRS 186.173

PURSUANT TO: KRS 13.082, 186.173

EFFECTIVE: January 2, 1977

EXPIRES: May 1, 1977

NECESSITY AND FUNCTION: KRS 186.173 as enacted by the 1976 General Assembly, empowers the Department of Transportation to adopt rules and regulations to implement the provisions as set forth therein

for the issuance of a National Guard license plate. This regulation is intended to implement the provisions of KRS 186.173.

Section 1. A license plate issued under the provisions of KRS 186.173 may be validated for future years registration by the placing of a decal thereon.

Section 2. Before a vehicle bearing a National Guard plate may be sold or transferred, the member of the National Guard owning such vehicle shall apply to the county court clerk and for a clerk's fee of one dollar (\$1) be issued a regular registration plate and certificate of registration. Such sale or transfer shall occur simultaneously with such registration.

Section 3. A member of the National Guard may have the special plate transferred from one vehicle to another if both vehicles are owned by him. To accomplish this transfer, he must purchase a regular registration plate for the vehicle from which the National Guard plate is removed and pay the clerk the appropriate fees for having the National Guard plate changed from one vehicle to another.

Section 4. The only vehicle which may bear and use a National Guard plate, under the provisions of KRS 186.173, is a vehicle of a kind required to be licensed under the provisions of KRS 186.050(1) excluding taxicabs, airport limousines and U-Drive-Its.

Section 5. When a person, under the provisions of KRS 186.173, takes the National Guard license plate to the county court clerk for reissuance or cancellation, such plate shall be accompanied by the registration receipt and any and all other required documents.

Section 6. In the event a National Guard license plate is lost or stolen, the owner thereof may secure another National Guard license plate by the making of an affidavit and the payment of the fees as set forth in KRS 186.180.

Section 7. No National Guard license plate shall be used on a motor vehicle other than the one for which it was issued.

O. B. ARNOLD, Commissioner

ADOPTED: December 24, 1976

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: January 2, 1977 at 8 a.m.

Proposed Amendments

SECRETARY OF THE CABINET Department of Personnel (Proposed Amendment)

101 KAR 1:050. Compensation plan.

RELATES TO: KRS 18.170, 18.190, 18.210, 18.240
PURSUANT TO: KRS 13.082, 18.170, 18.210

NECESSITY AND FUNCTION: KRS 18.210 requires the Commissioner of Personnel to prepare and submit to the board rules which provide for a pay plan for all employees in the classified service, taking into account such factors as the relative level of duties and responsibilities of various classes, rates paid for comparable positions elsewhere, and the state's financial resources. This rule is to assure uniformity and equity in administration of the pay plan in accordance with statutory requirements.

Section 1. Preparation, Approval, and Amendment of the Plan. After consultation with appointing authorities and the Secretary of the Executive Department for Finance and Administration, the commissioner shall prepare and recommend to the board a compensation plan for all classes of position. The board shall present the plan, through the Secretary of the Executive Department for Finance and Administration, to the Governor for his approval. The plan shall provide salary ranges for the various classes, with the salaries consistent with the functions outlined in the classification plan. Such salary ranges shall include minimum, intervening, maximum, and longevity rates of pay for each class. Each class of position in the classification plan shall be assigned to a salary range in the compensation plan.

Section 2. Entrance Salary. Initial appointments to state service shall be made at the minimum of the pay range for the class unless:

(1) The commissioner determines that it is not possible to recruit qualified employees at the established entrance salary in a specific area, in which case, he may, at the request of the appointing authority, authorize the recruitment for a class of position at a higher step of the range, provided that all other employees in the same class of position in the same agency in the same locality are adjusted in salary to the same step.

(2) The commissioner authorizes the appointment of a qualified applicant at the second or third step of the range, provided that any such exception is based on the outstanding and unusual character of the employee's experience, education and ability over and above the minimum qualifications specified for the class, provided that all other employees possessing similar qualifications in the same class of position in the same agency in the same locality are adjusted in salary to the same step.

Section 3. Re-Entrance to State Service. Appointing authorities, with the approval of the commissioner, may place re-employed, reinstated and probationarily appointed former employees at a salary determined by one (1) of the following methods:

(1) The same class:

(a) Request the same salary that was paid at the time of separation if such salary is within the current salary range;

(b) Request a salary relative to that which was paid employee at time of separation (original salary plus increases resulting from a change of salary range) if such salary is within the current salary range;

(c) Request a lower salary within the current salary range which falls in one (1) of the steps within the salary range;

(d) Request a salary in accordance with the standards used for making new appointments.

(2) A higher class:

(a) Request the same salary that was paid at the time of separation if such salary is within the higher salary range;

(b) Request a salary relative to that which was paid the employee at time of separation (original salary plus increases resulting from a change of salary range) if such salary is within the higher salary range;

(c) Request a salary in accordance with the standards used for making new appointments.

(3) A lower class:

(a) Request the same salary that was paid at the time of separation if such salary is within the lower salary range;

(b) Request a salary relative to that which was paid the employee at the time of separation (original salary plus increases resulting from the change of salary range) if such salary is within the lower salary range;

(c) Request a salary in accordance with the standards used for making new appointments.

Section 4. Salary Adjustments. (1) Change in Salary Range. Whenever a new or different salary range is made applicable to a class of position, persons employed in positions of that class at the effective date of the adjustment shall have their salary placed at least at the minimum salary step of the new range. An adjustment may be made to the salary step of the new range corresponding to that step which an employee held under the range formerly applicable to his class of position. In fixing salaries on an adjustment, an appointing authority shall afford equitable treatment to all employees affected by the adjustment. Salary adjustments resulting from different salary ranges being made applicable to a class of position shall not affect an employee's normal anniversary increment date.

(2) An employee who is promoted may have his salary raised to the lowest step of the salary range for the class of his new position which will provide an increase over the salary received prior to promotion. If the promotion is to a

classification which constitutes an unusual increase in the level of responsibility, the appointing authority, with the prior written approval of the commissioner, may grant a two (2) or three (3) step salary increase over the employee's previous salary, provided the proposed salary is within the salary range for the position.

(3) An employee who is demoted shall have his salary reduced to at least the maximum rate of the new class; however, if an employee whose performance is satisfactory is demoted through no fault of his own as a result of the reallocation of his position to a lower class and his salary is above the maximum, he may retain the salary he received before the reallocation, but he shall not receive salary advancements so long as he remains in a position with a maximum rate no higher than this salary.

(4) Transfer. An employee who is transferred to the same class of position shall be paid the same salary that he received prior to transfer.

(5) Reclassification. An employee who is advanced to a higher pay grade through a reclassification of his position shall have his salary raised to the lowest step of the salary range for the class which will provide an increase over the salary received prior to the advancement.

(6) Reallocation. An employee who is advanced to a higher pay grade through a reallocation of his position shall have his salary raised to the lowest step of the salary range for the class which will provide an increase over the salary received prior to the advancement.

(7) Detail to special duty. An employee who is approved for detail to special duty as provided by 101 KAR 1:110, Section 4, may have his salary raised to the lowest step of the salary range for the class of the new position which will provide an increase over the salary received prior to the detailed assignment. Annual increments will not be permitted while an employee is on detail to special duty.

(8) Salary reduction. Employees who are transferred back to their old class, after completion of a detail assignment or unsatisfactory probationary period following a promotion, shall have their salary reduced to the salary rate received prior to the detail assignment or promotion. An employee who reverts back to his old class after a detail to special duty is entitled to all salary advancements he would have received had he not been on detail to special duty.

Section 5. Salary Advancements. (1) Annual increments shall be based upon length of service, and shall correspond with the steps of the approved salary range, and shall, in the classified service, be limited to *full-time and part-time employees having status who work at least 100 hours a month. Employees who are on educational leave with pay shall receive annual increments.*

(2) Employees shall be eligible and may be given consideration by the appointing authority for a one (1) step salary advancement at the beginning of any month following the successful completion of the probationary period. The service may be provisional or probationary. Thereafter, an employee shall be given a one (1) step salary advancement at the beginning of the month following completion of twelve (12) months continuous service since last receiving an annual or probationary increment. An employee may not be given salary advancement more than once for successful completion of a probationary period in the same class except as provided in paragraphs (a) or (b). [A reinstated, re-employed, or probationarily appointed former employee who is required to serve a probationary period shall not be eligible for a probationary period salary

advancement at the end of that probationary period, except when appointed to a higher classification.]

(a) Former employees reinstated, re-employed or probationarily appointed to a lower salary shall be eligible for a one-step salary advancement at the beginning of any month following successful completion of a probationary period.

(b) An employee reinstated or re-employed at the same or higher salary may be considered for a salary advancement when he has completed twelve (12) months' service since the date he last received a probationary or annual increment. However, a maximum of six (6) months of that twelve (12) months' service may have been earned during the last period of service in which he held status. In no case shall the period for awarding a one-step salary advancement exceed twelve (12) months' continuous service from the date of reinstatement or re-employment.

(3) Any permanent full-time employee who has served continuously for one (1) year immediately preceding the recommendation and who has not received an outstanding merit advancement within twelve (12) months, is eligible for a one (1) step outstanding merit advancement in his present grade in addition to any other salary advancements to which he might be entitled if:

(a) His acts or ideas have resulted in significant financial savings to the Commonwealth, or to a significant improvement in service to its citizens; or,

(b) His job performance is outstanding. The appointing agency must submit written justification to the commissioner and the personnel action form must be approved by the agency head and the commissioner to be effective. In a fiscal year, an agency with sufficient budgeted funds may grant as many outstanding merit salary advancements as thirty (30) percent of the number of its employees at the close of the prior fiscal year.

(4) Subject to the approval of the commissioner, any permanent, full-time employee who, after his probationary period, satisfactorily completes 260 classroom hours of job-related instruction, is eligible for an educational achievement one (1) step salary advancement.

(5) New increment anniversary dates will be established when:

(a) An employee first enters on duty. Increment anniversary date will be the first of the month if the employee enters on duty the first work day of the month. For employees entering on duty after the first work day of the month, the anniversary date shall be the first day of the following month;

(b) An employee receives an increase in salary as a result of a promotion;

(c) An employee going on leave without pay, shall result in a postponement of employee's receiving an increment one (1) full month for each full or partial month he is on leave.

(6) Increment anniversary dates will not change when:

(a) An employee's position class receives a new or different salary range;

(b) An employee receives a salary adjustment as a result of his position being reallocated or reclassified;

(c) An employee is transferred from one department to another in the same salary grade and at the same rate of pay;

(d) An employee receives a demotion to a position of a lower class or his position receives a lower classification;

(e) An employee is approved for detail to special duty as provided by 101 KAR 1:110, Section 4. The increment anniversary date will remain the same for the last position in

which the employee had status;

(f) An employee receives an outstanding merit salary advancement under 101 KAR 1:050, Section 5(3), or an educational achievement salary advancement under 101 KAR 1:050, Section 5(4);

(g) An employee receives an adjusted increment based on the fact that the employee had not received the maximum number of salary advancements permitted.

(7) An employee who has not received the maximum number of salary advancements permitted by the time limits set forth may be given additional salary advancements at the beginning of any month provided his salary is not advanced to a step of the salary range higher than he would have reached had he received all salary advancements permitted;

(8) No employee shall have his salary advanced to a point above the maximum of the salary range applicable to the class of his position except as provided by 101 KAR 1:050, Section 5(3), (4), and 101 KAR 1:050, Section 6.

Section 6. Longevity Increases. (1) All salary advancements with the longevity plan shall be based upon length of service, and shall correspond with the steps of the approved salary range, and shall, in the classified service, be limited to employees having status.

(2) An employee shall be eligible and advanced to the first longevity step after completion of twelve (12) months service at the salary rate preceding the first longevity step and seven (7) years of total state service.

(3) An employee shall be eligible and advanced to the second longevity step after completion of twelve (12) months service at the salary rate preceding the second longevity step and nine (9) years of total state service.

(4) An employee shall be eligible and advanced to the third longevity step after completion of twelve (12) months service at the salary rate preceding the third longevity step and eleven (11) years of total state service.

(5) Requirements as to total service. The service does not have to be continuous. Absences of leave without pay, except approved educational leave, in excess of thirty (30) working days shall be deducted in computing total service. Re-employed persons who have been dismissed for cause from state service shall not receive credit for service prior to the dismissal. In computing years of total service for the purpose of determining longevity eligibility only those months for which an employee earned annual leave shall be used.

(6) The longevity steps may be used for promotions, demotions, and changes in pay grade, provided the employee possesses the total service required for advancement to the longevity step.

Section 7. Paid Overtime. Overtime for which pay is authorized shall have the approval of the Commissioner of Personnel and the Secretary of the Executive Department for Finance and Administration.

Section 8. Maintenance and Maintenance Allowance. In each case where an employee or the employee and his family are provided with full or part maintenance, consisting of one (1) or more meals per day, lodging or living quarters, and domestic or other personal services, such compensation in kind shall be treated as part payment and its value shall be deducted from the appropriate salary rate in accordance with the schedule promulgated by the commissioner after consultation with appointing authorities

and the Secretary of the Executive Department for Finance and Administration.

Section 9. Supplemental Shift Premium. Upon request of the appointing authority, the commissioner may authorize the payment of a supplemental shift premium for those employees directed to work an evening or night shift. However, no employee shall receive a supplemental shift premium subsequent to a transfer to a position that is ineligible for a shift differential premium payment. The employee's loss of shift differential pay shall not be a basis for an appeal to the Personnel Board.

PHILIP TALIAFERRO, Chairman
ADDIE D. STOKLEY, Commissioner

ADOPTED: January 14, 1977

RECEIVED BY LRC: January 14, 1977 at 4 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Commissioner Addie Stokley, Department of Personnel, Room 373, Capitol Annex, Frankfort, Kentucky 40601.

SECRETARY OF THE CABINET Department of Personnel (Proposed Amendment)

101 KAR 1:140. Service regulations.

RELATES TO: KRS 18.170, 18.190, 18.210

PURSUANT TO: KRS 13.082, 18.170, 18.190, 18.210

NECESSITY AND FUNCTION: KRS 18.170 requires the Personnel Board to adopt comprehensive rules consistent with KRS Chapter 18. KRS 18.190 and 18.210 require the Commissioner of Personnel to prepare and submit to the board rules which provide for annual leave, sick leave, special leaves of absence, and for other conditions of employment. This rule is necessary to comply with these statutory requirements.

Section 1. Attendance. Hours of Work: The number of hours full-time employees in state offices in Frankfort are required to work shall be uniform for all positions unless specified otherwise by the appointing authority or the statutes. The normal work day shall be from 8:00 a.m. to 4:30 p.m., local time, Monday through Friday. Employees in other than Frankfort state office buildings shall be subject to such hours of work as set by the appointing authority.

Section 2. Annual Leave. (1) Each full-time employee in the state service, except seasonal, temporary and emergency employees, shall be allowed annual leave with pay at the following rate:

Years of Service	Annual Leave Days
0-5 years	1 leave day per month; 12 per year
5-10 years	1 1/4 leave days per month; 15 per year
10-15 years	1 1/2 leave days per month; 18 per year
15 years and over	1 3/4 leave days per month; 21 per year

An employee must have worked more than half of the work days in a month to qualify for annual leave. In computing years of total service for the purpose of allowing annual leave, only those months for which an employee earned annual leave shall be used. *Employees serving on a part-*

time basis who work more than 100 hours a month shall be allowed four (4) hours annual leave for each month of service. Employees serving on a part-time basis who work less than 100 hours a month or per-diem basis shall not be entitled to annual leave. Part-time employees who work more than 100 hours a month shall not be allowed to carry forward annual leave from one calendar year to the next.

(2) Annual leave may be accumulated and [; however, not more than thirty (30) working days of accumulated leave may be] carried forward from one calendar year to the next [.] not to exceed the following maximum amounts:

Years of Service	Maximum Amount
0-5 years	Thirty (30) work days
5-10 years	Thirty-seven (37) work days
10-15 years	Forty-five (45) work days
15-20 years	Fifty-two (52) work days
Over 20 years	Sixty (60) work days

However, leave in excess of the above maximum amounts [thirty (30) work days] may be carried forward for a period of six (6) months if the appointing authority justifies in writing the reasons which made it impossible to allow an employee to take accumulated annual leave in a timely manner. Annual leave shall not be granted in excess of that earned prior to the starting date of leave.

(3) Absence on account of sickness, injury, or disability in excess of that hereinafter authorized for such purposes may, at the request of the employee and within the discretion of the appointing authority, be charged against annual leave.

(4) Accumulated annual leave shall be granted by the appointing authority in accordance with operating requirements and, insofar as practicable, with the request of employees.

(5) Employees are charged with annual leave for absence only on days upon which they would otherwise work and receive pay.

(6) Annual leave shall accrue only when an employee is working or on authorized leave with pay. Annual leave shall not accrue when an employee is on educational leave with pay.

(7) An employee who is transferred or otherwise changed from the jurisdiction of one agency to another shall retain his accumulated annual leave in the receiving agency.

(8) Before an employee may be placed on leave of absence without pay in excess of thirty (30) working days, he must have used or have been paid for any accumulated annual leave.

(9) Employees shall be paid in a lump sum for accumulated annual leave, not to exceed the maximum amounts as set forth in Section 2(2) above [thirty (30) working days], when separated by proper resignation, layoff, retirement or when granted leave without pay in excess of thirty (30) working days. The effective date of the separation shall be the last work day and the employee's amount of accumulated annual leave shall be listed in the remarks section of the advice effecting the separation. A supplemental pay voucher shall be submitted on accumulated annual leave.

(10) An employee who has been dismissed for cause or who has failed to give proper notice of resignation may, at the discretion of the appointing authority, be paid in a lump sum for accumulated annual leave not to exceed the maximum amounts as set forth in Section 2(2) above [thirty (30) working days].

(11) Upon the death of an employee, his estate shall be entitled to receive pay for the unused portion of the employee's accumulated annual leave not to exceed the maximum amounts as set forth in Section 2(2) above [thirty (30) working days].

Section 3. Sick Leave. (1) Each employee in the state service, except an emergency, part-time, or per-diem employee, shall be allowed sick leave with pay at the rate of one (1) working day for each month of service. Employees serving on a part-time basis who work more than 100 hours a month shall be allowed four (4) hours sick leave for each month of service. An employee must have worked more than half of the work days in a month to qualify for sick leave with pay. Employees serving on a part-time basis who work less than 100 hours a month or per-diem basis shall not be entitled to sick leave.

(2) Employees completing ten (10) years of total service with the state shall be credited with ten (10) additional days of sick leave upon the first day of the month following the completion of ten (10) years of service. In computing years of total service for the purpose of crediting ten (10) additional days of sick leave, only those months for which an employee earned sick leave shall be used. The total service must be verified in writing before the leave is credited to the employee's record.

(3) Unused sick leave may be accumulated with no maximum on accumulation.

(4) Sick leave shall accrue only when an employee is working or on authorized leave with pay. Sick leave shall not accrue when an employee is on educational leave with pay.

(5) An appointing authority shall grant accrued sick leave with pay when an employee:

(a) Receives medical, dental or optical examination or treatment;

(b) Is disabled by sickness or injury;

(c) Is disabled by pregnancy and/or confinement limited to a maximum of three (3) calendar months;

(d) Is required to care for a sick or injured member of his immediate family for a reasonable period of time;

(e) Would jeopardize the health of others at his duty post, because of exposure to a contagious disease;

(f) Has lost by death a parent, child, brother or sister, or the spouse of any of them, or any persons related by blood or affinity with a similarly close association. Leave under this paragraph is limited to three (3) days or a reasonable extension at the discretion of the appointing authority. At the termination of sick leave with pay, the appointing authority shall reinstate the employee to his former position.

(6) An appointing authority shall grant sick leave without pay for so long as an employee is disabled by sickness, or illness, or pregnancy and confinement, and the total continuous leave does not exceed two (2) years. At the termination of sick leave without pay, the appointing authority shall reinstate the employee to a position for which he is qualified, and which resembles his former position as closely as circumstances permit.

(7) Absence for a fraction or part of a day that is chargeable to sick leave shall be charged in hours or one-half ($\frac{1}{2}$) hours.

(8) An employee who is transferred or otherwise changed from the jurisdiction of one agency to another shall retain his accumulated sick leave in the receiving agency.

(9) Employees shall be credited for accumulated sick leave when separated by proper resignation, layoff, retirement, or when granted leave without pay in excess of thirty

(30) working days. The employee's amount of accumulated sick leave shall be listed in the remarks section of the advice effecting the separation. Former employees who are reinstated or re-employed may have up to five (5) days of their accumulated and unused sick leave balances revived upon appointment and placed to their credit upon request of the appointing authority and approval of the commissioner. Any additional balance may be revived after sixty (60) days of work upon similar request.

(10) In cases of absence due to illness or injury for which Workmen's Compensation benefits are received for lost time, sick leave may be utilized to the extent of the difference between such benefits and the employee's regular salary.

(11) Application for sick leave. An employee shall file a written application for sick leave with pay within a reasonable time. Except in cases of emergency illness, an employee shall request advance approval for sick leave for medical, dental or optical examination, and for sick leave without pay. In all cases of illness, an employee is obligated to notify his immediate supervisor or other designated person. Failure to do so in a reasonable period of time may be cause for denial of sick leave for the period of absence.

(12) Supporting evidence:

(a) An appointing authority shall grant sick leave when the application is supported by acceptable evidence. A supervisor's or employee's certificate may be accepted, but a medical certificate may be required, signed by a licensed practitioner and certifying to the incapacity, examination, or treatment.

(b) An appointing authority may place on sick leave a pregnant woman who, on request, fails to produce a satisfactory medical certificate.

Section 4. Court Leave. An employee shall be entitled to leave of absence from duties, without loss of time or pay for that amount of time necessary to comply with subpoenas by any court, federal, state, or political subdivision thereof, to serve as a juror or witness except in cases where the employee himself or a member of his family is a party plaintiff in court action. This leave shall include necessary travel time. If relieved from duty as a juror or witness during his normal working hours, the employee shall return to work.

Section 5. Compensatory Leave. (1) Accumulated compensatory time shall be granted by the appointing authority in accordance with agency needs and requirements and, insofar as practicable, in accordance with the employee's request. To maintain a manageable level of accumulated compensatory time and for the specific purpose of reducing the employee's compensatory time balance, an appointing authority may direct an employee to take accumulated compensatory time off from work.

(2) An employee who is exempt from overtime provisions of wage and hour laws and who is authorized in advance by the appointing authority to work one (1) or more hours in excess of his prescribed hours of duty shall be granted compensatory leave on an hour-for-hour basis.

(3) An employee subject to wage and hour laws whose prescribed hours of duty are normally fewer than forty (40) per week and who is authorized in advance by the appointing authority to work one (1) or more hours in excess of his normal hours of duty may be awarded compensatory time for that portion of extra time worked up to forty (40)

hours, provided his rate of pay meets requirements of minimum wage laws.

(4) An employee subject to overtime provisions of wage and hour laws shall be paid in accordance with such provisions for actual hours worked in excess of the applicable statutory maximum hours. Compensatory leave earned and used during the same workweek does not constitute "hours worked" for computing overtime pay.

Section 6. Military Leave. Any employee who is an active member of the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve, or the Kentucky National Guard shall be relieved from his civil duties upon request therefor, to serve under orders on training duty without loss of his regular compensation for a period not to exceed ten (10) working days in any one (1) calendar year, and any such absence shall not be charged to leave. Absence in excess of this amount will be charged as annual leave or leave without pay. The appointing authority may require a copy of the orders requiring the attendance of an employee before granting military leave.

Section 7. Voting Leave. Appointing authorities shall allow all employees ample time to vote. Such absence shall not be charged against leave.

Section 8. Special Leave of Absence. (1) In addition to leaves as above provided, an appointing authority may grant leave without pay for a period or periods not to exceed thirty (30) working days in any calendar year.

(2) An appointing authority, with approval of the commissioner, may grant leave of absence for a period not to exceed twenty-four (24) months for the following purposes, with or without pay: for assignment to and attendance at college, university, or business school for the purpose of training in subjects related to the work of the employee and which will benefit the state service; or for purposes other than above that are deemed to be in the best interests of the state.

(3) An appointing authority, with approval of the commissioner, may grant an employee entering active military duty a leave of absence without pay for a period of such duty.

Section 9. Absence Without Leave. An employee who is absent from duty without approval shall report the reason therefor to his supervisor immediately. Unauthorized and/or unreported absence shall be considered absence without leave and deduction of pay may be made for each period of such absence. Such absence may constitute grounds for disciplinary action and will serve to interrupt continuous service as defined in 101 KAR 1:050.

Section 10. Performance Appraisal. Quality and quantity of work shall be considered in determining salary advancements, in promotions, in determining the order of layoff, in re-employment, and as a means of identifying employees who should be promoted, demoted, or dismissed.

Section 11. Records and Reports. (1) Personnel action forms: The commissioner shall prescribe personnel action forms which appointing authorities shall use to report such personnel actions and status changes as he may require.

The commissioner shall inform the appointing authorities which personnel actions and status changes must be reported to him.

(2) Leave records: Each appointing authority shall install and maintain a leave record showing for each employee:

- (a) Annual leave earned, used and unused;
- (b) Sick leave earned, used and unused; and
- (c) Special leave or any other leave with or without pay.

Such record shall be documentary evidence to support and justify authorized leave of absence with pay. Each appointing authority shall notify his employees of their annual and sick leave balances as of January 1; a summary of which shall be sent to the department by February 1.

(3) Official roster: The commissioner shall prepare and maintain a record of all employees showing for each employee his name, address, title of position, salary rate, changes in status, transfer, sick leave and annual leave.

Section 12. Confidentiality of Records. (1) Except as otherwise provided in the rules, all records of the department shall be considered public records and may be inspected, when in the public interest, upon application made to the commissioner during normal working hours.

(2) Unless the board shall determine otherwise, records of the department involving investigation correspondence and data related to the moral character and reputation of applicants for employment or employees in state service; and examination materials, questions, data and examination papers and records relating in any way to competitive examinations and tests conducted and held by the department shall be held confidential.

Section 13. Dual Employment. No employee holding a full-time position with the Commonwealth may hold another state position except upon recommendation of the appointing authority and the written approval of the Commissioner of Personnel. A copy of such written approval and a statement of the reasons therefor shall be transmitted to the Governor and the Director of the Legislative Research Commission. A complete list of all employees holding more than one (1) state position shall be furnished to the Legislative Research Commission quarterly by the commissioner.

Section 14. Minimum Hiring Age. The minimum age for hiring of state employees shall conform to federal and state labor laws, rules and regulations.

Section 15. Maximum Hiring Age. (1) The maximum hiring age for permanent employment subject to these rules is sixty-five (65).

(2) Agencies may request that individuals over sixty-five (65) be tested and/or employed. The request must be justified in writing by the appointing authority, stating the reasons why it serves the public interest, and must have the prior approval of the Commissioner of Personnel. Applicants so approved shall be certified only to those agencies requesting such waivers.

Section 16. Retirement. (1) The normal retirement age for employees subject to these rules shall be sixty-five (65).

(2) Employees over sixty-five (65) may be allowed to continue employment from year to year with prior approval of the Commissioner of Personnel when it serves the public interest. Such requests must be justified in writing by the appointing authority.

Section 17. Restoration From Military Leave. (1) State appointing authorities shall comply with the provisions of KRS 61.371, 61.373, 61.375, 61.377, 61.379.

(2) The Department of Personnel shall require proper compliance with these statutes as they pertain to state employees.

(3) The appointing authorities for employees in county, city, or political subdivisions thereof, are responsible for compliance with these statutes, in keeping with normal personnel practices and procedures of each.

(4) Appeals may be filed by an employee or previous employee pursuant to 101 KAR 1:130. The governmental agency from which the appeal is filed shall bear the expense of the hearing of the appeal.

(5) A former employee seeking restoration, who has been rejected or otherwise penalized, must file an appeal within thirty (30) days, after notification of such rejection or penalization by an appointing authority.

PHILIP TALIAFERRO, Chairman
ADDIE D. STOKLEY, Commissioner

ADOPTED: January 14, 1977

RECEIVED BY LRC: January 14, 1977 at 4 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Commissioner Addie Stokley, Department of Personnel, Room 373, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT OF TRANSPORTATION Bureau of Highways (Proposed Amendment)

603 KAR 2:015. Pre-qualification for construction; certificate of eligibility.

RELATES TO: KRS 176.130, 176.220

PURSUANT TO: KRS 13.082, 174.050, 176.140

NECESSITY AND FUNCTION: KRS 176.140 authorizes the Bureau of Highways to determine the eligibility of bidders for contracts with the bureau. This regulation is adopted to provide a method by which such determination may be made.

Section 1. Certificate of Eligibility. All organizations and individuals bidding on projects and accepting subcontracts on projects of the Department of Transportation, Bureau of Highways, must be pre-qualified and possess a certificate of eligibility except as provided below. The certificate shall state the maximum capacity and types of work for which the organization or individual is qualified. The bureau reserves the right to waive this requirement on certain projects in connection with the letting of contracts not covered by the statutes. Such waiver shall be contained in the notice to contractors and the bid proposal for such projects.

Section 2. Application for Certificate of Eligibility. An organization or individual desiring to procure a certificate shall submit on [an] application and financial statement forms provided by the Bureau of Highways information relating to the following:

(1) Ability to perform the types of work for which eligibility is requested.

(2) Construction experience resume of the principal officers and key personnel of the organization.

(3) Description of plant and equipment.

(4) Balance sheet and financial statement prepared as of the close of the last fiscal year, or to reflect the current financial status of a newly established organization.

(a) *The financial statement of applicants desiring eligibility in excess of \$100,000*, [Applicants desiring eligibility, whose financial statement exceeds \$100,000,] must be audited and attested by an independent public accountant or certified public accountant who holds a valid registration card from the Kentucky State Board of Accountancy or a registration card in the state in which the principal office of the contractor is located. The audit shall be made in accordance with the generally accepted auditing standards adopted by the membership of the American Institute of Certified Public Accountants. Standard audit forms and procedures shall conform with the institute's recommendations for the audit program of contractors. The accountant will also comply with the specific instructions relative to the presentation of supporting detail requested by the bureau to determine the amount of net current assets available.

(b) The financial statement [of \$100,000 or less,] of applicants desiring eligibility *of \$100,000 or less*, shall be signed by the person preparing the statement and by a principal officer of the organization.

(5) Other information deemed necessary by the bureau to indicate the applicant's capacity and ability to complete highway projects.

Section 3. Method of Computing Maximum Capacity Rating and Maximum Eligibility. (1) The allowable net current assets as determined from the financial statement plus the cash surrender value, less loans, of life insurance on which the applicant is the beneficiary (exclude all policies with other beneficiaries) shall be multiplied by a factor of twelve (12) to establish the net current assets factor. The book value of equipment multiplied by six (6) shall be added to the net current assets factor to determine the total maximum capacity factor of the contractor. The contractor's total eligibility rating shall be finally determined by evaluating the contractor's organization and experience, plant and equipment and performance in accordance with the percentage factors below and multiply the total allowable percentage by the total maximum capacity factor.

(2) Rating factors:

(a) Organization and experience, twenty (20) percent;

(b) Plant and equipment, forty (40) percent;

(c) Performance, forty (40) percent.

(3) The maximum uncompleted work permitted at any one time as shown on the certificate of eligibility shall be determined by applying the rating of the applicant to the total maximum capacity factor.

Section 4. Issuance of Certificate of Eligibility. (1) The Bureau of Highways shall review application for a certificate of eligibility and make a determination of eligibility within thirty (30) days after the receipt of the application, unless an applicant certifies that he proposes to bid on a specific federal-aid project being advertised within the thirty (30) day period in which event the bureau shall make a determination of eligibility within fifteen (15) days.

(2) All certificates of eligibility shall terminate not

later than 120 days after the end of the applicant's fiscal year unless suspended or revoked. Ninety (90) days of this period is to permit the applicant to file a new application in accordance with Section 2 of this regulation, thirty (30) days is for the bureau's review of the application and, if approved, the issuance of the new certificate of eligibility.

(3) The certificate of eligibility in effect as of the bid opening date shall constitute the basis for determining the eligibility of a bidder.

Section 5. Reconsideration of Decisions of Pre-qualification Committee. [Certificate of Eligibility.] (1)

An applicant may request reconsideration of a maximum eligibility rating and/or the types of work set forth in a certificate of eligibility by notifying the Bureau of Highways in writing within *ten (10)* [fifteen (15)] days after the receipt of a certificate of eligibility. A request for reconsideration shall clearly state the basis of the request and be supported by information and evidence which indicates the certificate of eligibility should be amended. The Bureau of Highways shall review the request and notify the applicant of its determination within thirty (30) days after the receipt of a request for reconsideration.

(2) An applicant denied a certificate of eligibility may submit a new application when factors constituting the basis for the issuance of a certificate of eligibility warrant reconsideration. The Bureau of Highways shall consider the new application and notify the applicant of the action taken within thirty (30) days after receipt of the application.

(3) An interim application may be submitted when there has been a substantial increase in the net current assets of the applicant. Such interim application shall contain a financial statement certified in the same manner as statements prepared as of the close of the fiscal year. A new certificate of eligibility may be issued on the basis of the interim application and financial statement.

(4) An applicant, upon receipt of a request from the Bureau of Highways, shall submit an interim financial statement and/or current information relating to the applicant's organization, equipment and work status. The information requested must be submitted within thirty (30) days after the receipt of the request. Failure to provide the information requested shall constitute a basis for the suspension and revocation of a certificate of eligibility.

Section 6. Revocation of Certificate of Eligibility or Reduction of Maximum Capacity. Upon receipt of information or evidence that a holder of [or] a certificate of eligibility has failed to perform satisfactorily or adhere to the laws, rules, regulations and specifications applicable to a contract or subcontract, the Bureau of Highways may suspend and revoke the certificate of eligibility or reduce the maximum capacity rating. A notice to the certificate holder, setting forth the grounds on which the action is proposed, shall be sent by registered mail. The proposed action shall become final unless the certificate holder submits a written request for a hearing within ten (10) days after receipt of the notice. Within ten (10) days after receipt of a request for hearing, the bureau shall set a date for an informal hearing at which time the certificate holder may submit any pertinent information and evidence. The Bureau of

Highways shall advise the certificate holder of its findings within ten (10) days after the informal hearing.

Section 7. Appeals from *Pre-qualification Committee Final* [Departmental] Rulings. Any person or organization aggrieved by the action taken by the *Pre-qualification Committee* [Bureau of Highways] in administering these rules and regulations may request a formal hearing before the Commissioner of the Bureau of Highways. The request for the formal hearing shall be filed in writing and shall set forth the nature of the complaint and the grounds for appeal.

JOHN C. ROBERTS, Secretary

ADOPTED: December 21, 1976

RECEIVED BY LRC: December 21, 1976 at 2:00 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Ed W. Hancock, Deputy Secretary for Legal Affairs, Department of Transportation, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 3:050. Criteria for the unit of principal or assistant principal.

RELATES TO: KRS 157.360

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 157.360 requires the Superintendent of Public Instruction to allot units to principals. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A principal shall be defined as a person, *other than a head teacher*, who devotes fifty percent (50%) or more of his/her time to the supervision of instruction. The remaining portion of his/her time shall be devoted to administrative duties.

(2) A principal shall be designated for a school with [for] eight (8) or more teachers[;]. [however, a full-time principal is not recommended for an eight (8) teacher school.] *A school which has fewer than eight (8) certified teachers may have a teacher designated as the head teacher.*

(3) An assistant principal shall have such duties as may be assigned including administration duties and supervision of instruction for the same school population as that of a principal. The assistant principal shall devote at least fifty percent (50%) of his/her time to the duties of the assistant principalship. Classroom teaching will not be considered a part of this unit.

(4) *An assistant principal may be assigned to a school according to the following criteria:*

(a) *Elementary school: For schools with twenty-five (25) teachers, an assistant principal or other supportive personnel is recommended.*

(b) *Middle school: An assistant principal should be employed when the school staff exceeds twenty-four (24). The assistant principal's role and responsibilities should be*

clearly defined and should compliment the principal's role to insure effective leadership in all aspects of the school program.

(c) *Secondary school: It is recommended that secondary schools with thirty (30) teachers or more employ an assistant principal. In secondary schools with fifty (50) or more teachers, an additional assistant principal, instructional coordinator or department chairperson with released time for development and implementation of curriculum is recommended.*

(5) *A school may consist of one or more buildings. The program in two or more buildings may be under the supervision of one (1) principal. In approving such units, the number of buildings, teachers, and pupils involved and the geographical location of the buildings shall be considered. In instances where both elementary and secondary grades are housed in one (1) building, a single principal should be designated with (1) or more assistant principals where size warrants additional personnel.*

Section 2. (1) Personnel qualified to serve in approved units of principalship or assistant principalship shall hold a certificate valid for the position of principalship at the appropriate level (elementary or secondary or twelve-grade).

(2) The Superintendent of Public Instruction will approve the employment of an assistant principal on an internship basis under the following conditions:

(a) The request shall be made by the local school superintendent and approved by the local board of education.

(b) The prospective assistant principal shall have been admitted to the program of preparation-certification for the school principalship by the teacher education institution and shall lack no more than nine (9) semester hours graduate credit for the completion of the total program.

(c) The internship program shall be planned jointly by the teacher education institution and the local school superintendent and must include provisions for completing certification requirements for principalship before September 1 of the following school year.

Section 3. The principal of an elementary, secondary, or twelve-grade school shall devote a significant portion of his/her time to supervision. He/she shall be a cooperating participant in the various activities which are designed to improve instruction. The principal's program of improving instruction shall be submitted as a part of the school's annual report. This plan shall reflect the thinking of all those concerned with the instructional program.

Section 4. (1) Adequate office and storage space shall be provided. Clerical assistance commensurate with the size of the school shall be provided.

(2) Provision shall be made for furnishing the necessary equipment such as typewriter, adding machine, duplicating equipment, etc., to permit the principal to perform his/her duties in a satisfactory and efficient manner.

(3) Sufficient financial support to permit the adequate operation of the principal's office shall be furnished.

JAMES B. GRAHAM,
Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mr. James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:050. Time limit for applying for certification.

RELATES TO: KRS 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: There is need to assure continuing eligibility for teacher certification for a reasonable period of time after meeting the initial qualifications and to specify an alternate course of action once a reasonable period of time has elapsed. This regulation provides for a continuing period of eligibility after initial qualifications and specifies the alternatives for persons who delay application for many years after first establishing eligibility.

Section 1. A person who completes a particular program of teacher preparation before the prescribed deadline date shall continue to be eligible for a period of five (5) years for the issuance of the certificate which corresponds to the particular program completed (dating from September 1 following the time of graduation). [If application is made later than five (5) years after completion of a particular teacher preparation program the applicant must meet the current requirements in order to qualify for the corresponding certificate.]

[Section 2. A person who completed the requirements for a certificate which is currently issued on the basis of a four (4) year program of preparation may be issued the corresponding certificate up to ten (10) years after the completion of the requirements provided that any deficiencies for meeting the current requirements must be made up within a two (2) year period.]

Section 2. [3.] A person who has completed a four (4) year program of teacher preparation *and the planned fifth year program* ten (10) or more years prior to the date of application for certification shall be issued the comparable current Kentucky certificate bearing the condition that twelve (12) semester hours of additional preparation [selected from a planned fifth year program] be completed at a minimum rate of six (6) semester hours a year within a two (2) year period subject to the following modifications:

(1) The twelve (12) semester hour condition shall be reduced by the amount of graduate level credit completed during the previous ten (10) year period.

(2) The twelve (12) semester hour condition shall be reduced by the amount of full-time teaching experience at the appropriate level completed during the previous ten (10) year period (at the rate of one (1) full year for four (4) semester hours).

[(3) A person who has held a Kentucky teaching certificate which was issued upon the basis of a four (4) year program of teacher preparation, which certificate expires prior to July 1, 1976, without having met renewal requirements, shall be reissued the comparable current Kentucky certificate under the same conditions outlined above.]

[(4) The certificates expiring after July 1, 1976, shall not be subject to reissuance under this regulation inasmuch as a planned fifth year program is required for renewal.]

[(5) Any certificate bearing the condition for completing additional academic preparation which expires without the conditions being satisfied shall not be subject to reissuance under this regulation until all of the original conditions have been satisfied.]

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1976 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: James Melton, Secretary, State Board of Education, 17th floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:065. Standard high school certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The standard high school certificate shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The standard high school certificate shall be issued initially for a duration period of ten (10) years *except that when the curriculum requirements were completed more than ten (10) years prior to the date of certificate issuance the provisions of 704 KAR 20:050, Section 2, shall apply [and].* The certificate shall be extended for life upon three (3) years of successful teaching experience *performed under [on] a regular teaching certificate and completed prior to the expiration of the standard certificate.* If the requirements for life extension have not been completed by the end of each ten (10) year period, the certificate may be

renewed at the end of each (10) year period upon completion of two (2) years of successful teaching experience or upon six (6) semester hours graduate credit for each of the years required experience.

(3) The standard high school certificate shall be valid for teaching in grades seven (7) through twelve (12).

JAMES B. GRAHAM,
Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Mr. James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:070. Provisional high school certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional high school certificate shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional high school certificate shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular cer-

tificate and upon completion of a planned fifth year program.

(3) The provisional high school certificate shall be valid for teaching in grades seven (7) through twelve (12).

JAMES B. GRAHAM,
Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Mr. James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:080. Provisional middle school-junior high certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional middle school-junior high school certificate shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional middle school-junior high school certificate shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of

successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional middle school-junior high school certificate shall be valid for teaching in grades five (5) through eight (8) and shall be endorsed for grades nine (9) through twelve (12) for any subject assignment in which the teacher holds a regular high school teaching major or minor.

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

(3) years of successful teaching experience *performed under* [on] a regular teaching certificate *and* completed prior to the expiration *date* of the *standard* certificate. If the requirements for life extension have not been completed by the end of ten (10) year period, the certificate may be renewed at the end of each ten (10) year period upon completion of two (2) years of successful teaching experience or upon six (6) semester hours graduate credit for each of the years required experience.

(3) The standard elementary certificate shall be valid for teaching in grades one (1) through eight (8).

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mr. James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

(Proposed Amendment)

704 KAR 20:085. Standard elementary certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The standard elementary certificate shall be issued in accordance with the pertinent Kentucky Statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The standard elementary certificate shall be issued initially for a duration period of ten (10) years *except that when the curriculum requirements were completed more than ten (10) years prior to the date of certificate issuance the provisions of 704 KAR 20:050, Section 2, shall apply* [and]. The certificate shall be extended for life upon three

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

(Proposed Amendment)

704 KAR 20:090. Provisional elementary certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional elementary certificate shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional elementary certificate shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall

be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional elementary certificate shall be valid for teaching in grades one (1) through eight (8).

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

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SUBMIT COMMENT OR REQUEST FOR HEARING
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17th Floor, Capital Plaza Tower, Frankfort, Kentucky
40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

(Proposed Amendment)

704 KAR 20:100. Administrators and supervisors.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The professional certificate for school administration and supervision shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation for one of the school leadership positions—elementary school principal, middle school-junior high school principal, secondary school principal, director of pupil personnel, or school superintendent—at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The professional certificate for school administration and supervision shall be endorsed for the specific position for which the program of preparation has been com-

pleted. Once the certificate has been issued and endorsed for one (1) position it may be further endorsed for any of the other school leadership positions upon completion of the corresponding program of preparation. The professional certificate for school administration and supervision may also be endorsed to show other programs of preparation-certification for which the holder is qualified.

(3) As a prerequisite to the issuance of the professional certificate for school administration and supervision with an endorsement for the position of school superintendent the applicant shall have completed five (5) years successful school teaching and/or school administrative experience. As a prerequisite to the issuance of the certificate with an endorsement for any of the other school leadership positions the applicant shall have completed three (3) years of successful teaching experience.

(4) The duration of the professional certificate for school administration and supervision shall be for continuing service.

Section 2. The professional certificate for school administration and supervision, endorsed for secondary school principal, may be endorsed for a one (1) year period for the position of elementary school principal upon completion of at least eight (8) semester hours graduate credit selected from the endorsement curriculum and upon recommendation from the superintendent of the local district in which the applicant is to be employed as an elementary school principal. The endorsement may be extended for subsequent years upon completion of at least six (6) semester hours graduate credit annually until the total program has been completed.

Section 3. The older type certificates which are still in force and valid for the position of secondary school principal may be endorsed for the position of elementary school principal in accordance with the same provisions outlined in Section 2 of this regulation.

Section 4. Persons holding a valid certificate for principalship, supervision, or superintendency issued under the curricula in effect prior to September, 1970, shall not be required to hold a standard teaching certificate as a prerequisite to qualify for any of the administrative endorsements for the professional certificate for school administration and supervision.

JAMES B. GRAHAM,

Superintendent of Public Instruction

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TO: Mr. James Melton, Secretary, State Board of Education,
17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:135. Kindergarten teachers.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. An endorsement for teaching kindergarten shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who holds a certificate valid for classroom teaching at the elementary school level and who has completed the approved program of preparation for the kindergarten endorsement at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 2. (1) The provisional certificate for kindergarten teaching shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for kindergarten teaching shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience at the kindergarten level on a regular certificate and upon completion of the planned fifth year program.

(3) The provisional certificate for kindergarten teaching shall be valid for teaching only at the kindergarten level.

(4) Teacher education institutions shall not admit new students to the program for preparation for the provisional certificate for kindergarten teaching during the 1976-77 academic year or thereafter. Teacher candidates currently enrolled in this program prior to the 1976-77 academic year

shall have until September 1, 1980, to complete the requirements. All the provisions of Section 2 of this regulation shall expire on September 1, 1980.

Section 3. The certificates issued for a duration period beginning prior to September 1, 1971, and valid for classroom teaching at the elementary school level, shall continue to be valid for teaching kindergarten. Certificates issued for a duration period beginning after September 1, 1971, and valid for classroom teaching at the elementary school level, shall be valid for teaching kindergarten only upon completion of the endorsement program for kindergarten teaching.

JAMES B. GRAHAM,
 Superintendent of Public Instruction

ADOPTED: December 15, 1976

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 TO: James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:145. Media librarians.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certificate for school media librarian shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for school media librarian

shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. *This certificate shall be renewed for a [another] (10) year period only upon completion of the planned fifth year program.* The certificate may be extended for life upon completion of three (3) years of successful experience as a media librarian within the duration period of the certificate and upon completion of the planned fifth year program.

(3) The provisional certificate for school media librarian shall be valid for serving as media librarian in grades kindergarten through grade twelve (12).

Section 2. The program of preparation for the provisional certificate for school media librarian shall become effective for persons intending to prepare for a position of professional school library services and who began in the preparation program during the 1975-76 school term and thereafter.

JAMES B. GRAHAM,

Superintendent of Public Instruction

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TO: Mr. James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

(Proposed Amendment)

704 KAR 20:150. Media specialists.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The standard certificate for school media specialist shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at

a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The standard certificate for school media specialist shall be issued initially for a duration period of ten (10) years *except that when the curriculum requirements were completed more than ten (10) years prior to the date of certificate issuance the provisions of 704 KAR 20:050, Section 2, shall apply* [and]. The certificate shall be extended for life upon three (3) years of successful experience as a school media librarian or as a school media specialist completed prior to the expiration of the certificate. If the holder fails to meet the requirements for life extension by the end of the ten (10) year period the certificate may be renewed for another ten (10) year period on the basis of two (2) years of experience as a school media librarian or as a school media specialist or on the basis of four (4) semester hours additional graduate credit for each of the years of required experience.

(3) The standard certificate for school media specialist may be endorsed to include the qualifications for school media librarian and shall be valid for serving as a school media librarian or as a school media specialist.

JAMES B. GRAHAM,

Superintendent of Public Instruction

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TO: Mr. James Melton, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

(Proposed Amendment)

704 KAR 20:195. Social workers.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certification for school social worker shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to this certification at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certification for school social worker shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. *This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program.* This certification may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional certification for school social worker shall be issued to an applicant who holds a regular teaching certificate for the elementary, middle school, or high school level and who completes eighteen (18) semester hours credit, including supervised practice in school social work, from the curriculum for school social worker emphasizing the social work portion of the program rather than the portion dealing with professional education.

Section 2. Provisional certification for school social worker may be issued for a one (1) year period on the basis of a professional commitment made by the applicant to complete the usual program of preparation at a minimum rate of six (6) semester hours each year provided the applicant holds a bachelor's degree, has completed at least six (6) semester hours credit from the approved curriculum for school social work, and secures an agreement from a prospective employer to adjust the annual work load to provide opportunity for earning the additional college credits on schedule and for participating in the work conferences conducted by the State Department of Education for school social workers.

JAMES B. GRAHAM,
Superintendent of Public Instruction

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TO: Mr. James Melton, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:230. Hearing impaired; teacher's provisional certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certificate for teachers of exceptional children—hearing impaired shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for teachers of exceptional children—hearing impaired shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. *This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program.* The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional certificate for teachers of exceptional children—hearing impaired shall be valid at any grade level for the instruction of exceptional children who are hearing impaired and shall be endorsed as a provisional elementary certificate valid for classroom teaching in grades one (1) through eight (8).

JAMES B. GRAHAM,
Superintendent of Public Instruction

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EDUCATION AND ARTS CABINET

Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:235. Learning and behavior disorders; teacher's provisional certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certificate for teachers of exceptional children—learning and behavior disorders shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for teachers of exceptional children—learning and behavior disorders shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional certificate for teachers of exceptional children—learning and behavior disorders shall be valid at any grade level for the instruction of exceptional children with learning and behavior disorders and shall be endorsed as a provisional elementary certificate valid for classroom teaching in grades one (1) through eight (8).

JAMES B. GRAHAM,

Superintendent of Public Instruction

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EDUCATION AND ARTS CABINET

Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:240. Speech and communication disorders; teacher's provisional certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certificate for teachers of exceptional children—speech and communication disorders shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for teachers of exceptional children—speech and communication disorders shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional certificate for teachers of exceptional children—speech and communication disorders shall be valid at any grade level for the instruction of exceptional children with speech and communication disorders.

JAMES B. GRAHAM,

Superintendent of Public Instruction

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EDUCATION AND ARTS CABINET

Department of Education
Bureau of Instruction
(Proposed Amendment)

704 KAR 20:245. Trainable mentally handicapped; teacher's provisional certificate.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The provisional certificate for teachers of exceptional children—trainable mentally handicapped shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The provisional certificate for teachers of exceptional children—trainable mentally handicapped shall be issued initially for a duration period *which expires ten (10) years from the calendar year of completion of the curriculum requirements* [of ten (10) years and]. This certificate shall be renewed for a [another] ten (10) year period only upon completion of the planned fifth year program. The certificate may be extended for life upon completion of three (3) years of successful teaching experience on a regular certificate and upon completion of a planned fifth year program.

(3) The provisional certificate for teachers of exceptional children—trainable mentally handicapped shall be valid at any grade level for the instruction of exceptional children who are trainable mentally handicapped and shall be endorsed as a provisional elementary certificate valid for classroom teaching in grades one (1) through (8).

JAMES B. GRAHAM,

Superintendent of Public Instruction

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DEPARTMENT FOR HUMAN RESOURCES

Bureau for Health Services
(Proposed Amendment)

902 KAR 100:075. Group classifications.

RELATES TO: KRS 152.690, 152.990

PURSUANT TO: KRS 13.082, 152.690, 194.050, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling, and disposal of radioactive waste. The purpose of this regulation is to provide general provisions for the issuance of radioactive material licenses to possess, use, and transfer radioactive material.

Section 1. Applicability. This regulation groups specific diagnostic procedures to facilitate the issuance of licenses for the medical use of radioactive material.

Section 2. Groups of Diagnostic Uses of Radioactive Material in Humans. Whenever an applicant has been approved, under the appropriate provisions of these regulations, to perform any one of the diagnostic procedures listed in the following groups, the applicant may be approved to perform all the diagnostic procedures within that group.

(1) Group 1. Use of prepared radiopharmaceuticals for certain diagnostic studies involving measurements of uptake, dilution and excretion. This group does not include uses involving imaging and tumor localization.

(a) Iodine 131 or Iodine 125 as sodium iodide for thyroid uptake.

(b) Iodine 131 or Iodine 125 as iodinated human serum albumin (IHSA) for determinations of blood and blood plasma volume and for studies of cardiovascular function and protein turnover.

(c) Iodine 131 or Iodine 125 as labeled rose bengal for liver function studies.

(d) Iodine 131 or Iodine 125 as labeled fats or fatty acids for fat absorption studies.

(e) Iodine 131 or Iodine 125 as labeled iodopyracet, sodium iodohippurate, sodium diatrizoate, diatrizoate methylglucamine, sodium diprotrizoate, sodium acetrizoate, or sodium iothalamate for kidney function studies.

(f) Chromium 51 as labeled human serum albumin for gastrointestinal protein loss studies.

(g) Chromium 51 as sodium chromate for determination of red blood cell volumes and studies of red blood cell survival time and gastrointestinal blood loss.

(h) Iron 59 as chloride, citrate, or sulfate for iron turnover studies.

(i) Cobalt 57, Cobalt 58, or Cobalt 60 as labeled cyanocobalamin (vitamin B-12) for intestinal absorption studies.

(j) Potassium 42 as chloride for potassium space determinations.

(k) Sodium 24 as chloride for sodium space determination.

(l) Technetium 99m as pertechnetate for blood flow studies.

(m) Mercury as chlormerodrin for kidney function studies.

(n) Any radioactive material in a radiopharmaceutical and for a diagnostic use involving measurements of uptake, dilution or excretion for which a "Notice of Claimed Investigational Exemption for a New Drug" (IND) has been accepted by the Food and Drug Administration (FDA).

(2) Group II. Use of prepared radiopharmaceuticals for diagnostic studies involving imaging and tumor localization.

(a) *Iodine 125 as fibrinogen for detection and monitoring of developing deep vein thrombosis.*

(b) [(a)] Iodine 131 or Iodine 125 as sodium iodide for thyroid imaging.

(c) [(b)] Iodine 131 as iodinated human serum albumin (ISHA) for brain tumor localizations and cardiac imaging.

(d) [(c)] Iodine 131 as macroaggregated iodinated human serum albumin for lung imaging.

(e) [(d)] Iodine 131 as colloidal (microaggregated) iodinated human serum albumin for liver imaging.

(f) [(e)] Iodine 131 as labeled rose bengal for liver imaging.

(g) [(f)] Iodine 131 as iodopyracet, sodium iodohippurate, sodium diatrizoate, diatrizoate methylglucamine, sodium diprotrizoate, or sodium acettrizoate for kidney imaging.

(h) [(g)] Iodine 131 as sodium iodiparmide for cardiac imaging.

(i) [(h)] Iodine 131 as iodinated human serum albumin (IHA) for placental localization.

(j) [(i)] Chromium 51 as sodium chromate for spleen imaging.

(k) [(j)] Chromium 51 as labeled human serum albumin for placenta localization.

(l) [(k)] Gold 198 in colloidal form for liver imaging.

(m) [(l)] Mercury 197 as labeled chlormerodrin for kidney and brain imaging.

(n) [(m)] Mercury 203 as labeled chlormerodrin for brain imaging.

(o) [(n)] Selenium 75 as labeled selenomethionine for pancreas imaging.

(p) [(o)] Strontium 85 as nitrate or chloride for bone imaging in patients with suspected or diagnosed cancer.

(q) [(p)] Technetium 99m as pertechnetate for brain imaging.

(r) [(q)] Technetium 99m as pertechnetate for thyroid imaging.

(s) [(r)] Technetium 99m as pertechnetate for salivary gland and blood pool imaging, including placenta localization.

(t) [(s)] Technetium 99m as labeled sulphur colloid for liver, spleen and bone marrow imaging.

(u) [(t)] Technetium 99m as labeled macroaggregated human serum albumin for lung imaging.

(v) *Ytterbium 169 as pentetate calcium trisodium labeled diethylenetriamine pentaacetic acid (DTPA) for cisternography.*

(w) [(u)] Any radioactive material in a radiopharmaceutical prepared from a reagent kit listed in subsection (3)(c) or this section for a use listed in that subsection.

(x) [(v)] Any radioactive material in a radiopharmaceutical and for a diagnostic use involving imaging for which a "Notice of Claimed Investigational Exemption for a New Drug" (IND) has been accepted by the Food and Drug Administration (FDA).

(3) Group III. Use of generators and reagent kits for the

preparation and use of radiopharmaceuticals containing radioactive material for certain diagnostic uses.

(a) Molybdenum 99/technetium 99m generators for the elution of technetium 99m as pertechnetate for:

1. Brain imaging,
2. Thyroid imaging,
3. Salivary gland imaging,
4. Blood pool imaging including placenta localization,
5. Blood flow studies,

6. Use with reagents kits for preparation and use of radiopharmaceuticals containing technetium 99m as provided in subsection (3)(c) and (d) of this section.

(b) Technetium 99m as pertechnetate for use with reagent kits for preparation and use of radiopharmaceuticals containing technetium 99m as provided in subsection (3)(c) and (d) of this section.

(c) Reagent kits for preparation of technetium 99m labeled:

1. Sulfur colloid for liver and spleen imaging,
2. Iron-ascorbate diethylenetriamine pentaacetic acid complex for kidney imaging,
3. Diethylenetriamine pentaacetic acid (Sn) for kidney imaging and kidney function studies,
4. Diethylenetriamine pentaacetic acid (Sn) for brain imaging,
5. Human serum albumin microspheres for lung imaging,
6. Polyphosphates for bone imaging,
7. Macroaggregated human serum albumin for lung imaging,
8. Distannous etidronate complex for bone imaging,
9. Stannous pyrophosphate for bone imaging.

(d) Tin 113/indium 113m generators for the elution of indium 113m as chloride for: blood pool imaging including placenta localization.

(e) Any generator or reagent kit for preparation and diagnostic use of a radiopharmaceutical containing radioactive material for which generator or reagent kit a "Notice of Claimed Investigational Exemption for a New Drug" (IND) has been accepted by the Food and Drug Administration (FDA).

WILLIAM P. McELWAIN, Commissioner

ADOPTED: November 16, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:105. X-ray; general.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 194.050, 152.690, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources

[is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide general requirements for the possession, use, and operation of x-ray systems.

Section 1. Applicability. This regulation applies to all x-ray systems and to all persons, equipment, and materials used in connection with [who possess] the possession, use, or operation [operate] of such [x-ray] systems [in Kentucky]. All x-ray systems shall comply with the requirements of this regulation and with any other regulations pertinent to the particular system employed.

Section 2. General Requirements. (1) No person shall make, sell, lease, transfer, lend, or install x-ray systems [equipment] or the accessories used in connection with such systems [equipment] unless such accessories and systems [equipment], when properly placed in operation and properly used, will meet the requirements of these regulations. These provisions include [This includes], but are [is] not limited to, [the responsibility for] the delivery of cones or collimators, filters, adequate timers, and fluoroscopic shutters, where applicable.

(2) The registrant shall be responsible for directing the operation of the x-ray systems which he has registered with the department. In the operation of the x-ray system, the registrant or his agent shall ensure that the following requirements are met: [He or his agent shall assure that the following provisions are met in the operation of the x-ray systems:]

(a) An x-ray system which does not meet the provisions of these regulations shall not be operated [for diagnostic or therapeutic purposes] unless a specific exemption in writing has been granted by the department. In the event the registrant advises an agent of the department that he no longer uses an x-ray system, the department may inactivate such system. Inactivated x-ray systems may be reactivated only by the department or with its written permission. Inactivation of an x-ray system may be accomplished by any of the following means:

1. An inactivation seal(s), numbered and approved by the department, may be placed on an x-ray system so as to prevent energizing of the system. X-ray systems so sealed as inactive shall not be utilized and the seal or attached instructions shall not be removed without the express authorization of the department;

2. The department may approve the removal of portions of the x-ray system so as to render the system inoperative or so as to allow only those portions of the system to remain operative which are in compliance with these regulations. X-ray systems or portions of x-ray systems having been so inactivated shall not be operated or be made operative by reinstallation of the removed portions of the system without the express authorization of the department. X-ray systems so inactivated shall be clearly labeled showing the limitations of the x-ray system. Such labels shall not be removed without the express authorization of the department.

(b) Individuals [who will be] operating x-ray systems [equipment] shall be adequately instructed in [the] safe operating procedures and shall be competent in the safe use of the system [equipment].

(c) In the vicinity of each x-ray system's control panel a chart shall be provided which specifies for all examinations

which are performed by that system a listing of information for each projection within that examination, including but not limited to the following:]

[1. Patient's anatomical size versus technique factors to be utilized;]

[2. Type and size of the film or of the filmscreen combination to be used;]

[3. Type of grid to be used, if any;]

[4. Source to image receptor distance to be used; and]

[5. Type of gonadal shielding to be used, if any.]

(c) [(d)] Written safety procedures and rules, for the particular x-ray system shall be posted [provided] in a conspicuous place beside each x-ray system's control panel and a copy of these regulations shall be made available in each general work area. [by the registrant, to each individual operating x-ray equipment, including any restrictions of the operating technique required for the safe operation of the particular x-ray system. The operator shall be able to demonstrate familiarity with these rules. The registrant shall also make available to each individual operating x-ray equipment a copy of these regulations.]

[(e) Except for patients who cannot be moved out of the room, only the staff and ancillary personnel required for the medical procedure or training shall be in the room during the radiographic exposure.]

[1. Other than the patient being examined, all individuals in the radiographic room shall be positioned such that no part of the body not protected by 0.5 mm lead equivalent, will be struck by the useful beam.]

[2. Staff and ancillary personnel shall be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 mm lead equivalent.]

[3. Patients who cannot be removed from the room shall be protected from the direct scatter radiation by whole body protective barriers of 0.25 mm lead equivalent or shall be so positioned that the nearest portion of the body is at least two (2) meters from both the tube head and the nearest edge of the image receptor.]

[4. When a portion of the body of any staff or ancillary personnel is potentially subjected to stray radiation which could result in that individual receiving one quarter of the maximum permissible dose as defined in these regulations, additional protective devices may be required by the department.]

(d) [(f)] Exposure of an individual to the useful beam for training [,] or demonstration [or other similar] purposes shall be [is] prohibited. [, unless there are also healing arts requirements for such exposure and proper prescription has been provided.]

(e) [(g)] In the event that [when] a patient or film must be provided with auxiliary support during a radiation exposure, the registrant shall:

1. Provide mechanical holding devices to [shall] be used when the technique permits; [,]

2. Provide written safety procedures, as required by this regulation, which shall indicate the requirements for selecting a person to hold a patient or film and the procedure which the holder of such shall follow; [,]

3. Provide the human holder with protection from radiation exposure [shall be protected] as required by these [this] regulations; and [,]

4. Ensure that no person is [shall be] used routinely to hold film or patients.

[5. In those cases where the patient must hold the film, except during intraoral examinations, any portion of the body other than the area of clinical interest struck by the

useful beam shall be protected by not less than 0.5 mm lead equivalent material.]

[6. Gonadal shielding of not less than 0.25 mm when 100 kVp or less is used, 0.5 mm when 100 to 150 kVp is used, and 1.0 mm when greater than 150 kVp is used, shall be used during radiographic procedures in which the gonads are in the direct beam except for cases in which this would interfere with the diagnostic procedure.]

[(h) Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information shall be utilized. This is interpreted to include but not limited to:]

[1. The speed of film or screen and film combinations shall be the fastest speed consistent with the diagnostic objective of the examinations.]

[2. Portable or mobile equipment shall be used only for examinations where it is impractical to transfer the patient to a stationary radiographic installation.]

[3. Fluoroscopic imaging devices used for optical viewing which are not mechanically linked to the x-ray tube shall not be utilized.]

[(i) Each image (film, film set, etc.) shall be interpreted by a licensed practitioner, and a permanent record shall be made of the interpretation of the total examination.]

[(f) [(j) Personnel Monitoring.] *In the event that [when] protective clothing [or devices] is [are] worn on portions of the body and a monitoring device(s) are [is] required, [at least one (1) such device shall be utilized as follows] the following rules shall apply:*

1. When an apron is worn, the monitoring device shall be worn at the neck area outside of the apron; [.] and

2. If more than one (1) device is used and a record is made of the data, each dose shall be identified with the area where the device was worn on the body.

[(g) [3. Exposure of] A personnel monitoring device shall not be exposed to deceptively indicate a dose delivered to an individual [is prohibited].

[(h) [(k)] The registrant shall maintain [at least the following information] a record for each x-ray system. Such record shall include but not be limited to the following:

1. Written technique factors;
2. Written tube rating charts and cooling curves; and
3. Written records of all surveys, calibrations, maintenance, and modifications performed on the x-ray system after the effective date of these regulations, along with the names of persons who performed the service.

[(1) Each facility shall maintain the following information as a minimum:]

[1. For each x-ray examination, appropriate patient identification data which includes name, social security number, age, and sex;]

[2. Date of x-ray examination;]

[3. Examination or treatment given by routine or local title as denoted on the technique chart;]

[4. Any deviation from the standard procedure or technique, including all repeat exposures, as denoted in the technique chart;]

[5. The x-ray system used, when there is more than one (1) system per facility;]

[6. Name of individuals who performed the examination.]

[(i) [(m) Radiation Barriers.] Each installation shall be provided with such primary barriers and secondary barriers as are necessary to ensure [assure] compliance with these regulations. This requirement shall be deemed to be met if the thickness of such barriers are equivalent to those

as computed in accordance with the National Council of Radiation Protection Report No. 34, "Medical X-Ray and Gamma Ray Protection for Energies Up to 10 MeV (Structural Shielding Design and Evaluation)."

[(j) [(n) Darkrooms:] *In the event that a darkroom is used in connection with an x-ray system the following requirements shall apply:*

1. The darkroom[s] shall be constructed so that film being processed, handled, or stored will be exposed only to light which has passed through a safe light filter; and [.]

2. Adequate safety lighting shall be provided in each darkroom such that the radiance and spectral emissions of the safelight, bulb and filter combination, [shall be such that film] shall not fog (the film) [be "fogged"] above the base fog level when exposed for one (1) minute at a distance of 120 centimeters from the lamp(s). Film manufacturer's recommendations for a safelight and its placement shall be adjudged to meet this criterion.

[3. The amount of time that the film remains in the developer solution shall be controlled. Except for automatic processors, at the end of a preset time interval, the timing mechanism used for controlling the development time shall produce a visible or audible signal.]

[4. For manual film processing, a temperature control system shall be available to maintain the temperature of the developing solutions within the range specified by the manufacturer. A means shall be provided to control the temperature of the fixer and the rinse water to within five (5) degrees Fahrenheit of the temperature of the developer solution. Exceptions to the requirements of this paragraph may be authorized by the department on the basis of a written request providing details of the developing procedure to be used, methods of controlling developing condition, and an adequate justification for such exception.]

[(k) [(o)] Automatic processors and other closed processing systems shall meet the following requirements:

1. Preventive maintenance shall be performed on the unit, except for extended periods of non-use, on a frequency basis which is not less than that schedule recommended by the manufacturer. In the event that no schedule is available from the manufacturer, a maintenance schedule shall be established which will preserve good film quality; and [.]

2. After a full cleansing of the processor, a film shall be exposed to a density of approximately one (1), with one-half (½) of the film protected from the exposure. Such film [It] shall be developed and then kept near the unit and [daily] at least one (1) test film daily (exposed under techniques identical with those used for the original test film) shall be compared with the original test film to evaluate the adequacy of the unit's developing capability and base fog level.

[(l) Manual processing systems shall meet the following requirements:

1. A device shall be available which will indicate the actual temperature of the developer in degrees Fahrenheit or Celsius;

2. The amount of time that the film remains in the developer solution shall be controlled. At the end of a preset time interval, the timing mechanism used for controlling the development time shall provide a visible or audible signal;

3. A time-temperature technique consistent with the film or developer manufacturer's requirements shall be used; and

4. A temperature control system shall be available to maintain the temperature of the developing solution within

the range specified by the manufacturer. A means shall be provided to control the temperature of the fixer and the rinse water to within five (5) degrees Fahrenheit of the temperature of the developer solution. Exceptions to the requirements of this subparagraph may be authorized by the department on the basis of a written request providing details of the developing procedure to be used, methods of controlling developing conditions, and an adequate justification for such exception.

WILLIAM P. McELWAIN, M.D., Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: September 28, 1976

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:115. Diagnostic x-ray.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 152.690, 194.050, 211.090

NECESSITY AND FUNCTION: *KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and operation of all diagnostic x-ray systems in relation to the healing arts.*

Section 1. Applicability. This regulation applies to all *diagnostic x-ray systems in relation to the healing arts and to all persons, [who] equipment and materials used in connection with the possession, [possess] use or operation [operate] of such [diagnostic x-ray] systems [in relation to the healing arts].*

Section 2. Maintenance Program. For all x-ray components or systems which have been installed and certified under the federal performance standard, [there shall be] a maintenance program *shall be established to ensure [assure] that such components or systems maintain certification status. The frequency of test or measurements under this maintenance program shall not exceed one (1) year. Records of tests or measurements performed under the maintenance program shall be maintained by the registrant.*

Section 3. Warning Label. The control panel containing the main power switch shall bear the following warning statement or an equivalent statement, legible and accessible to view: "WARNING: This x-ray unit may be dangerous to patient and operator unless safe exposure factors and operating instructions are observed."

Section 4. Battery Charge Indicator. On battery-powered generators, visual means shall be provided on the control panel to indicate whether the battery is in a state of charge adequate for proper operation.

Section 5. Leakage Radiation from the Diagnostic Source Assembly. The leakage radiation from the diagnostic x-ray source assembly measured at a distance of one (1) meter in any direction from the x-ray source shall not exceed 100 milliroentgens in one (1) hour when the x-ray tube is operated at its leakage technique factors. Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than twenty (20) centimeters.

Section 6. Radiation from Components other than the Diagnostic Source Assembly. The radiation emitted by a component other than the diagnostic x-ray source assembly shall not exceed two (2) milliroentgens in one (1) hour at five (5) centimeters from any accessible surface of the component when it is operated in an assembled x-ray system under any conditions for which it was designed. Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than twenty (20) centimeters.

Section 7. Beam Quality. (1) The half-value layer (HVL) of the useful beam for a given x-ray tube potential shall not be less than the values shown in the following table:

TABLE OF ACCEPTABLE HALF VALUE LAYER (HVL)

Design Operating Range (Maximum Kilovolts Peak)	Measured Potential (Kilovolts Peak)	Half-Value Layer (Millimeters of Aluminum Equivalent)
Below 50	30	0.3
	40	0.4
	49	0.5
50 to 70	50	1.2
	60	1.3
	70	1.5
Above 70	71	2.1
	80	2.3
	90	2.5
	100	2.7
	110	3.0
	120	3.2
	130	3.5
	140	3.8
	150	4.1

(2) If it is necessary to determine the half-value layer at an exposure tube potential which is not listed in the table above, linear interpolation [or extrapolation may] *shall be made within the range of the table; [.]*

(3) The above HVL criteria will be considered to have been met if it can be demonstrated that the aluminum equivalent of the total filtration in the primary beam is not less than that shown in the following table:

TABLE OF FILTRATION REQUIRED VS. OPERATING VOLTAGE

Design Operating Range (Maximum Kilovolts Peak) [Operating Voltage (kVp)]	Total Filtration (inherent plus added) (Millimeters Aluminum Equivalent)
Below 50	0.5 millimeters
50-70	1.5 millimeters
Above 70	2.5 millimeters

and a permanent record shall be made of the interpretation of the total examination.

Section 18. Gonadal Shielding. Gonadal shielding shall be used during diagnostic procedures in which the gonads are in the primary beam except for cases in which this would interfere with the diagnostic procedure. Such shielding shall not be less than:

- (1) 0.25 mm lead equivalent when 100 kVp or less is used;
- (2) 0.5 mm lead equivalent when 100 to 150 kVp is used; or
- (3) 1.0 mm lead equivalent when greater than 150 kVp is used.

Section 19. Procedures and Auxiliary Equipment. Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information shall be utilized. Such procedures and equipment shall include but not be limited to the following:

- (1) The speed of the film or film and screen combination shall be the fastest consistent with the diagnostic objective of the examination; and
- (2) Portable and mobile equipment shall be used only for examinations where it is impractical to transfer the patient to a stationary radiographic installation.

Section 20. Visual and Audible Signal Generator on Federal Performance Standard Equipment. On all machines certified under the federal performance standard, the x-ray control shall provide visual indication observable at or from the operator's protected position whenever x-rays are produced. In addition, a signal audible to the operator shall indicate that the exposure has terminated.

WILLIAM P. McELWAIN, M.D., Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: September 28, 1976

RECEIVED BY LRC: January 12, 1977

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:120. Special x-ray.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 194.050, 152.690, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling,

and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and operation of all radiographic x-ray systems used in relation to the healing arts, except systems used for dental intraoral or veterinary radiography.

Section 1. Applicability. This regulation applies to all radiographic x-ray systems used in relation to the healing arts, except dental intraoral or veterinary radiographic and to all persons, equipment and materials used in connection with the possession, [who possess] use or operation [operate] of such [radiographic] systems [in relation to the healing arts, except systems used for dental intraoral or veterinarian radiography].

Section 2. [Beam Quality.] (1) Except when contraindicated for a particular medical purpose, the total filtration permanently in the useful beam shall be equivalent to at least 2.5 mm aluminum. This requirement may be assumed to have been met if the half-value layer is not less than 2.5 mm aluminum at normal operating voltages. [(2)] **Permanent Structural Shielding.** Permanent structural shielding and protective barriers shall be used as necessary to ensure that no person other than the patient receives a dose equivalent in excess of the limits specified in these regulations.

Section 3. Beam Limitation. (1) The primary beam shall be restricted by cones, shutters, diaphragms, or adjustable collimators to an area no greater than the area of clinical interest and in no case shall the dimensions of the x-ray field exceed the dimensions of the image receptor except as follows: [The useful beam shall be limited to the area of clinical interest.]

(a) All dimensions of the x-ray field, measured in the plane of the image receptor, shall not exceed the corresponding dimensions of the image receptor by more than three (3) percent of the source to image receptor distance (SID) measured when the plane of the image receptor is perpendicular to the primary ray of the x-ray field; and

(b) The sum of the difference between any two (2) perpendicular dimensions of the x-ray field and the respective perpendicular dimensions of the image receptor intersecting at the center of the x-ray field shall not exceed four (4) percent of the source to image receptor distance. This paragraph shall not be construed to require enlarging the x-ray field size when the x-ray field size is less than the size of the image receptor.

(2) A means shall be provided to align the center of the x-ray field with the center of the image receptor to within two (2) percent of the SID;

(3) [Section 4.] General purpose stationary x-ray systems certified under the federal performance standard shall also meet the following requirements: [Installed after the effective date of these regulations.]

(a) [(1)] There shall be provided a means for stepless adjustment of the size of the x-ray field. The minimum field size at an SID (the distance from the x-ray tube anode to the x-ray film) of 100 centimeters shall be equal to or less than five (5) by five (5) centimeters; [.]

(b) [(2)] **Visual Definition.** A means shall be provided for visually defining the perimeter of the x-ray field. The total misalignment of the edges of the visually defined field with the respective edges of the x-ray field along either the length or width of the visually defined field shall not exceed two (2) percent of the distance from the source to the center of the visually defined field when the surface upon

(3) The minimum exposure time for all equipment other than that specified in subsection (2) of this section shall be equal to or less than 1/60 second or a time interval required to deliver five (5) mAs, whichever is greater;

(4) Either the product of peak x-ray tube potential, current, and exposure time shall be limited to not more than sixty (60) kW per exposure or the product of x-ray tube current and exposure time shall be limited to not more than 600 mAs per exposure except when the x-ray tube potential is less than fifty (50) kVp in which case the product of x-ray tube current and exposure time shall be limited to not more than 2000 mAs per exposure; and

(5) A visible signal shall indicate when an exposure has been terminated at the limits described in subsection (4) of this section, and manual resetting shall be required before further automatically time exposures can be made.

[Section 10. Timer Accuracy. All timers shall be accurate to within plus or minus ten (10) percent of the selected value.]

Section 6. [11.] Source to Skin or Image Receptor Distance. (1) [Limitation.] All radiographic x-ray systems shall be provided with a durable, securely fastened means (e.g. collimators, cones, etc.) to limit the source to skin distance to not less than thirty (30) centimeters. [This can be met when the collimator or cone provides the required limits.]

(2) [Means of determination of receptor distance.] All radiographic x-ray systems shall be equipped with a device or reference, other than a collimator light localizer, which shall indicate, reference, or measure the selected source to receptor distance to within 2.5 centimeters.

[Section 12. Exposure Reproducibility. The exposure produced shall be reproducible to within the following criteria: When all technique factors are held constant, the coefficient of variation shall not exceed 0.10. This shall be deemed to have been met if when four (4) exposures at identical technique factors are made that the value of the average exposure (\bar{E}) is greater than five (5) times the maximum exposure (E_{max}) minus the minimum exposure (E_{min}). \bar{E} greater than five (5) ($E_{max} - E_{min}$).]

Section 7. [12.] Standby Radiation from Capacitor Energy Storage Equipment. Radiation emitted from the x-ray tube when the exposure switch or timer is not activated shall not exceed a rate of two (2) milliroentgens per hour at five (5) centimeters from any accessible surface of the diagnostic source assembly, with the beam-limiting device fully open.

Section 8. Personnel Monitoring. Personnel monitoring shall be required for all individuals operating portable or mobile x-ray systems.

Section 9. Photofluorographic Systems. The hood assembly containing the image receptor on photofluorographic systems shall be mechanically linked to the tube housing assembly so that the fluorographic screen always intercepts the useful beam.

Section 10. Patient Protection. In those cases where the patient must hold the film any portion of the body other than the area of clinical interest struck by the useful beam

shall be protected by not less than 0.5 mm lead equivalent material.

WILLIAM P. McELWAIN, M.D., Commissioner
C. LESLIE DAWSON, Secretary

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SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:125. Fluoroscopic.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 194.050, 152.690, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic produce] radiation and [to regulate] the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and operation of all fluoroscopic x-ray systems in the healing arts.

Section 1. Applicability. This regulation applies to all fluoroscopic x-ray systems and to all persons, equipment and materials used in connection with the possession [practitioners of the healing arts who possess], use or operation [operate] of such [fluoroscopic x-ray] systems. [All fluoroscopic x-ray systems shall meet the requirements of this regulation, in addition to other applicable provisions of these regulations.]

Section 2. Equipment. All fluoroscopic x-ray systems shall meet the following requirements:

(1) The tube housing assembly shall be of the diagnostic type; [.]

[(2) The total filtration permanently in the useful beam shall not be less than 2.5 mm aluminum equivalent. This requirement may be assumed to have been met if the half-value layer is not less than 2.5 mm aluminum at normal operating voltages.]

[(3) Shutters or cones shall be provided to restrict the size of useful beam to the area of the barrier. For conventional fluoroscopes this requirement is met if, when the adjustable shutter is opened to its fullest extent, an unilluminated margin is left on the fluorescent screen with the screen centered in the beam at a distance of fourteen (14) inches from the panel or table top. The margin requirement does not apply to installations where image intensifiers are used, but a protective shield shall be provided in these installations to intercept the useful beam.]

(2) [(4)] Cones or shutters used to restrict the size of the useful beam shall provide the same degree of attenuation

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used for optical view-
ed to the x-ray tube

Field Size. (1) The
capable of producing
protective barrier is in
beam.

and fluoroscopic x-ray
requirements:

useful beam shall be
protective barrier of the
SID (e.g., source to

to reduce the x-ray
meters or less at the
motor distance.

ing Surface. The x-ray
at the following re-

non-image-intensified
ent] shall not extend
image receptor. This
ing both fluoroscopic
res. This requirement
s are opened to their
argin is visible on all
the screen centered in
and five-tenths (35.5)
table top. Collimators
and patients shall not

fluoroscopic systems
atic] shutter controls,
area of the largest im-
, or 500 square cen-
n measured with the
ioned thirty-five and
the table top or panel
er controls opened to
ed between the image
used to fulfill this re-

omatic shutter control
s:

t with automatic shut-
used for spot-filming,
sired spot film area.
e possible to perform

for fluoroscopy, shall
larger than the image
shutter controls opened

a device which requires continuous pressure by the
fluoroscopist for the entire time of any exposure. When
recording serial fluoroscopic images, the fluoroscopist
shall be able to terminate the x-ray exposure at any time,
but means may be provided to permit completion of any
single exposure of the series in process.

Section 6. Exposure Rate Limits. [(1) When equipment
is operated on an adequate power supply as specified by
the manufacturer, the exposure shall be reproducible and
consistent with clinical requirements. (2)] the exposure rate
at the point where the center of the useful beam enters the
patient shall not exceed ten (10) roentgens per minute. [(3)
Measuring Compliance of Entrance Exposure Rate
Limits:] *Exposure rate limits shall be measured in the
following manner:*

(1) [(a)] Movable grids, *collimators* and compression
devices shall be removed from the useful beam during the
measurement; [.]

(2) [(b)] If the x-ray source is below the table, *the*
exposure rate shall be measured one (1) centimeter above the
table top or cradle; [.]

(3) [(c)] If the x-ray source is above the table, the ex-
posure rate shall be measured at thirty (30) centimeters
above the table top with the end of the beam limiting
device or spacer as close as possible to the point of
measurement; [.]

(4) [(d)] In a C-arm type of fluoroscope, the exposure
rate shall be measured thirty (30) centimeters from the in-
put surface of the fluoroscopic imaging assembly; [.]

[(4) Periodic Measurements of Entrance Exposure Rate
Limits:]

(5) [(a)] Periodic measurements of the exposure rate
shall be made. An adequate period for such measurements
shall be annually or after any maintenance of the system
which might affect the exposure rate; [.]

(6) [(b)] Results of these measurements shall be posted
where any fluoroscopist may have ready access to them
while using that *fluoroscopic* [fluoroscope] *x-ray system*
and in the records required by *these* [in this] regulations.
Results of the measurements shall include the maximum
possible *exposure rate in roentgens per* [R/] minute, as well
as the physical factors used to determine all data, [:] the
name of the person *who performed* [performing] the
measurements, [:] and the date the measurements were per-
formed; [.]

[(5) Conditions of Measurement of Entrance Rate
Limits:]

[(a) The measurements shall be made under conditions
that satisfy the requirements of these regulations.]

(7) [(b)] The kVp shall be the peak kV that the
fluoroscopic x-ray system is capable of producing; [.]

(8) [(c)] The high level control, if present, shall not be
activated; [.]

Transmitted Through the Primary Barrier. [(1)] The exposure rate due to transmission through the primary protective barrier with the attenuation block in the useful beam, combined with radiation from the image intensifier, if provided, shall not exceed two (2) milliroentgens per hour at ten (10) centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor for each roentgen per minute of entrance exposure rate. *The transmitted exposure rate shall be measured so that the following requirements are met:* [(2) Measuring Compliance of Barrier Transmission:]

(1) [(a)] The exposure rate due to transmission through the primary protective barrier combined with radiation from the image intensifier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than twenty (20) centimeters; [.]

(2) [(b)] If the x-ray source is below the table top, the measurement shall be made with the input surface of the fluoroscopic imaging assembly positioned thirty (30) centimeters above the table top; [.]

(3) [(c)] If the x-ray source is above the table top and the SID is variable, the measurement shall be made with the end of the beam limiting device or spacer as close to the table top as it can be placed, provided that it shall not be closer than thirty (30) centimeters; [.]

(4) [(d)] Movable grids and compression devices shall be removed from the useful beam during the measurement; and [.]

(5) [(e)] The attenuation block shall be positioned in the useful beam ten (10) centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly.

Section 8. Indication of Tube Potential and Current. During fluoroscopy and cinefluorography, x-ray tube potential and current shall be continuously indicated on the control panel or within view of the fluoroscopist.

Section 9. Source to Skin Distance. The source to skin distance shall not be less than: (1) Thirty-eight (38) centimeters on stationary fluoroscopes registered [installed] after the effective date of this regulation; [.]

(2) Thirty-five and five-tenths (35.5) centimeters on stationary fluoroscopes which are in operation prior to the effective date of these regulations; [.]

(3) Thirty and five-tenths (30.5) centimeters on all mobile [fluoroscopes] *fluoroscopic x-ray systems*; or [.]

(4) Twenty (20) centimeters for image intensified fluoroscopes used for specific surgical applications. The user's operating manual shall provide precautionary measures to be adhered to during the use of this device.

Section 10. Fluoroscopic Timer. [(1)] A means shall be provided to pre-set the cumulative on-time of the fluoroscopic x-ray system [tube]. *The fluoroscopic x-ray system shall not be able to be activated without this timer also being activated. The end of the pre-determined period of irradiation shall be indicated by an audible signal or by interruption of the irradiation. Such audible signal or interruption shall continue until the timing device is reset. The maximum cumulative time of the timing device shall*

not exceed five (5) minutes without resetting.

[(2)] On all fluoroscopic units installed after the effective date of these regulations, the timing device shall be equipped with an audible signal to indicate the completion of any pre-set cumulative on-time. Such signal shall continue to sound until the timing device is reset.]

Section 11. Mobile Fluoroscopes. Mobile fluoroscopic systems [equipment] shall always be provided with image intensification. It shall be impossible to operate mobile fluoroscopic systems [equipment] unless the useful beam is intercepted by the image intensifier. Inherent provisions shall be made so that the system [machine] is not operated at a source to skin distance of less than *thirty and five-tenths (30.5) centimeters* [twelve (12) inches].

Section 12. Control of Scattered Radiation. (1) Fluoroscopic table designs shall be such that no unprotected part of any staff or ancillary person's body shall be exposed to unattenuated scattered radiation which originates from under the table. The attenuation required shall not be less than 0.25 mm lead equivalent; and [.]

(2) *Equipment configuration design shall be such that no portion of any staff or ancillary person's body, except the extremities, shall be exposed to the unattenuated scattered radiation emanating from above the table top unless that individual:*

(a) Is at least 120 cm from the center of the useful beam, or

(b) The radiation has passed through not less than 0.25 mm lead equivalent material (e.g., leaded drapes, Bucky slot cover-sliding or folding panel, or self-supporting leaded curtains) in addition to any lead equivalency provided by protective aprons.

(3) [(c)] Exceptions to subsection (2)(a) and (b) of this section may be made in some special procedures where a sterile field will not permit the use of the normal protective barriers. Where the use of prefitted sterilized covers for the barriers is practical, the department shall not permit such exception.

Section 13. Operating Procedures and Auxiliary Equipment. *The following operating procedures and auxiliary equipment shall be utilized, where applicable, in the operation of a fluoroscopic x-ray system:*

(1) Fluoroscopic systems [equipment] shall be operated only by licensed practitioners of the healing arts; [.]

(2) Protective gloves of at least 0.25 mm lead equivalent shall be *readily available* to [worn by] the fluoroscopist during every examination; [.]

(3) The eyes of the fluoroscopist shall be adequately dark-adapted before *using non-image-intensified fluoroscopic x-ray systems*; [he uses the fluoroscope.]

(4) Extraneous light that interferes with the fluoroscopic examination shall be eliminated; [.]

(5) Hand-held fluoroscopic [fluoroscope] screens shall not be used; [.]

(6) *Protective aprons of at least 0.25 mm lead equivalent shall be worn by the fluoroscopist and by all persons in the fluoroscopic room except the patient during each examination;*

(7) *Fluoroscopic x-ray systems designed strictly for fluoroscopy shall not be used for spot filming or radiography; and*

(8) *Dental fluoroscopic x-ray systems without image intensification shall not be used.*

WILLIAM P. McELWAIN, M.D., Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: September 28, 1976

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:130. Dental.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 194.050, 152.690, 211.190

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and [or] operation of all intraoral dental radiographic x-ray systems.

Section 1. Applicability. This regulation applies to all dental intraoral radiographic x-ray systems and to all persons, [who] equipment and materials used in connection with the possession, [possess] use or operation [operate] of such systems [dental radiographic systems for the purpose of performing intraoral dental radiography].

Section 2. Source to Skin Distance. Each radiographic x-ray system[s] designed for use with an intraoral image receptor shall be provided with a means to limit the source to skin distance to not less than:

- (1) Eighteen (18) centimeters if operable above fifty (50) kilovolts peak; or
- (2) Ten (10) centimeters if not operable above fifty (50) kilovolts peak.

Section 3. Field Limitation. Each radiographic x-ray system[s] designed for use with an intraoral image receptor shall be provided with a means to limit the x-ray beam. [such that:]

- (1) If the minimum source to skin distance (SSD) is eighteen (18) centimeters or more, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than seven (7) centimeters; or [and]
- (2) If the minimum SSD is less than eighteen (18) centimeters, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than six (6) centimeters.

[Section 4. Timers. Means shall be provided to terminate the exposure at a preset time interval, preset pro-

duct of current and time, a preset number of pulses, or a preset radiation exposure to the image receptor. In addition:]

[(1) Termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero.]

[(2) It shall not be possible to make an exposure when the timer is set to zero (0) or off position if either position is provided.]

[(3) All timers shall be accurate to within plus or minus ten (10) percent of any selected value.]

Section 4. [5.] Operator Protection [(exposure switch)]. [(1) A control (dead man switch), shall be incorporated into each x-ray system such that an exposure can be terminated at any time except for exposures of one-half (½) second or less.] [(2)] Each installation shall be provided with a protective barrier for the operator or shall be so arranged that the operator can conveniently stand, in the judgment of the department, at least one and eight tenths (1.8) meters [six (6) feet] from the patient, the tube housing assembly, and the useful beam provided that the exposure to the operator is within the limits provided by 902 KAR 100:020, Section 20.

[(3) For stationary x-ray systems the control switch should be permanently mounted in a protected area (e.g. corridor outside the room) so that the operator can remain in that protected area during the entire exposure.]

[(4) For units installed after the effective date of these regulations, the x-ray control shall provide visual indication observable at or from the operator's protected position whenever x-ray are produced.]

[Section 6. Exposure Reproducibility. The x-ray exposure shall be reproducible to within the following criteria: When all technique factors are held constant, the coefficient of variation shall not exceed 0.10. This shall be deemed to have been met if four (4) exposures at identical technique factors are made and the value of the average exposure (E) is greater five (5) times the maximum exposure (E_{max}) minus the minimum exposure (E_{min}). E is greater than five (5) (E_{max}-E_{min}).]

Section 5. [7.] Operating [Controls] Procedures. In performing intraoral dental radiography the following rules shall apply:

(1) [Patient and] Film holding devices shall be used when technique permits; [.]

(2) Neither the tube housing assembly nor the position indicating device shall be hand-held during an exposure; [.]

(3) The x-ray system shall be arranged and operated in such a manner that the useful beam at the patient's skin does not exceed the dimensions specified in Section 3 of this regulation; [.]

[(4) Dental fluoroscopy without image intensification shall be prohibited.]

(4) [(5)] Each patient undergoing dental radiography [after the effective date of these regulations] shall be draped with a protective apron of not less than 0.25 mm lead equivalent to cover the gonadal area; [.]

(5) [(6) After the effective date of these regulations.] Film of a USASI (USA) speed group rating of "D" or faster shall be used; [.]

(6) [(7)] All dental radiographic x-ray systems registered after the effective date of these regulations, [all machines] shall be provided with [have] electronic [automatic] timers; and [.]

(7) Whenever patients must be immobilized during an x-

ray exposure mechanical restraints shall be used when technique permits.

WILLIAM P. McELWAIN, M.D., Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: September 28, 1976

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
(Proposed Amendment)

902 KAR 100:140. Veterinarians.

RELATES TO: KRS 152.690, 152.990 [152.105 to 152.190]

PURSUANT TO: KRS 13.082, 194.050, 152.690, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources [is empowered by KRS 152.105 to 152.190 to regulate] shall provide by regulation for the licensing of the possession or use of any source of conveying [ionizing or electronic product] radiation and [to regulate] the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and [or] operation of radiographic x-ray systems for veterinary medicine purposes.

Section 1. Applicability. This regulation applies to all radiographic x-ray systems for veterinary medicine and to all persons, equipment, and materials used in connection with the possession, [who possess] use or operation [operate] of such systems [radiographic x-ray systems for veterinary medicine purposes].

Section 2. Equipment. All veterinary radiographic x-ray systems shall meet the following requirements:

(1) The protective tube housing assembly shall be of the diagnostic type;[.]

(2) The primary beam shall be restricted by cones, shutters, diaphragms, or adjustable collimators to an area no greater than the area of clinical interest and in no case shall the dimensions of the x-ray field exceed the dimensions of the image receptor except as follows:

(a) All dimensions of the x-ray field, measured in the plane of the image receptor, shall not exceed the corresponding dimensions of the image receptor by more than three (3) percent of the source to image receptor distance (SID) measured when the plane of the image receptor is perpendicular to the primary ray of the x-ray field; and

(b) The sum of the difference between any two (2) perpendicular dimensions of the x-ray field and the respective perpendicular dimensions of the image receptor intersecting at the center of the x-ray field shall not exceed four (4) percent of the source to image receptor distance. This paragraph shall not be construed to require enlarging the x-ray field size when the x-ray field size is less than the

size of the image receptor. [Diaphragms or cones shall be provided for collimating the useful beam to the area of clinical interest and shall provide the same degree of protection as is required of the housing.]

(3) A means shall be provided to align the center of the x-ray field with the center of the image receptor to within two (2) percent of the source to image receptor distance; [The total filtration permanently in the useful beam shall not be less than 0.5 millimeters aluminum equivalent for machines operating between fifty (50) to seventy (70) kVp, and 2.5 millimeters aluminum equivalent for machines operating above seventy (70) kVp.]

(4) A device shall be provided to terminate the exposure after a pre-set time or exposure;[.]and

(5) A dead-man type of exposure switch shall be provided, together with an electrical cord of sufficient length, so that the operator can conveniently stand at least one and eight-tenths (1.8) meters [six (6) feet] from the tube housing assembly, the animal, and the useful beam during all x-ray exposures provided that the exposure to the operator is within the limits provided by 902 KAR 100:020, Section 20.

Section 3. Structural Shielding. All walls, ceiling, and floor areas shall be equivalent to or provided with applicable protective barriers as required by 902 KAR 100:105, Section 2(2)(i) [in these regulations].

Section 4. Operating Procedures. In the operation of a veterinary radiographic x-ray system the following requirements shall be met:

(1) The operator shall stand well away from the useful beam and the animal during radiographic exposures. [(2)] No individual other than the operator shall be in the x-ray room while exposures are being made unless such individual's assistance is required; and [.]

(2) [(3)] When an animal must be held in position during radiography, mechanical supporting or restraining devices shall [should] be available and used when possible. If an animal must be held by an individual, that individual shall be protected with appropriate shielding devices, such as protective gloves and apron, and [he] shall be so positioned that no part of his body shall be struck by the useful beam. In addition the exposure of any individual used for this purpose shall be monitored and no individual shall routinely be used to hold animals.

[Section 5. Therapy Units. (1) Equipment:]

[(a) The tube housing shall be a therapeutic type.]

[(b) Permanent beam defining devices shall afford the same degree of protection as the housing. Adjustable or removable beam defining devices shall transmit not more than five (5) percent of the useful beam obtained at the maximum kilovoltage and with maximum treatment filter.]

[(c) A suitable exposure control device (e.g., an automatic timer, exposure meter, or dose meter) shall be provided to terminate the exposure after a pre-set time interval, or pre-set exposure or dose limit. Means shall be provided for the operator to terminate the exposure at any time.]

[(d) Equipment utilizing shutters to control the useful beam shall have a shutter position indicator visible from the operator's position at the control.]

[(e) There shall be on the control panel an easily discernible indicator which will give positive information as to whether or not the x-ray tube is energized.]

[(2) Structural Shielding:]

[(a) Shielding of the therapy room shall be a permanent part of the building. Portable shields shall not be used as a substitute for structural shielding.]

[(b) All wall, floor, and ceiling areas that can be struck by the useful beam, plus a border of one (1) foot, shall be primary protective barriers. All wall, floor, and ceiling areas that, because of restrictions in the orientation of the useful beam, shall be provided with secondary protective barriers.]

[(c) The radiation levels outside the primary and secondary barriers shall meet the requirements of these regulations.]

[(d) With equipment capable of operating above sixty (60) kVp, interlocks shall be provided so that when any door of the treatment room is opened, the radiation beam will shut off automatically. After such a shut-off, it shall be possible to restore the machine to full operation only from the control panel.]

[(e) With equipment capable of operating above 150 kVp, the control station shall be outside the treatment room.]

[(f) A viewing system used for observing the animal shall be so located that the operator can see the animal and the control panel from the same position.]

[(g) The therapy room shall be so constructed that persons may at all times be able to escape from within.]

[(3) Operating procedures:]

[(a) All machines installed after the effective date of this regulation shall not be operated routinely until an adequate radiation protection survey has been performed. This shall also be done after any change in an existing installation which might affect its radiation safety.]

[(b) A copy of each survey shall be signed and dated by the surveyor, and kept on file by the individual in charge of the installation.]

[(c) The installation shall be operated in conformance with recommendations of the protection survey.]

[(d) No person shall be in the treatment room when the tube is operated at potentials exceeding 150 kVp. At operating potentials of 150 kVp or below, other persons may be in the treatment room for good reason but only if they are adequately protected and their radiation exposure is monitored.]

[(e) Any machines left unattended shall have the control switch turned off and shall have the power to the control switch disconnected.]

[(4) Special requirements for Contact and Grenz Ray Therapy:]

[(a) Operating procedures:]

[1. Installation shall comply with subsection (3) of this section.]

[2. If the tube is hand-held during irradiation, the operator shall wear protective gloves and apron of at least 0.25 mm lead equivalent.]

[(b) Equipment. For contact therapy, the leakage radiation at two (2) inches from the surface of the tube housing shall not exceed 0.1 R/hr.]

WILLIAM P. McELWAIN, Commissioner

ADOPTED: September 28, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Bureau for Manpower Services

(Proposed Amendment)

903 KAR 1:010. Private employment agencies.

RELATES TO: KRS Chapter 340

PURSUANT TO: KRS 13.082, 194.050, 340.070

NECESSITY AND FUNCTION: The Department for Human Resources is empowered by KRS Chapter 340 to regulate employment agencies in Kentucky. The purpose of this regulation is to establish uniform standards and requirements for employment agencies in order to protect the welfare, personal dignity, integrity and sufficiency of the individual citizens of the Commonwealth.

Section 1. Applicability. The provisions of this regulation apply to all "employment agencies," as defined by KRS 340.010(3), that operate in Kentucky.

Section 2. Application for Permit. Applications for a permit to operate an employment agency shall be submitted to the Department for Human Resources, Bureau for Administration and Operations, Division for Licensing and Regulation. [Applications shall be submitted upon forms provided by the department and shall be accompanied by the agency's fee schedule together with the twenty-five dollar (\$25) permit fee.]

Section 3. Fee Schedules. (1) Every person conducting an employment agency shall file with the department a schedule of fees to be charged and collected in the conduct of its business. In the schedule, the salary ranges by which the fee is to be computed or determined shall be clearly shown and the maximum fee shall be indicated and shall include charges of every kind rendered by the agency in each case or transaction on behalf of the prospective employer or employee. Changes in the schedule may be made, but no change shall become effective until seven (7) days after the date of filing thereof with the department and until posted for not less than seven (7) days in a conspicuous place in the agency.

(2) A copy of the schedule in effect with changes noted thereon shall be kept posted in the employment agency in a conspicuous place, and the posted schedule and changes therein shall be in lettering or printed of not less than standard pica capitals. The effective date of the original schedule and of each change thereto shall appear on the posted copies. No fee charged or collected shall be in excess of the fee as scheduled.

[Section 4. Prohibited Acts. No employment agency or employee therefore shall: (1) Act in concert with any employer or his agent or employee to secure the discharge of an employee or give or receive any gratuity, divide, or offer to divide, or share directly or indirectly, any compensation received from an applicant for employment;]

[(2) Charge a fee for the registering of a job applicant for employment;]

[(3) Accept an advance or deposit from an applicant prior to the applicant's acceptance of a position of employment;]

[(4) Publish or cause to be published any false, fraudulent, or misleading information, representation, notice or advertisements;]

[(5) Make or cause to be made or use any name, sign, or

advertising device bearing a name which may be similar to, or reasonably confused with the name of a governmental agency; or]

[(6) Place an advertisement for any position of employment without such position actually being in existence at the time of placing the advertisement. Each advertisement shall disclose the name of the agency or use other identification approved by the department.]

[Section 5. Fee Limitation Under Certain Circumstances. (1) If a job applicant accepts employment and thereafter such employment is terminated without fault of the employee within a minimum of thirty (30) calendar days of the starting date of employment, the gross fee charged to such employee shall not exceed twenty (20) percent of the gross earnings of such employee for the period employed. Any excess collected above the fee shall be returned immediately upon demand, after the employment agency has been notified that such employment has been terminated and the employment agency has had a reasonable opportunity to ascertain the reasons therefor.]

[(2) No fee shall be charged by an employment agency which itself, (or through an affiliate) employs a job applicant who has filed an application seeking the services of such agency.]

Section 4. [6.] Records. Employment agencies shall keep a record of jobs advertised correlated to show date and publication in which the ad appeared for a period of one (1) year. Each agency shall file for review by the department its system for maintaining such records. Copies of all job orders and agency agreements shall be retained by the agency for not less than three (3) years.

J. E. DeSHAZER, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: November 16, 1976

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex, Room 237, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Bureau for Social Insurance
(Proposed Amendment)

904 KAR 1:003. Technical eligibility.

RELATES TO: KRS 205.520

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources has responsibility to administer the program of Medical Assistance in accordance with Title XIX of the Social Security Act. KRS 205.520(3) empowers the department by regulation, to comply with any requirement that may be imposed or opportunity presented by federal law for the provision of Medical Assistance, hereinafter referred to as MA, to Kentucky's indigent citizenry. This regulation sets forth the technical eligibility requirements of the MA Program.

Section 1. The Categorically Needy: All individuals receiving Aid to Families with Dependent Children, Supplemental Security Income or Optional or Mandatory State Supplementation are eligible for MA as categorically needy individuals. In addition, the following classifications of needy persons are included in the program as categorically needy and thus eligible for MA participation.

(1) Children in foster family care or private non-profit child caring institutions dependent in whole or in part on a governmental or private agency;

(2) Children in psychiatric hospitals or medical institutions for the mentally retarded;

(3) Unborn children deprived of parental support due to death, absence, incapacity or unemployment of the father;

(4) Children of unemployed parents [;].

[(5) Aged, blind or disabled individuals who would be eligible for Supplemental Security Income if application were made;]

[(6) Aged, blind or disabled persons receiving care in a medical institution with income of less than three (3) times the benefit rate established by the Social Security Administration for the Supplemental Security Income program.]

Section 2. The Medically Needy: Other individuals, meeting technical requirements comparable to the categorically needy group, but with sufficient income to meet their basic maintenance needs may apply for MA with need determined in accordance with income and resource standards prescribed by regulation of the Department for Human Resources.

Section 3. Technical Eligibility Requirements: Technical eligibility factors of families and individuals included as categorically needy under subsections (1) through (4) of Section 1, or as medically needy under Section 2 are:

(1) Children in foster care, private institutions, psychiatric hospitals or mental retardation institutions under twenty-one (21) years of age;

(2) Unborn children upon medical proof of pregnancy;

(3) Unemployment relating to eligibility of both parents and children is defined as:

(a) Employment of less than 100 hours per month;

(b) Prior labor market attachment consisting of earned income of at least fifty dollars (\$50) during six (6) or more calendar quarters ending on March 31, June 30, September 30, or December 31, within any thirteen (13) calendar quarter period ending within one (1) year of application; or within twelve (12) months prior to application received unemployment compensation;

(c) Not currently receiving or eligible for unemployment compensation;

(d) Currently registered for employment;

(e) The unemployed parent must not have refused suitable employment without good cause as determined in accordance with 45 C.F.R. section 233.100(a)(3)(ii).

(4) Children, but not parents, may be eligible if the parent meets a more liberal definition of unemployment defined as:

(a) Employment of less than thirty (30) hours per week; or

(b) Regular attendance, at public expense, in a formalized full-time training course, below the college level. Public work projects in which a real wage is paid, that is, subject to standard payroll deductions, are not considered a training course; or

- (c) Receipt of unemployment compensation; and
- (d) Requirements of subsection (3)(d) and (e) are met.
- (5) An aged individual must be at least sixty-five (65) years of age.

(6) A blind individual must meet the definition of blindness as contained in Title II and XVI of the Social Security Act relating to *RSDI* [OASDI] and SSI.

(7) A disabled individual must meet the definition of permanent and total disability as contained in Title II and XVI of the Social Security Act relating to *RSDI* [OASDI] and SSI.

Section 4. Institutional Status. No individual shall be eligible for MA if a resident or inmate of a non-medical public institution. No individual shall be eligible for MA while a patient in a state tuberculosis hospital unless he has reached age sixty-five (65). No individual shall be eligible for MA while a patient in a state institution for mental illness unless he is under twenty-one (21) or over sixty-five (65).

GAIL S. HUECKER, Commissioner

ADOPTED: October 11, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Bureau for Social Insurance (Proposed Amendment)

904 KAR 1:004. Resource and income standard of medically needy.

RELATES TO: KRS 205.520

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources has responsibility to administer the program of Medical Assistance in accordance with requirements of Title XIX of the Social Security Act. KRS 205.520(3) empowers the department, by regulation, to comply with any requirement that may be imposed or opportunity presented by federal law for the provision of medical assistance to Kentucky's indigent citizenry. This regulation sets forth the resource and income standards by which eligibility of the medically needy is determined.

Section 1. Resource Limitations of the Medically Needy: An applicant for or recipient of medical assistance is permitted to retain:

- (1) A homestead, occupied or abandoned, household equipment, motor vehicles and farm equipment without limitation on value;
- (2) Equity of \$5,000 in income-producing, non-homestead property;
- (3) Equity of \$3,000 in non-income producing, non-homestead property;
- (4) [Other assets not to exceed:] Savings, stocks, bonds, [cash surrender value of life insurance or other burial reserves] totaling no more than \$1,500 for family size of

one (1); \$3,000 for family size of two (2); and fifty dollars (\$50) for each additional member.

(5) *Burial reserves in the form of pre-paid burial, trust fund or life insurance policies are exempt from consideration if the reserve does not exceed \$1,500 per adult or blind or disabled child or \$500 per dependent child. If a life insurance policy has a face value in excess of the above amount, the cash surrender value is determined and any excess of the allowable reserve added to total liquid assets in determining eligibility.*

Section 2. Income Limitations of the Medically Needy: Eligibility from the standpoint of income is determined by comparing adjusted income as defined in Section 3, of the applicant; applicant and spouse; or applicant, spouse and minor dependent children with the following scale of income protected for basic maintenance:

Size of Family	Annual	Monthly
1	1,800	150
2	2,200	183
3	3,000	250
4	3,800	317
5	4,400	367
6	5,000	417

For each additional member, \$600 annually or fifty dollars (\$50) monthly is added to the scale.

Section 3. Additional Income Considerations: In comparing income with the scale as contained in Section 2, gross income is adjusted as follows in all cases with exceptions as contained in Section 4:

(1) In cases of adults and children, actual work related expenses of adult members and out-of-school youth are deducted from gross earnings. All earnings of an in-school child are disregarded plus any amount of a statutory benefit received by an eighteen (18) to twenty-one (21) year old youth contingent upon school attendance actually used for school expenses.

(2) In cases of aged, blind or disabled persons, [individuals] the first twenty dollars (\$20) of income of the individual or couple is disregarded. If the income is earned by the applicant or recipient, the first sixty-five dollars (\$65) and one-half ($\frac{1}{2}$) of the remainder is also disregarded.

(3) In all cases, verified fixed and measurable medical costs, including cost of health insurance premiums and expenses for medical services, recognized under state law but outside the scope of the medical assistance program, are deducted from income before comparison with the scale.

Section 4. Persons in Chronic Care Institutions: For aged, blind or disabled persons in skilled nursing or intermediate care facilities, income protected for basic maintenance is twenty-five dollars (\$25) monthly in lieu of the figure shown in Section 2. All income in excess of twenty-five dollars (\$25) is applied to the cost of care unless conserved for dependents as follows:

(1) Of total net income of applicant and spouse, \$150 is disregarded for the needs of the ineligible spouse, or if there are minor children, the appropriate family size amount from the scale as shown in Section 2.

(2) Any additional amount needed to cover the verified fixed and measurable medical expenses of the ineligible

spouse or minor children. [For aged, blind or disabled individuals in non-medical institutions, income protected for basic maintenance is the standard for the institution as established by the supplementation program of the bureau.]

Section 5. Spend-Down Provisions: No technically eligible individual or family is required to utilize protected income for medical expenses before qualifying for medical assistance. Persons with income in excess of the basic maintenance scale as contained in Section 2 may qualify for any part of a three (3) month period in which medical expenses incurred during the period have utilized all excess income anticipated to be in hand during that period.

GAIL S. HUECKER, Commissioner
C. LESLIE DAWSON, Secretary

ADOPTED: December 8, 1976

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Social Insurance
(Proposed Amendment)

904 KAR 2:005. Technical requirements; AFDC.

RELATES TO: KRS 205.010, 205.200(2), (3)

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources has the responsibility under the provisions by KRS Chapter 205 to administer the assistance program of Aid to Families With Dependent Children, hereinafter referred to as AFDC, in accordance with Title IV-A of the Social Security Act. KRS 205.200(2) requires that the conditions of eligibility to receive AFDC money grants be prescribed by regulations in conformity with the Social Security Act and federal regulations. This regulation sets forth the technical requirements of residence, deprivation, living with a relative, age, one (1) category of assistance, and work registration for eligibility for AFDC.

Section 1. Residence: To be eligible for AFDC, a child shall be domiciled in Kentucky.

Section 2. Deprivation: (1) To be eligible for AFDC, a child must be in need and must be deprived of parental support or care due to the death, continued absence from the home or physical or mental incapacity.

(2) Continued absence from the home: To be eligible for AFDC, a needy child must be physically separated from the parent and the nature of the absence of the parent is such as either to interrupt or terminate the parent's functioning as a provider of maintenance, physical care, or guidance for the child, and the known or indefinite duration of absence precludes counting on the parent's performance of his function in planning for the present support or care of the child. Absence may be voluntary or involuntary. Voluntary absence includes divorce, legal separation, marriage annulment, desertion of thirty (30) days or more, or birth out-of-wedlock. Involuntary absence

includes commitment to a penal institution for thirty (30) days or more, long term hospitalization, military service or deportation.

(3) Incapacity defined: Incapacity is any condition of mind or body which makes a parent physically or mentally unable to provide the necessities of life for his needy child. The condition must be anticipated to continue for at least thirty (30) days beyond the date of application and may be presumed to continue during a period in which the parent is undergoing diagnostic studies and/or evaluation of rehabilitation potential.

(a) Incapacity of the father must prevent him from working in a occupation in which he previously engaged, or another job for which he is equipped and which is accessible in the county or community where he normally resides. If a job opportunity exists in the community or county, it shall be considered accessible regardless of its immediate availability. Scarcity of work does not establish incapacity unless there is a casual relationship between the father's unemployment and actual physical or mental disability.

(b) Incapacity of the mother must prevent her from engaging in a useful occupation including performance of homemaking and child care functions.

Section 3. Living with a Specified Relative: To be eligible for AFDC a needy child must be living in the home of a relative as specified in the Social Security Act and interpreted as follows:

(1) A blood relative, including father, mother, grandfather, grandmother, brother, sister, uncle, aunt, nephew, niece, first cousin. [or first cousin once removed.]

(2) Also relatives of the half-blood and preceding generations as denoted by prefixes of grand, great or great-great; a stepfather, stepmother, stepbrother, stepsister.

(3) Adoptive parents as well as the natural and other legally adopted children and other relatives of such parents.

(4) An exception to the requirement of living in the home of a relative specified above is made in the case of a child placed in foster care following a judicial determination that remaining in the home of the relative would be hazardous to his welfare, providing the child was receiving AFDC as of the month in which court action was initiated, or if not, would have received AFDC if application had been made; or if not living with a relative at the time of court action, did live with such relative within six (6) months prior to the month of initiation of court action and was eligible or would have been eligible for AFDC if application had been made.

Section 4. Age and School Attendance: A child may be eligible for AFDC from birth to age twenty-one (21); provided, however, that the child eighteen (18) to twenty-one (21) is regularly attending a school or training course leading to a certificate, diploma or degree in accordance with 45 C.F.R. section 233.10 and further provided that the eighteen (18) to twenty-one (21) year old attending school less than full-time is either regularly employed or available for and seeking employment unless precluded therefrom by a physical handicap.

Section 5. One Category of Assistance: A child or adult relative shall not be eligible for AFDC if receiving supplemental security income.

Section 6. Work Registration: (1) Unless exempt under

the criteria, as specified in Title IV of the Social Security Act and 45 C.F.R. section 233.11, needs of an individual for whom application has been made may not be included in the AFDC assistance grant if he refuses to register for the Work Incentive Program (WIN), or if registered, refuses to participate without good cause.

(2) Individuals exempt from WIN registration are as follows:

(a) A child under age sixteen (16).

(b) A child age sixteen (16) to twenty-one (21) if enrolled as a full-time student.

(c) An individual who has a medically determined temporary illness or injury with recovery anticipated within ninety (90) days.

(d) An individual who has a medically determined physical or mental incapacity which is expected to exist longer than ninety (90) days.

(e) An individual age sixty-five (65) or over.

(f) An individual whose presence is required in the home to care for another member of the household who has been medically determined to be precluded from self-care and for whom alternate care arrangements are not feasible.

(g) A mother or other caretaker relative of a child under six (6).

(h) A person so far remote from a work incentive project that his effective participation is precluded.

GAIL S. HUECKER, Commissioner

ADOPTED: December 8, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Secretary for Human Resources, Capitol Annex, Frankfort, Kentucky 40601.

Proposed Regulations

SECRETARY OF CABINET Kentucky Retirement Systems

105 KAR 1:050. Beneficiary social security adjustment option.

RELATES TO: KRS 16.505 to 16.652, 61.510 to 61.692, 78.510 to 78.852

PURSUANT TO: KRS 13.082, 61.635, 16.578, 16.601(1), 61.640, 61.645, 78.545(19), 78.780

NECESSITY AND FUNCTION: KRS 61.635 provides that the Board may establish optional forms of annuities as it deems desirable provided such are based on actuarial equivalent values with due regard to selection against the fund. This regulation establishes a Social Security Adjustment payment option for beneficiaries of deceased State Police Retirement System, Kentucky Employees Retirement System and County Employees Retirement System members which may be elected by the beneficiary in certain cases where the member dies prior to retirement.

Section 1. Beneficiary Social Security Adjustment Option. This option is available to the beneficiary of a deceased member where such beneficiary has not attained age sixty (60), and is eligible to receive social security payments at age sixty (60). The beneficiary may elect to receive during his lifetime an increased retirement allowance based on his annual benefit payable for life. Such payment shall begin on his effective retirement date and continue through the month he attains age sixty (60) at which time his retirement allowance shall be decreased for the remainder of his lifetime.

GEORGE R. ARVIN, General Manager

ADOPTED: November 17, 1976

APPROVED: JACKSON W. WHITE, Secretary

RECEIVED BY LRC: January 1, 1977 at 8 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: General Manager, Kentucky Retirement Systems, 226 West Second Street, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Division of Occupations and Professions Board for Proprietary Education

201 KAR 24:020. Associate degree award standards.

RELATES TO: KRS 165A.310(4), 165A.370(1)(e)(i)

PURSUANT TO: KRS 165A.340(3), 165A.400

NECESSITY AND FUNCTION: KRS 165A.370 requires that no school be issued a certificate of approval until the Board shall have determined the school is in compliance with minimum standards which include awarding of an Associate Degree, indicating satisfactory completion of a course of study. This regulation establishes standards for the awarding of Associate Degrees by schools approved by the Board.

Section 1. Institutions seeking to award degrees for programs of not less than two (2) academic years shall apply to the board for approval of the degree. The application shall include:

(1) A certification that the school will offer the degree in accordance with all regulations and requirements of the board.

(2) Granting of the Associate of Arts or Associate of Science Degree is limited to accredited junior colleges accredited as such by a nationally recognized accrediting agency recognized by the U. S. Commissioner of Education.

(3) Granting of specialized associate degrees is limited to accredited schools, accredited by a nationally recognized accrediting agency recognized by the U. S. Commissioner of Education, who offer programs of not less than two (2) academic years and approved by the board, and who meet the following requirements:

(a) The institution shall have been in continuous service for a period of time sufficient to make possible an evaluation of its degree programs, and shall have offered its principal program for at least three (3) years.

(b) The school offers at least one (1) program of at least

sixty (60) standard semester hours or ninety (90) quarter hours.

(c) The school will offer the specialized degree in accordance with appropriate standards; semester or quarter hours of instruction, level of difficulty of courses, faculty, library, and curriculum with detailed information provided to the board to support the above certification and documentation.

(d) The school may not award a degree of any type until the board shall have granted approval of the type and name of the specialized degree offering, evaluated the information submitted by the school, conducted an on-site evaluation of the institution, and determined that the institution has met all other requirements of the board.

JOSEPH E. HURN, Chairman

ADOPTED: December 3, 1976

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: January 13, 1977 at 2 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: David M. Kimbel, Sr., Executive Director, State Board for Proprietary Education, c/o 39 Sterling Road, Louisville, Kentucky 40220.

DEPARTMENT OF TRANSPORTATION Bureau of Vehicle Regulation

601 KAR 9:013. National Guard license plates.

RELATES TO: KRS 186.173

PURSUANT TO: KRS 13.082, 186.173

NECESSITY AND FUNCTION: KRS 186.173 as enacted by the 1976 General Assembly, empowers the Department of Transportation to adopt rules and regulations to implement the provisions as set forth therein for the issuance of a National Guard license plate. This regulation is intended to implement the provisions of KRS 186.173.

Section 1. A license plate issued under the provisions of KRS 186.173 may be validated for future years registration by the placing of a decal thereon.

Section 2. Before a vehicle bearing a National Guard plate may be sold or transferred, the member of the National Guard owning such vehicle shall apply to the county court clerk and for a clerk's fee of one dollar (\$1) be issued a regular registration plate and certificate of registration. Such sale or transfer shall occur simultaneously with such registration.

Section 3. A member of the National Guard may have the special plate transferred from one vehicle to another if both vehicles are owned by him. To accomplish this transfer, he must purchase a regular registration plate for the vehicle from which the National Guard plate is removed and pay the clerk the appropriate fees for having the National Guard plate changed from one vehicle to another.

Section 4. The only vehicle which may bear and use a National Guard plate, under the provisions of KRS 186.173, is a vehicle of a kind required to be licensed under

the provisions of KRS 186.050(1) excluding taxicabs, airport limousines and U-Drive-Its.

Section 5. When a person, under the provisions of KRS 186.173, takes the National Guard license plate to the county court clerk for reissuance or cancellation, such plate shall be accompanied by the registration receipt and any and all other required documents.

Section 6. In the event a National Guard license plate is lost or stolen, the owner thereof may secure another National Guard license plate by the making of an affidavit and the payment of the fees as set forth in KRS 186.180.

Section 7. No National Guard license plate shall be used on a motor vehicle other than the one for which it was issued.

O. B. ARNOLD, Commissioner

ADOPTED: December 24, 1976

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: January 2, 1977 at 8 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Commissioner, Bureau of Vehicle Regulation, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET Department of Education Bureau of Administration and Finance

702 KAR 1:035. Group health and life insurance.

RELATES TO: KRS 161.159

PURSUANT TO: KRS 13.082, 65.280, 156.070, 156.130

NECESSITY AND FUNCTION: To provide the basis for departmental administration of the Group Health and Life Insurance Program for certificated and non-certificated employees of local boards of education and interlocal educational cooperatives.

Section 1. Group health coverage shall consist of a single contract or the single contract dollar equivalent applied to any alternate plans of coverage contained in the master contract between the Commonwealth and the carrier.

Section 2. Group life insurance coverage shall consist of benefit amounts as specified in the master contract between the Commonwealth and the carrier.

Section 3. For the purposes of administration of the above referenced statutes: (1) A regular, full-time non-certificated employee is one who is employed with the expectation that they are to be employed for the full school term (or the remainder of a school term) as defined in KRS 158.070, and whose assignments require a minimum of eighty (80) hours per school month as defined in KRS 158.060.

(2) A regular, full-time certificated employee is one who is employed with the expectation that they are to perform their duties for the full school term (or the remainder of the

school term) as defined in KRS 158.070 but in no instance will such employment require less than seventy percent (70%) of the school day and/or school month as defined in KRS 158.060.

(3) An interlocal educational cooperative is one composed of two or more local boards of education in order to make educational programs and services more efficiently and effectively available to such local boards of education on a multi-district basis and further such cooperative is one governed by an interlocal cooperation agreement as described by KRS 65.210 to 65.300.

Section 4. Each local board of education or interlocal educational cooperative shall provide accurate employment data on covered employees on a month to month basis on such forms and such detail as may be specified by the Superintendent of Public Instruction, and each local school district superintendent and interlocal educational cooperative director shall certify individually and collectively on a monthly basis those eligible employees who are covered under the terms of the above referenced statutes and this regulation.

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 14, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mr. James P. Melton, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

704 KAR 3:052. Head teacher.

RELATES TO: KRS 157.360

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 157.360 requires the Superintendent of Public Instruction to allot units to principals. The purpose of these criteria is to furnish superintendents and boards of education with the basic requirements for approval of special units.

Section 1. (1) A school which has fewer than eight (8) certified teachers may have a teacher designated as the head teacher. The person qualified to serve in this position shall hold a legal teaching certificate.

(2) A head teacher shall devote at least fifty (50) percent of the school day to teaching, the remaining portion of the day to be devoted to administrative responsibilities usually assigned to a principal.

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET

Department of Education

Bureau of Instruction

704 KAR 20:270. Certification for teachers of exceptional children.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education; furthermore, the teacher education institutions are required to be approved for offering the preparation programs corresponding to particular certificates on the basis of standards and procedures recommended by the council and approved by the State Board. This regulation establishes an appropriate certificate and relates to the corresponding standards and procedures for program approval as included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

Section 1. (1) The standard certificate for teachers of exceptional children shall be issued in accordance with the pertinent Kentucky statutes and State Board of Education regulations to an applicant who has completed the approved program of preparation which corresponds to the certificate at a teacher education institution approved under the standards and procedures included in the Kentucky State Plan for the Approval of Preparation Programs for the Certification of Professional School Personnel.

(2) The standard certificate for teachers of exceptional children shall be issued initially for a duration period of ten (10) years except that when the curriculum requirements were completed more than ten (10) years prior to the date of certificate issuance the provisions of 704 KAR 20:050, Section 2, shall apply. The certificate shall be extended for life upon completion of three (3) years of successful teaching experience performed under a regular teaching certificate and completed prior to the expiration of the standard certificate. If the requirements for life extension have not been completed by the end of each ten (10) year period, the certificate may be renewed at the end of each ten (10) year period upon completion of two (2) years of successful teaching experience or upon six (6) semester hours graduate credit for each of the years required experience.

(3) The standard certificate for teachers of exceptional children shall be valid at any level for the instruction of exceptional children.

JAMES B. GRAHAM,

Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Education
for Exceptional Children

707 KAR 1:060. Identification, evaluation and placement policy and procedure.

RELATES TO: KRS 157.200 to 157.305

PURSUANT TO: KRS 13.082, 156.070, 156.130

NECESSITY AND FUNCTION: The Consent Agreement in Kentucky Association for Retarded Children, et al., v. Kentucky State Department of Education, et al., Civil Action No. 435, U. S. District Court, Eastern District of Kentucky, specifies that regulations and guidelines be established for the identification and placement of exceptional children in local school districts. 707 KAR 1:050, Section 1(11) and P. L. 94-142, Section 615, assure that each child, parents and the local school districts will be guaranteed procedural safeguards relative to the identification, evaluation and placement of exceptional children. This manual provides policies and procedures relative to the fulfillment of the Consent Agreement, 707 KAR 1:050, and P. L. 94-142, Section 615.

Section 1. The "Due Process Policy and Procedure Manual," copy of which is attached hereto and filed by reference, is hereby approved. This manual fulfills requirements of the Consent Agreement, Civil Action No. 435, 707 KAR 1:050, Section 1(11), and P. L. 94-142, Section 615, and shall be referred to as the "Due Process Policy and Procedure Manual," for identification, evaluation and placement of exceptional children. Copies may be obtained from the Bureau of Education for Exceptional Children, State Department of Education, Frankfort, Kentucky 40601.

JAMES B. GRAHAM,
 Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
 TO: James Melton, Secretary, Kentucky State Board of Education, 17th Floor, Capital Plaza Office Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Education for Exceptional Children

707 KAR 1:070. Private organization program approval.

RELATES TO: KRS 157.200 to 157.305

PURSUANT TO: KRS 13.082, 156.070, 156.160

NECESSITY AND FUNCTION: The Consent Agreement in Kentucky Association for Retarded Children, et al., v. Kentucky State Department of Education, et al., Civil Action No. 435, U. S. District Court, Eastern District of Kentucky, specifies that regulations and guidelines be established for identification and placement in local school districts. KRS 157.222 specifies the Commonwealth of Kentucky is committed to providing a comprehensive

educational program for its exceptional school age children. KRS 157.280 specifies if a number of children of compulsory school age in one (1) classification of exceptionality in a district is not sufficient to justify a special education program for that exceptionality in that district, or if a school district does not provide a special education program for that exceptionality, the board shall provide a program by contract with another county or independent district or private organization that maintains a special education program approved by the State Board of Education for that exceptionality, the amount not to exceed the amount designated by the State Department of Education for a child of that particular exceptionality. Public Law 94.142, Section 613, specifies that in all such instances, the state educational agency shall determine whether such schools and school facilities meet standards that apply to state and local educational agencies and that children so served have all the rights they would have if served by such agencies. This regulation provides policies and procedures relative to the fulfillment of the Consent Agreement, KRS 157.280, 157.305, and Public Law 94.142, Section 613 (a)(4)(a)(ii).

Section 1. Approval of Private Organizations' Programs for Exceptional Children. Private organizations having programs for exceptional children and youth shall apply to the State Board of Education for approval if they wish to enter into contract agreements with local districts. Private organizations' educational programs shall meet the requirements of appropriate section(s) of Kentucky Revised Statutes and the State Board of Education regulations.

JAMES B. GRAHAM,
 Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
 TO: James Melton, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Education for Exceptional Children

707 KAR 1:080. Appeals board.

RELATES TO: KRS 157.200 to 157.305

PURSUANT TO: KRS 13.082, 156.070, 156.130

NECESSITY AND FUNCTION: The Consent Agreement in Kentucky Association for Retarded Children, et al., v. Kentucky State Department of Education, et al., Civil Action No. 435, U.S. District Court, Eastern District of Kentucky, provides "To adopt a regulation establishing an appeals procedure within the Department of Education of the Commonwealth of Kentucky for appeals by a parent of an exceptional child for whom no local regular or special program has been provided in order to coordinate various special education programs which may be available to the child outside the local school district. The regulation shall direct the state Superintendent of Public Instruction to designate an individual or individuals within the Depart-

ment of Education of the Commonwealth of Kentucky to hear such appeals. Such procedure shall be so structured as to guarantee that said appeal may be prosecuted in the minimum amount of time."

Section 1. There is hereby established within the Department of Education the Exceptional Children Appeals Board consisting of three (3) members. The Superintendent of Public Instruction shall appoint three (3) employees within the Department of Education to serve as members of said board and shall designate one (1) of them as chairman. Such members shall serve at the pleasure of the Superintendent of Public Instruction.

Section 2. Any person who is a party to the hearing at the local school system level in a matter involving the identification, evaluation or placement of an exceptional child as provided in 707 KAR 1:050 and who is aggrieved by the order on such hearing may appeal such order to the Exceptional Children Appeals Board within fourteen (14) days of the entry of such order. The board may also hear such a matter upon a showing that no hearing was provided at the local level.

Section 3. The chairman of the Exceptional Children Appeals Board shall set the matter for the hearing within twenty (20) days after receipt of the appeal unless the parties to the appeal agree to a longer period of time.

Section 4. The Exceptional Children Appeals Board shall determine the case upon the record established at the hearing at the local level. It may allow the introduction of additional testimony, documents and other evidence upon a showing of good cause. The board shall not be bound by the formal rule of evidence.

Section 5. Within ten (10) days of the conclusion of the hearing on appeal, the Exceptional Children Appeals Board shall make findings of fact, conclusions of law and recommendations to the Superintendent of Public Instruction, who shall within ten (10) days of receipt thereof make a final determination of the case.

JAMES B. GRAHAM,
Superintendent of Public Instruction

ADOPTED: December 15, 1976

RECEIVED BY LRC: January 5, 1977 at 10 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mr. James Melton, Secretary, State Board of Education, 17th Floor, Capital Plaza Tower, Frankfort, Kentucky, 40601.

DEPARTMENT FOR HUMAN RESOURCES Bureau for Health Services

902 KAR 100:136. Therapeutic systems below one MeV.

RELATES TO: KRS 152.690, 152.990

PURSUANT TO: KRS 13.082, 152.690, 194.050, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources

shall provide by regulation for the licensing of the possession or use of any source of conveying radiation and the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and operation of all therapeutic x-ray systems which operate at energies below one (1) MeV.

Section 1. Applicability. This regulation applies to all therapeutic x-ray systems which operate at energies below one (1) MeV and to all persons, equipment and materials used in connection with the possession, use or operation of such systems.

Section 2. Leakage Radiation. When the x-ray system is operated at its leakage technique factors, the leakage radiation shall not exceed the value given below:

(1) For contact therapy systems the leakage radiation shall not exceed 100 milliroentgens per hour measured five (5) cm from any part of the tube housing;

(2) For systems operating between zero (0) and 150 kVp and which are registered prior to the effective date of these regulations the leakage radiation shall not exceed one (1) roentgen in one (1) hour at one (1) meter from the source;

(3) For systems operating between zero (0) and 150 kVp and which are registered after the effective date of these regulations the leakage radiation shall not exceed 100 milliroentgens in one (1) hour at one (1) meter from the source;

(4) For systems operating between 151 and 500 kVp the leakage radiation shall not exceed one (1) roentgen in one (1) hour at one (1) meter from the source; or

(5) For systems operating between 501 and 999 kVp the leakage radiation at one (1) meter from the source shall be equivalent to or less than the exposure within one (1) hour of the useful beam at one (1) meter multiplied by a factor of 0.001.

Section 3. Permanent Fixed Diaphragms or Cones. Permanent fixed diaphragms or cones used for collimating the useful beam shall provide the same or higher degree of protection as required by the tube housing assembly.

Section 4. Removable Beam Limiting Devices. Removable beam limiting devices shall for the portion of the useful beam be blocked by these devices, transmit not more than one (1) percent of the original x-ray beam at the maximum kilovoltage and maximum treatment filter.

Section 5. Adjustable Beam Limiting Devices. Adjustable beam limiting devices shall meet the following requirements:

(1) Devices installed after the effective date of these regulations shall for the portion of the useful beam to be blocked by these devices, transmit not more than one (1) percent of the original beam at the maximum kilovoltage and maximum treatment filter; or

(2) Devices installed before the effective date of these regulations shall for the portion of the useful beam to be blocked by these devices, transmit not more than five (5) percent of the original beam at the maximum kilovoltage and maximum treatment filter.

Section 6. Filter System. The filter system shall be designed to meet the following requirements:

(1) Accidental displacement of filters from the useful beam at any possible tube orientation shall be prohibited.

(2) Each filter shall be marked as to its material of construction and its thickness or wedge angles for wedges, and the filters shall be individually distinguishable;

(3) It shall be possible for the operator to determine the presence or absence of each filter and the orientation of each wedge filter in the useful beam when the operator is at the control panel either by display on the control panel or by direct observation;

(4) The filters and filter insertion slot opening shall be so designed that the radiation five (5) cm from the filter insertion slot opening does not exceed thirty (30) roentgens per hour under all operating conditions; and

(5) Each x-ray system equipped with a beryllium or other low filtration window shall be clearly labeled as such upon the tube head housing and upon the control panel.

Section 7. Tube Housing Assembly. The tube housing assembly shall be marked so that it is possible to determine the location of the focal spot to within five (5) millimeters and such marking shall be readily accessible for use during calibration procedures. In addition the assembly shall be capable of being immobilized during stationary treatments.

Section 8. Contact Therapy Tube Housing Assembly. Contact therapy tube housing assemblies shall have a removable shield of at least 0.5 mm lead equivalent material at 100 kVp that can be positioned over the entire useful beam exit port during periods when the beam is not in use.

Section 9. Beam Monitor System. Therapy x-ray systems registered after the effective date of these regulations which are capable of operating above 150 kVp shall be provided with a beam monitoring system which meets the following requirements:

(1) The beam monitoring system shall include a transmission detector which is a full beam detector and which is placed on the patient side of any fixed filters other than wedge filters;

(2) The beam monitoring system shall have a detector interlock to prevent incorrect positioning in the useful beam;

(3) The beam monitoring system shall have a display at the control panel, from which the absorbed dose at a reference point in the treatment volume can be calculated;

(4) The control panel display shall maintain the reading until intentionally reset to zero (0);

(5) In the event of electrical power failure the reading at the control panel display may be recovered at a later time;

(6) The beam monitoring system shall not allow irradiation until a selection of a number of dose monitor units have been made at the control panel;

(7) The beam monitoring system shall be capable of independently terminating irradiation when a pre-selected number of dose monitor units has been reached; and

(8) The control panel display shall have only one (1) scale and no scale multiplying factors. Control panel design shall be such that increasing dose is displayed by increasing numbers and designed so that in the event of an overdose of radiation the absorbed dose may be accurately determined under all normal conditions of use or foreseeable failures.

Section 10. Timers. Therapeutic x-ray systems shall be provided with timers which meet the following requirements:

(1) The timer shall be graduated in minutes and decimals of minutes and have a display at the control panel, a pre-set time selector and an elapsed time indicator;

(2) The timer shall be a cumulative timer which switches on and off with the irradiation and retains its reading after irradiation is interrupted or terminated. It shall be necessary to zero the elapsed time indicator and the pre-set time selector after irradiation is terminated;

(3) To guard against failure of the dose monitoring systems, if present, the timer shall terminate irradiation when a pre-selected time has elapsed; and

(4) If exposures are controlled by a timer, that timer shall permit the setting of exposure times as short as one (1) second and shall not permit an exposure if set at zero (0).

Section 11. Control Panel. The control panel shall meet the following requirements:

(1) The control panel shall indicate the presence of electrical power, the possibility of tube activation, the production of x-rays, and the actual kilovoltage and current across the tube;

(2) A means shall be provided for terminating an exposure at any time;

(3) A locking device shall be provided which will prevent unauthorized use of the x-ray system; and

(4) A display shall be provided on systems registered after the effective date of these regulations which indicates specific filter(s) in the useful beam.

Section 12. Control panels which Control More Than One (1) Tube. When a control panel may energize more than one (1) x-ray tube then the following requirements shall be met:

(1) Only one (1) x-ray tube may be activated during any one (1) time interval;

(2) The control panel shall indicate which x-ray tube may be energized; and

(3) Each x-ray tube shall indicate whether that tube may be energized.

Section 13. Target to Patient Distance. A means shall be provided to determine the target to patient distance to within one (1) centimeter.

Section 14. Shutter Control Unless it is possible to bring the x-ray output to the prescribed exposure parameters within five (5) seconds, the entire useful beam shall be attenuated by a shutter having a lead equivalency not less than that of the tube housing. All systems using shutter control shall meet the following requirements:

(1) The shutter shall be electrically controlled by the operator from the control panel; and

(2) An indication of shutter position shall appear at the control panel. The control panel shall indicate whether the shutter is open or closed.

Section 15. Facility Design and Shielding Requirements. In addition to the shielding adequate to meet the requirements of 902 KAR 100:105, the following requirements shall also be met:

(1) Treatment rooms to which access is possible through more than one (1) entrance, shall be provided with flashing warning lights in a readily observable position near the

outside of all access doors, which will indicate when the useful beam is "on." Such warning lights shall be accompanied by an appropriate sign as specified in 902 KAR 100:020, Section 20;

(2) Provision shall be made for two-way aural communication with the patient from the control room; however, where excessive noise levels make aural communication impractical other methods of communication shall be used.

(3) Windows, mirror systems, or closed-circuit television viewing screens or an equivalent system shall be provided to permit continuous observation of the patient during irradiation and shall be so located that the operator may see the patient and the control panel from the same position. When the primary viewing system is by electronic means (e.g., television) an alternate viewing system shall be available as a backup in case of electronic failure;

(4) The therapy room shall be so constructed that persons may at all times be able to escape from within; and

(5) Facilities which contain an x-ray system which may be operated above 150 kVp shall meet the following requirements:

(a) All necessary shielding shall be provided by fixed barriers;

(b) The control panel shall be located in a protected area which is outside the treatment room or have a door electrically connected to the control panel in such a fashion that x-ray production cannot occur unless the door is closed;

(c) All doors of the treatment room shall be electrically connected to the control panel such that x-ray production cannot occur unless the door is closed; and

(d) Interlocked doors, referred to in paragraphs (b) and (c) above, shall be provided so that if the doors are opened while the therapy tube is activated either the machine will shut off within two (2) seconds or the radiation at a distance on one (1) meter from the target shall be reduced to a rate of ten (10) milliroentgens per hour or less within two (2) seconds. After such shut-off or reduction in output, it shall be possible to restore the machine to full operation only by resetting the door and by re-initiating the exposure by manual action at the control panel.

Section 16. Surveys and Calibrations. All new facilities not previously surveyed, shall have a radiation protection survey made by or under the direction of the department or a qualified expert. Such a survey shall also be conducted after any change in the facility which might produce a radiation hazard.

(1) The person conducting the survey shall report his findings in writing to the person in charge of the facility and a copy of this report shall be transmitted by the registrant to the department;

(2) The person conducting the survey shall calibrate the output of each therapeutic x-ray system. The calibration shall be repeated after any change in or replacement of components of the x-ray generating equipment which could cause a change in the x-ray output. Calibration of the therapy beam shall be performed with a measurement instrument the calibration of which is directly traceable to national standards of exposure or absorber dose, and which shall have been calibrated within the preceding two (2) years. Records of calibrations shall be maintained by the registrant. Each therapeutic x-ray system shall have the calibrations repeated at time intervals not exceeding one (1)

year. The calibration shall include at least the following determinations:

(a) Verification that the system is operating in compliance with the design specifications concerning the light localizer when applicable, and beam flatness and symmetry at the specified depths;

(b) The exposure or dose rate for the range and field sizes used and for each effective energy and for each treatment distance used for radiation therapy;

(c) The effective energy (e.g., half-value layer) for every combination of kVp filter used for radiation therapy;

(d) The congruence between the radiation field and field indicated by the localizing device when localizing devices are used for radiation therapy; and

(e) The uniformity of the radiation field and its dependence upon the direction of the useful beam.

(3) The calibration determinations prescribed in subsection (2) of this section shall be provided in sufficient detail such that the absorbed dose in rads to tissue adjacent to as well as in the useful beam may be calculated to within plus or minus five (5) percent of the intended absorbed dose.

Section 17. Operating Procedures. All therapeutic x-ray systems shall be operated so the following requirements are met:

(1) The facility shall be operated in compliance with any limitations indicated by the radiation protection survey which have been approved by the department;

(2) The registrant shall ensure that the unfiltered radiation from tube housing assemblies constructed with beryllium or other low-filtration windows reaches only the part intended and that the useful beam is blocked at all times except when actually being used;

(3) Therapeutic x-ray systems shall not be left unattended unless the locking device required by Section 10(3) above is set to prevent activation of the useful beam;

(4) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used whenever feasible. If the patient must be held by an individual, that individual shall be adequately protected and shall be positioned so that no part of his body will be struck by the useful beam and so that his body is as far as possible from the edge of the useful beam. The exposure of any individual used for this purpose shall be monitored and a record of such monitoring shall be maintained. No person shall routinely be used for the purpose of holding patients during exposures; and

(5) The tube housing assembly shall not be held by hand during operation unless the system is designed to require such holding and the potential difference of the system does not exceed fifty (50) kVp. In such cases the holder shall wear protective gloves and apron of not less than 0.5 mm lead equivalency at 100 kVp.

Section 18. 902 KAR 100:135 is hereby repealed.

WILLIAM P. McELWAIN, Commissioner

ADOPTED: September 28, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services

902 KAR 100:137. Therapeutic systems above one MeV.

RELATES TO: KRS 152.690, 152.990

PURSUANT TO: KRS 13.082, 152.690, 194.050, 211.090

NECESSITY AND FUNCTION: KRS 152.690 directs that the Secretary of the Department for Human Resources shall provide by regulation for the licensing of the possession or use of any source of conveying radiation and the transportation, handling, and disposal of radioactive wastes. The purpose of this regulation is to provide special requirements for the possession, use, and operation of all therapeutic x-ray and electron systems which operate at energies of one (1) MeV and above.

Section 1. Applicability. This regulation applies to all therapeutic x-ray and electron systems which operate at energies of one (1) MeV and above and to all persons, equipment and materials used in connection with the possession, use or operation of such systems.

Section 2. Leakage Radiation to the Patient Area. (1) Systems registered after the effective date of these regulations shall meet the following requirements:

(a) For all operating conditions the dose equivalent in rems due to leakage radiation (including x-rays and neutrons) at any point in a circular plane of radius two (2) meters centered on and perpendicular to the central axis of the beam at the normal treatment distance and outside the maximum useful beam shall not exceed 0.1 percent (0.01 percent for neutrons) of the maximum dose equivalent in rems in the unattenuated useful beam measured at the point of intersection on the central axis of the beam and the plane surface. Measurements shall be averaged over an area up to but not exceeding 100 square centimeters at the position specified; and

(b) The registrant shall determine or obtain from the manufacturer, for each system, the leakage radiation (electrons, x-ray, neutrons) existing at the points specified in paragraph (a) of this subsection for specified operating conditions. Records of radiation leakage shall be maintained at the installation.

(2) Systems registered before the effective date of these regulations shall meet the following requirements:

(a) The leakage radiation (including neutrons) at any point on the area specified in subsection (1)(a) of this section shall not exceed 0.1 percent of the useful beam dose rate at one (1) meter from the source, for any of its operating conditions. Measurements shall be averaged over an area up to but not exceeding 100 square centimeters; and

(b) The registrant shall determine or obtain from the manufacturer for each system the leakage radiation (electrons, x-rays, neutrons) existing at the points specified in subsection (1)(a) of this section for the specified operating conditions. Records of radiation leakage shall be maintained at the installation.

(3) Where neutron leakage may be a hazard the department may, by specific order, impose upon any user such additional requirements, as it deems appropriate or necessary to protect health and minimize danger to life or property. When imposing such additional requirements, the

department will give due consideration to accepted standards of safe practice.

Section 3. Leakage Radiation Outside the Patient Area. The leakage radiation outside the patient area shall meet the following requirements:

(1) The dose equivalent in rems due to leakage radiation, except in the area defined in Section 2(1)(a) above, when measured at one (1) meter from the path of the electrons between the electron gun and the target or window shall not exceed 0.1 percent for x-ray leakage, and 0.5 percent for neutron leakage in rem, of the maximum dose equivalent on the central axis of the unattenuated useful beam at one (1) meter from the focal spot or window; and

(2) The registrant shall determine or obtain from the manufacturer the actual leakage radiation (including neutrons) existing at the points specified in Section 2(1)(a) above for specific operating conditions. Measurements shall be averaged over an area up to but not exceeding 100 square centimeters.

Section 4. Beam Limiting Devices. Adjustable or interchangeable beam limiting devices shall be provided such that the following requirements are met:

(1) Adjustable or interchangeable beam limiting devices shall transmit no more than two (2) percent of the useful beam. Neutrons are not included in this requirement;

(2) If the beam limiting device on existing equipment does not meet the requirements of subsection (1) of this section the department may accept auxiliary equipment or methods for accomplishing attenuation; and

(3) Dose equivalent measurements shall be averaged over an area up to but not exceeding 100 square centimeters at a distance of one (1) meter from the target. In case of overlapping beam limiting devices, the leakage through each set shall be measured independently.

Section 5. Filters. Filters shall be provided so that the following requirements are met:

(1) If the absorbed dose rate information provided in Section 17 below relates exclusively to operation with a field flattening or beam scattering filter in place, then the filter shall be a permanent filter only removable by the use of tools; and

(2) In therapy systems which use a system of wedge filters or interchangeable field flattening filters or beam scattering filters the following requirements shall be met:

(a) Irradiation shall not be possible until a selection of filter has been made at the control panel;

(b) An interlock system shall be provided to prevent irradiation if the filter is not in the correct position;

(c) An indication of the thin end of the wedge filter with respect to the treatment field shall be provided when wedge filters are used; and

(d) A display shall be provided at the control panel showing the filter(s) (or zero filter) in use.

Section 6. Beam Quality. The beam quality for therapy systems shall meet the following requirements:

(1) The absorbed dose, from x-ray stray radiation in the useful electron beam, on the central axis of the beam at a depth ten (10) cm further than the practical range shall not exceed the following limits:

(a) Five (5) percent of the maximum absorbed dose for

electron beam energies in the range one (1) MeV thru fifteen (15) MeV;

(b) Ten (10) percent of the maximum absorbed dose for electron beam energies in the range greater than fifteen (15) MeV thru thirty-five (35) MeV; and

(c) Twenty (20) percent of the maximum absorbed dose for electron beam energies in the range greater than thirty-five (35) thru fifty (50) MeV.

(2) The measurements required by subsection (1) of this section shall be made at electron beam maximum size not exceeding twenty (20) cm by twenty (20) cm in a water phantom of size approximately forty (40) cm by forty (40) cm by forty (40) cm. The incident surface of the phantom shall be one (1) meter and normal to the central axis of the beam.

(3) At the largest field size available, the absorbed dose from electron stray radiation in the useful x-ray beam, at the surface during x-ray irradiation on the central axis of the beam shall not exceed the following limits:

(a) Eighty (80) percent of the maximum absorbed dose for x-ray beam maximum energies in the range of one (1) thru two (2) MeV;

(b) Seventy (70) percent of the maximum absorbed dose for x-ray beam maximum energies in the range of two (2) thru five (5) MeV;

(c) Sixty (60) percent of the maximum absorbed dose for x-ray beam maximum energies in the range of five (5) thru fifteen (15) MeV;

(d) Fifty (50) percent of the maximum absorbed dose for x-ray beam maximum energies in the range of fifteen (15) thru thirty-five (35) MeV; and

(e) Forty (40) percent of the maximum absorbed dose for x-ray beam maximum energies in the range of thirty-five (35) thru fifty (50) MeV.

(4) The measurements required by subsection (3) of this section shall be made using a water phantom of size approximately forty (40) cm by forty (40) cm by forty (40) cm. The incident surface of the phantom shall be at one (1) meter from the target and normal to the central axis of the beam. An instrument which will allow extrapolation to the surface absorbed dose shall be used. All beam modifying devices which are removed without the use of tools, except beam scattering or field flattening filters, shall be removed from the useful beam.

(5) The registrant shall determine, or obtain from the manufacturer, the maximum percentage absorbed dose equivalent in rems due to stray neutron radiation, stray x-ray and stray electron radiation specified in subsections (1) to (4) of this section during irradiation.

Section 7. Beam Monitors. Systems registered after the effective date of these regulations shall be provided with two (2) radiation detectors in the radiation head. The two (2) detectors shall be incorporated into two (2) monitoring systems arranged either as a primary/primary combination or as a primary/secondary combination. Systems registered before the effective date of these regulations shall be provided with at least one (1) radiation detector in the radiation head. This detector shall be incorporated into a primary system. All beam monitoring systems shall meet the following requirements:

(1) Each primary system shall have a detector which is a transmission detector and is a full beam detector and is placed on the patient side of any fixed added filters other than wedge filters;

(2) The detectors shall be removable only with tools or shall be interlocked to prevent incorrect positioning;

(3) Each detector shall be capable of independently monitoring and controlling the useful beam;

(4) Each detector shall form part of a dose monitoring system from whose readings in dose monitor units the absorbed dose at a reference point in the treatment volume can be calculated;

(5) For systems registered after the effective date of these regulations the design of the dose monitoring systems of subsection (4) of this section shall ensure that the malfunctioning of one system shall not affect the correct functioning of the second system. In addition the following requirements shall be met:

(a) The failure of any element which may be common to both systems shall terminate the useful beam; and

(b) The failure of the power supply of either system shall terminate the useful beam.

(6) Each dose monitoring system shall have a legible display at the control panel. Each display shall also meet the following requirements:

(a) Maintain a reading until intentionally reset to zero (0);

(b) In the event of power failure, have the capability of retrieving the information displayed at the time of the failure;

(c) On systems registered after the effective date of these regulations the display shall have only one (1) scale and no scale multiplying factors; and

(d) A design shall be utilized such that increasing dose is displayed by increasing numbers and shall be so designed that in the event of an overdosage of radiation the absorbed dose may be accurately determined under all normal conditions of use or foreseeable failures.

(7) Systems registered after the effective date of these regulations shall have an indicator on the control panel which will show when the dose on the primary monitoring system differs from the dose on the secondary monitoring system by more than ten (10) percent.

Section 8. Beam Symmetry. The useful beam shall be symmetrical within the following requirements:

(1) For systems registered after the effective date of these regulations each system shall have the capability of ensuring or determining that the dose rates in each of the four (4) quadrants of the useful beam are within two (2) percent of each other. An indication of beam symmetry shall appear at the control panel and beam asymmetry in excess of two (2) percent shall automatically terminate the useful beam. These requirements can be met if the registrant can demonstrate to the satisfaction of the department that adequate fail-safe protection against the beam asymmetry is incorporated into the inherent design of the accelerator; and

(2) On systems registered before the effective date of these regulations where the department has determined that beam symmetry is inadequate the use of an automatic beam asymmetry warning system shall be required.

Section 9. Selection and Display of Dose Monitor Units. Irradiation shall not be possible until a selection of a number of dose monitor units has been made at the control panel. In addition dose monitor units shall also meet the following requirements:

(1) After the useful beam terminates it shall be necessary to reset the pre-selected dose monitor units before treatment can be re-initiated;

(2) The pre-selected number of dose monitor units shall

be displayed at the control panel until reset for the next irradiation; and

(3) For systems registered after the effective date of these regulations the display shall have only one (1) scale and no scale multiplying factors.

Section 10. Termination of Irradiation by the Dose Monitoring System. Each of the required dose monitoring systems shall be capable of independently terminating irradiation. Dose monitoring systems shall also meet the following requirements:

(1) Provisions shall be made to test the correct operation of each system;

(2) Each primary system shall terminate irradiation when the pre-selected number of dose monitoring units has been reached, and each required secondary system shall be used as a backup; and

(3) For systems registered after the effective date of these regulations the beam shall terminate automatically when the secondary system detects more than two (2) percent of the pre-set dose monitor units and indicators on the control panel shall show which system has terminated the beam.

Section 11. Termination Switches. It shall be possible to terminate irradiation and equipment movement or to go from an interruption condition to termination conditions at any time from the control panel.

Section 12. Interruption Switches. It shall be possible to interrupt irradiation and equipment movements at any time from the control panel. Following an interruption it shall be possible to restart irradiation by operator action without any reselection of operating conditions. If any change is made of a pre-selected value during interruption the system shall go to termination condition.

Section 13. Timers. A timer shall be provided, such timer shall have a display at the control panel, be graduated in minutes and decimals of minutes, have a pre-set time selector and have an elapsed time indicator. The timer shall be a cumulative timer which switches on and off with the irradiation and retains its reading after irradiation is interrupted or terminated. It shall be necessary to zero (0) the elapsed time indicator and the pre-set time selector after irradiation is terminated. To guard against failure of the dose monitoring systems, the timer shall terminate irradiation when a pre-selected time has elapsed.

Section 14. Selection of Radiation Type. In systems capable of both x-ray and electron therapy the following requirements shall be met:

(1) Irradiation shall not be possible until a selection of radiation type (x-ray or electrons) has been made at the control panel;

(2) An interlock system shall be provided to ensure that the system can emit only the radiation type which has been selected;

(3) An interlock system shall be provided to prevent irradiation if any selected operations carried out in the treatment room do not agree with the selected operations carried out at the control panel;

(4) An interlock system shall be provided to prevent irradiation with x-rays when electron applicators are fitted and irradiation with electrons when x-ray wedge filters are fitted; and

(5) The radiation type shall be displayed at the control panel before and during irradiation.

Section 15. Selection of Energy. In systems capable of generating radiation beams of different energies the following requirements shall be met:

(1) Irradiation shall not be possible until a selection of energy has been made at the control panel;

(2) An interlock system shall be provided to ensure that the system can emit only the energy of radiation which has been selected;

(3) An interlock system shall be provided to prevent irradiation if any selected operation carried out in the treatment room do not agree with the selected operations carried out at the control panel; and

(4) The energy selected shall be displayed at the control panel before and during irradiation.

Section 16. Selection of Stationary Beam Therapy or Moving Beam Therapy. In systems capable of both stationary and moving beam therapy the following requirements shall be met:

(1) Irradiation shall not be possible until a selection of stationary or moving beam therapy has been made at the control panel;

(2) An interlock system shall be provided to ensure that the system can operate only in the mode which has been selected;

(3) An interlock system shall be provided to prevent irradiation if any selected operations carried out in the treatment room do not agree with the selected operations carried out at the control panel;

(4) An interlock system shall be provided to terminate irradiation if the movement stops during moving beam therapy;

(5) Moving beam therapy shall be so controlled that the required relationship between the number of dose monitor units and movement is obtained; and

(6) The mode of operation shall be displayed at the control panel.

Section 17. Absorbed Dose Rate. In systems registered after the effective date of these regulations a system shall be provided from whose readings the absorbed dose rate at a reference point in the treatment volume can be calculated. The radiation detectors specified in Section 7 above may form part of this system. In addition the following requirements shall be met:

(1) The quotient of the number of dose monitor units by time shall be displayed at the control panel; and

(2) If the system can deliver under any conditions an absorbed dose rate at the normal treatment distance more than twice the anticipated dose rate from the manufacturers estimates, a device shall be provided which terminates irradiation when the dose rate exceeds a value not more than twice the specified maximum. The value at which the irradiation will be terminated shall be a record maintained by the registrant.

Section 18. Location of Focal Spot and Beam Orientation. The registrant shall determine or obtain from the manufacturer the location with reference to an accessible point on the radiation head the following points:

(1) The x-ray target and the virtual source of x-rays;

(2) The electron window and the scattering foil; and

(3) All possible orientations of the useful beam.

Section 19. System Checking Facilities. Facilities shall be provided so that all radiation safety interlocks can be checked. When pre-selection of any of the operating conditions requires action in the treatment room and at the control panel, selection at one location shall not give a display at the other location until the requisite selected operations in both locations have been completed.

Section 20. Auxillary Support of Patients. When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used. No person other than the patient shall be in the treatment room during irradiation.

Section 21. Facility and Shielding Requirements. In addition to shielding adequate to meet the requirements of 902 KAR 100:105, the following requirements shall be met:

(1) Except for entrance doors all the required barriers shall be fixed barriers;

(2) The control panel shall be located outside the treatment room or within a protective booth equipped with an interlocked door which is electrically connected to the control panel in such a fashion that the door must be closed during radiation production;

(3) Windows, mirror systems, closed-circuit television viewing screens or other equivalent viewing systems shall be provided to permit continuous observation of the patient during irradiation and shall be so located the operator may see the patient and the control panel from the same position. When the viewing system is by electronic means (e.g., television) an alternate viewing system shall be provided for use in the event of failure of the primary system;

(4) Provision shall be made for two-way aural communication with the patient from the control station. However, where excessive noise levels make aural communication impractical, other methods of communication shall be used;

(5) The treatment room shall be so constructed that persons may at all times be able to escape from within;

(6) Treatment rooms to which access is possible through more than one (1) entrance, shall be provided with flashing warning lights in a readily observable position near the outside of all access doors, which will indicate when the useful beam is "on." Such warning lights shall be accompanied by an appropriate sign as specified in 902 KAR 100:020, Section 12; and

(7) Interlocks shall be provided such that all entrance doors shall be closed before treatment can be initiated or continued. If the radiation beam is interrupted by any door opening, it shall be possible to restore the machine to operation only by closing the door and re-initiating exposure by manual action at the control panel.

Section 22. Protection Survey. All new facilities, and existing facilities not previously surveyed, shall have a radiation protection survey made by, or under the direction of the department or a qualified expert. Such survey shall also be conducted after any change in the facility which might produce a radiation hazard.

(1) The person conducting the survey shall report his findings in writing to the person in charge of the facility and a copy of the report shall be transmitted by the registrant to the department.

(2) The survey and report shall indicate all instances

where the facility in the opinion of the person conducting the survey is in violation of the applicable therapy radiation regulations and shall cite the sections violated.

Section 23. Calibrations. The output of each therapeutic x-ray system shall be calibrated by, or under the direction of the department or a qualified expert, before it is first used for medical purposes. Calibrations shall be repeated at least once every six (6) months and after any change which might significantly increase radiation hazards. Calibration of the therapy beam shall be performed with a measurement instrument the calibration of which is directly traceable to national standards of exposure or absorbed dose, and which shall have been calibrated within the preceding two (2) years. Records of calibrations shall be maintained by the registrant. The calibration shall include at least the following determinations:

(1) Verification that the system is operating in compliance with the design specifications concerning the light localizer, the side light and back-pointer alignment with the isocenter, when applicable, variation in the axis of rotation for the table, gantry, and jaw system, and beam flatness and symmetry at the specific depths;

(2) The exposure rate or dose rate for the range and field sizes used and for each effective energy and for each treatment distance used for radiation therapy;

(3) The effective energy (e.g., half-value layer when appropriate) for every combination of kVp and filter used for radiation therapy;

(4) The congruence between the radiation field and the field indicated by the localizing device when localizing devices are used for radiation therapy;

(5) The uniformity of the radiation field and its dependence upon the direction of the useful beam; and

(6) The calibration determinations above shall be provided in sufficient detail such that the absorbed dose in rads to tissue adjacent to, as well as in the useful beam may be calculated to within plus or minus five (5) percent of the intended absorbed dose.

Section 24. Spot Checks. A spot check shall be made daily, and shall include carefully selected representative or indicative measurements which will demonstrate the consistency of relevant system operating characteristics, or lack of same. Spot checks shall meet the following requirements:

(1) The spot check methods shall be in writing, shall have been designed by a qualified expert, and shall be evaluated and approved by the department;

(2) Spot checks shall include verification of continued congruency between the radiation field and the localizing device where an optical field illuminator is used;

(3) Spot checks which are erratic or inconsistent with calibration data shall be investigated promptly;

(4) For systems in which beam quality may vary significantly, spot checks shall include quality checks;

(5) Whenever a spot check indicates a significant change (as specified in the qualified experts spot check design) in the operating characteristics of a system, the system shall be recalibrated as required by Section 23 above;

(6) Where a system has a built in device which provides a self-check of any parameter during irradiation, that parameter may be spot checked weekly instead of daily; and

(7) A log for inspection by department personnel shall be kept of all spot check measurements.

WILLIAM P. McELWAIN, Commissioner

ADOPTED: September 28, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: January 12, 1977 at 3 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Secretary for Human Resources, Capitol Annex,
Frankfort, Kentucky 40601.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

January 5, 1977 Meeting

(Subject to Subcommittee approval at its next meeting on February 2, 1977.)

The Administrative Regulation Review Subcommittee held its regularly scheduled meeting on Wednesday, January 5, 1977 at 11 a.m. in Room 327 of the Capitol. Present were:

Members: Representative William T. Brinkley, Chairman and Representative David G. Mason.

Guests: Mildred Potter, Kentucky Restaurant Association; Tom Fearing and Orville A. Kensloe, Holiday Inn, Louisville; W. L. Harned, McGiffen Mgt. Co. and Holiday Inns; Les Nichols, Kentucky Hotel-Motel Association; I. G. Spencer, Jr., Southeastern Displays, Inc. and Midland Outdoor Advertising; W. R. Vaughan and Rita Vaughan, Southeastern Displays, Inc; Dr. Henry P. Cole, Raymond Wilkie and Gordon P. Lidcki, University of Kentucky; Mary D. Shahan, Kentucky Association of Regional Programs; David E. Bell, Jr., Mt. Comprehensive Care Center; Ray Davenhauer, Jr., K.A.P.H.C.C.; Richard J. Walker, Marilyn Younger and William Marohnic, Barren River MH-MR Board, Inc.; John B. English, John B. English and Sons, Inc.; Martin Glazer, Office of Attorney General; Bernard W. Gratzner, David L. Chervenak and William E. Tuttle, State Board of Accountancy; Lane Page, C.P.A. Board; Doris McDowell, Kentucky Board of Nursing; Clarkson Beard, State Racing Commission; Charles E. McCoy and Charles E. Yates, Department of Labor; David M. Kimbel, Sr., State Board for Proprietary Education; Cattie Lou Miller, Crime Victims Compensation Board; Peter Held and Lee Langston, Department of Banking and Securities; Sidney Simandle, D. C. Anderson, Howard Jones, Donald VanFleet, Don Bale, Stella A. Edwards, Lois Adams, Arnold Guess, and Arthur L. Cotterill, Department of Education; Eugene D. Attkisson, Eugene F. Perkins, Arthur S. Curtis, Jr., Gene Brandenburg and Roy Hogg, Department for Natural Resources and Environmental Protection; W. O. Hubbard, Ked R. Fitzpatrick, Don Dixon, Mike Townsend, Betsy Burke, Peter J. Albrecht, James C. Rogers, Verna Fairchild and Anna Grace Day, Department for Human Resources.

LRC Staff: William H. Raines, Mabel D. Robertson, E. Hugh Morris, Ollie Fint and Garnett Evins.

The minutes of the December 1 meeting were approved.

Proposed regulation 201 KAR 1:090, Executive Department for Finance and Administration, Division of Occupations and Professions, State Board of Accountancy, was rejected for the reason that it did not conform to legislative intent. The fee provision in Section 3 stated that the \$50 fee shall be non-refundable in the event the temporary permit is denied. Although the law provides for a permit fee it is not the intent of the legislature to allow the board to keep a fee payment when the permit has been denied.

The following regulations were deferred until the February meeting:

DEPARTMENT OF TRANSPORTATION

Bureau of Highways

Maintenance

- 603 KAR 3:010. Advertising devices on interstates.
- 603 KAR 3:020. Advertising devices on federal aid primary system.

DEPARTMENT OF EDUCATION

Office of Superintendent

- 701 KAR 5:010. Public records.

Bureau of Administration and Finance

General Administration

- 702 KAR 1:100. Merger of independent and county school districts.

EDUCATION AND ARTS CABINET

Kentucky Historical Society

- 730 KAR 1:005. Family cemetery information.

PUBLIC PROTECTION AND REGULATION CABINET

Department of Labor

State Labor Relations Board

Fire Fighters Collective Bargaining

- 803 KAR 3:010. General rules of procedure.
- 803 KAR 3:020. Election and certification of unit representatives.
- 803 KAR 3:030. Unfair labor practice complaints.
- 803 KAR 3:040. Deadlocked negotiations petition.

HUMAN RESOURCES CABINET

Bureau for Social Insurance

Medical Assistance

- 904 KAR 1:044. Mental health center services.

The following regulations were approved and ordered filed:

SECRETARY OF THE CABINET

Crime Victims Compensation Board

- 107 KAR 1:005. Claim filing.
- 107 KAR 1:015. Decisions and hearings.
- 107 KAR 1:025. Attorneys' fees.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

Division of Occupations and Professions

State Board of Accountancy

- 201 KAR 1:015. Meetings.
- 201 KAR 1:025. Quorum.
- 201 KAR 1:035. Application to take examination.
- 201 KAR 1:040. Examination; notice, procedure for conducting.
- 201 KAR 1:050. Certificate application.
- 201 KAR 1:055. Certificate by waiver of examination.
- 201 KAR 1:060. Granting certificates.
- 201 KAR 1:065. Annual fees.
- 201 KAR 1:086. Repeal of 201 KAR 1:085.
- 201 KAR 1:095. Code of ethics.

Board of Nursing Education and Nurse Registration
201 KAR 20:030. Registered nurse schools.
201 KAR 20:090. Temporary permit.

Board for Proprietary Education
201 KAR 24:010. License fees.

**DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION**
Bureau of Environmental Protection

Division of Water Resources
400 KAR 1:010. Wild Rivers boundaries.

Division of Plumbing
401 KAR 1:030. Quality and weight of materials.
401 KAR 1:040. Plumbing fixtures.
401 KAR 1:070. Joints and connections.
401 KAR 1:090. Water supply and distribution.

DEPARTMENT OF TRANSPORTATION
Bureau of Highways

Traffic
603 KAR 5:096. Highway classifications.

DEPARTMENT OF EDUCATION
Pupil Transportation
702 KAR 5:120. Blind and deaf pupils, reimbursement
for.

Bureau of Instruction
Elementary and Secondary Education Act
704 KAR 10:023. Emergency accreditation for 1980-81
school year.

Teacher Certification
704 KAR 20:266. Salary classification equivalency for
Rank III.

Bureau of Rehabilitation Service
Administration
706 KAR 1:010. State plan for vocational rehabilitation.
Bureau of Education for Exceptional Children
Exceptional and Handicapped Programs
707 KAR 1:050. Programs for exceptional children.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Labor

Labor Standards, Wages and Hours
803 KAR 1:025. Equal pay provisions, meaning and
application.

Elevator Safety
803 KAR 4:021. Elevator and escalator inspection fees.
Department of Banking and Securities

Administration
808 KAR 1:070. Application and hearing procedures.
Kentucky State Racing Commission
810 KAR 1:012. Horses.

HUMAN RESOURCES CABINET
Bureau for Social Insurance
Public Assistance
904 KAR 2:060. Delegation of power for oaths and
affirmations.

The meeting adjourned at 3 p.m. to meet again at 10
a.m. EST on February 2, 1977 in Room 327.

Administrative Register ^{of} *kentucky*

Cumulative Supplement

Regulation Locator—Effective Dates G2

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Regulation Locator—Effective Dates

Volume 2

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103 KAR 40:090	547	7-7-76	200 KAR 6:010	571	7-7-76	301 KAR 2:100	555	7-7-76
103 KAR 44:010	548	7-7-76	200 KAR 6:015	572	7-7-76	301 KAR 2:110	556	7-7-76
105 KAR 1:010	550	7-7-76	301 KAR 2:045	552	7-7-76	701 KAR 1:020	572	7-7-76
105 KAR 1:030	571	7-7-76	301 KAR 2:047	553	7-7-76	902 KAR 20:059	525	7-7-76

Volume 3

Emergency Regulation	3 Ky.R. Page No.	Effective Date	Emergency Regulation	3 Ky.R. Page No.	Effective Date	Regulation	3 Ky.R. Page No.	Effective Date
101 KAR 1:050E	483	12-2-76	805 KAR 4:090E	134	6-18-76	101 KAR 1:120		
Expires		4-1-77	Expired		10-16-76	Amended	282	8-4-76
105 KAR 1:040E	114	6-30-76	805 KAR 4:095E	134	6-18-76	101 KAR 1:140		
Expired		10-28-76	Expired		10-16-76	Amended	283	8-4-76
105 KAR 1:050E	531	1-1-77	805 KAR 4:100E	135	6-18-76	Amended	535	
Expires		4-30-77	Expired		10-16-76	102 KAR 1:030		
106 KAR 1:010E	220	7-23-76	805 KAR 4:105E	135	6-18-76	Amended	376	12-1-76
Expired		11-20-76	Expired		10-16-76	102 KAR 1:040		
107 KAR 1:005E	435	11-9-76	805 KAR 4:110E	136	6-18-76	Repealed	376	12-1-76
Expires		3-9-77	Expired		10-16-76	102 KAR 1:045		
107 KAR 1:015E	436	11-9-76	805 KAR 4:115E	137	6-18-76	Amended	376	12-1-76
Expires		3-9-77	Expired		10-16-76	102 KAR 1:050		
107 KAR 1:025E	436	11-9-76	805 KAR 4:120E	137	6-18-76	Amended	376	12-1-76
Expires		3-9-77	Expired		10-16-76	102 KAR 1:055		
200 KAR 1:020E	116	6-21-76	805 KAR 4:125E	138	6-18-76	Amended	377	12-1-76
Expired		10-19-76	Expired		10-16-76	102 KAR 1:060		
200 KAR 4:020E	119	6-24-76	805 KAR 4:130E	138	6-18-76	Amended	377	12-1-76
Expired		10-22-76	Expired		10-16-76	102 KAR 1:110		
200 KAR 10:040E	121	6-24-76	805 KAR 4:135E	139	6-18-76	Amended	378	12-1-76
Expired		10-22-76	Expired		10-16-76	102 KAR 1:120		
301 KAR 1:015E	123	6-30-76	805 KAR 4:140E	139	6-18-76	Amended	378	12-1-76
Expired		10-28-76	Expired		10-16-76	102 KAR 1:130		
301 KAR 2:022E	367	9-27-76	805 KAR 4:145E	140	6-18-76	Amended	379	12-1-76
Expired		1-20-77	Expired		10-16-76	102 KAR 1:153	286	8-4-76
301 KAR 2:023E	311	8-23-76	805 KAR 4:150E	140	6-18-76	102 KAR 1:185		
Expired		12-20-76	Expired		10-16-76	Amended	379	12-1-76
400 KAR 1:010E	221	7-22-76	805 KAR 5:010E	140	6-24-76	102 KAR 2:010		
Expired		11-19-76	Expired		10-22-76	Amended	381	12-1-76
503 KAR 5:010E	124	6-30-76	806 KAR 12:060E	225	8-6-76	103 KAR 1:010		
Expired		10-28-76	Expired		12-4-76	Amended	381	12-1-76
503 KAR 5:030E	125	6-30-76	806 KAR 40:010E	141	7-8-76	103 KAR 15:040		
Expired		10-28-76	Expired		11-5-76	Amended	382	12-1-76
503 KAR 5:040E	126	6-30-76	806 KAR 50:010E	226	8-6-76	103 KAR 15:060		
Expired		10-28-76	Expired		12-4-76	Amended	147	9-1-76
503 KAR 5:050E	126	6-30-76				103 KAR 16:060		
Expired		10-28-76				Amended	382	12-1-76
503 KAR 5:060E	128	6-30-76				103 KAR 16:070		
Expired		10-28-76				Amended	385	12-1-76
503 KAR 5:070E	128	6-30-76	Regulation	3 Ky.R. Page No.	Effective Date	103 KAR 17:020		
Expired		10-28-76	5 KAR 1:010	173	9-1-76	Amended	147	9-1-76
601 KAR 9:012E	128	6-21-76	10 KAR 1:010	416	12-1-76	103 KAR 17:030		
Expired		10-19-76	11 KAR 5:030			Amended	148	9-1-76
601 KAR 9:013E	532	1-2-77	Amended	146	9-1-76	103 KAR 17:040		
Expires		5-1-77	11 KAR 5:060			Amended	149	9-1-76
803 KAR 2:020E	222	8-12-76	Amended	146	9-1-76	103 KAR 17:050		
Expired		12-10-76	12 KAR 1:035			Repealed	173	9-1-76
803 KAR 4:020E	129	7-1-76	Amended	375	12-1-76	103 KAR 17:051	173	9-1-76
Expired		10-29-76	12 KAR 1:080			103 KAR 17:070		
803 KAR 4:021E	436	11-3-76	Amended	375	12-1-76	Amended	149	9-1-76
Expires		3-3-77	12 KAR 1:110	417	12-1-76	103 KAR 17:080		
803 KAR 25:060E	225	7-27-76	101 KAR 1:050			Amended	150	9-1-76
Expired		11-24-76	Amended	370	10-6-76	103 KAR 18:050		
805 KAR 4:010E	130	6-18-76	Amended	533		Amended	150	9-1-76
Expired		10-16-76	101 KAR 1:080			103 KAR 18:100		
805 KAR 4:070E	131	6-18-76	Amended	278	8-4-76	Amended	151	9-1-76
Expired		10-16-76	101 KAR 1:090			103 KAR 18:110		
805 KAR 4:075E	132	6-18-76	Amended	280	8-4-76	Amended	287	8-4-76
Expired		10-16-76	101 KAR 1:100			103 KAR 27:090		
805 KAR 4:080E	133	6-18-76	Amended	281	8-4-76	Amended	287	8-4-76
Expired		10-16-76	101 KAR 1:110			103 KAR 30:090		
805 KAR 4:085E	133	6-18-76	Amended	281	8-4-76	Amended	288	8-4-76
Expired		10-16-76						

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103 KAR 30:170			201 KAR 24:010	461	1-5-77	603 KAR 3:020		
Amended	324	11-3-76	201 KAR 24:020	566		Amended	393	
103 KAR 31:140			301 KAR 1:015			603 KAR 5:066	2	7-7-76
Amended	289	8-4-76	Amended	152	9-1-76	603 KAR 5:096	4	7-7-76
105 KAR 1:040	173	9-1-76	301 KAR 2:070			Amended	327	11-3-76
105 KAR 1:050	566		Repealed	523		Amended	451	1-5-77
106 KAR 1:010	261	10-6-76	301 KAR 2:071	523		603 KAR 5:110	506	
107 KAR 1:005	460	1-5-77	301 KAR 2:105			701 KAR 5:010	461	
107 KAR 1:015	460	1-5-77	Amended	289	8-4-76	702 KAR 1:035	567	
107 KAR 1:025	461	1-5-77	301 KAR 3:010			702 KAR 1:090	269	10-6-76
200 KAR 1:020	175	9-1-76	Amended	153	9-1-76	702 KAR 1:100	462	
200 KAR 2:065	334		301 KAR 3:052	525		702 KAR 3:185	269	11-3-76
Amended	486	12-1-76	Expires	525	5-8-77	702 KAR 5:120	463	1-5-77
200 KAR 4:020	177	9-1-76	302 KAR 1:020	182	9-1-76	703 KAR 2:020		
200 KAR 5:075	335		302 KAR 1:030	183	9-1-76	Amended	548	
Amended	487	12-1-76	302 KAR 15:010			703 KAR 2:050		
200 KAR 10:040	179	10-6-76	Amended	354	9-1-76	Amended	239	11-3-76
201 KAR 1:015			302 KAR 20:060			704 KAR 3:010		
Amended	438	1-5-77	Amended	325	11-3-76	Amended	241	11-3-76
201 KAR 1:025			302 KAR 20:070			704 KAR 3:050		
Amended	438	1-5-77	Amended	153	11-3-76	Amended	540	
201 KAR 1:035			303 KAR 1:002	185		704 KAR 3:052	568	
Amended	438	1-5-77	Withdrawn		10-21-76	704 KAR 3:055	269	11-3-76
201 KAR 1:040			305 KAR 1:010	267	10-6-76	704 KAR 3:175	270	
Amended	439	1-5-77	400 KAR 1:010	267	1-5-77	704 KAR 3:180		
201 KAR 1:045			401 KAR 1:010			Amended	241	
Amended	440		Amended	357	9-1-76	704 KAR 6:010	270	11-3-76
201 KAR 1:050			401 KAR 1:011	337		704 KAR 10:022	271	11-3-76
Amended	441	1-5-77	Amended	488	12-1-76	704 KAR 10:023	463	1-5-77
201 KAR 1:055			401 KAR 1:015			704 KAR 15:015	271	
Amended	441	1-5-77	Amended	237	11-3-76	704 KAR 20:005		
201 KAR 1:060			401 KAR 1:030			Amended	242	11-3-76
Amended	442	1-5-77	Amended	313	9-1-76	704 KAR 20:030		
201 KAR 1:065			Amended	445		Amended	243	11-3-76
Amended	443	1-5-77	401 KAR 1:040			704 KAR 20:050		
201 KAR 1:075			Amended	447	1-5-77	Amended	541	
Amended	443		401 KAR 1:070			704 KAR 20:065		
201 KAR 1:085			Amended	448	1-5-77	Amended	541	
Repealed	461	1-5-77	401 KAR 1:090			704 KAR 20:070		
201 KAR 1:086	461	1-5-77	Amended	450	1-5-77	Amended	542	
201 KAR 1:090			401 KAR 1:100			704 KAR 20:080		
Amended	443		Amended	314	9-1-76	Amended	542	
Rejected	578	1-5-77	401 KAR 1:105	526		704 KAR 20:085		
201 KAR 1:095			401 KAR 1:110			Amended	543	
Amended	444	1-5-77	Amended	362	9-1-76	704 KAR 20:090		
201 KAR 9:075	180		401 KAR 3:080	420	12-1-76	Amended	543	
201 KAR 11:062	182	9-1-76	402 KAR 1:011			704 KAR 20:100		
201 KAR 12:031	417	12-1-76	Withdrawn		9-10-76	Amended	544	
201 KAR 12:057			503 KAR 5:010			704 KAR 20:135		
Rejected	433	10-6-76	Amended	155	9-1-76	Amended	545	
201 KAR 12:082			503 KAR 5:030			704 KAR 20:145		
Amended	388	12-1-76	Amended	156	9-1-76	Amended	545	
201 KAR 12:083	418	12-1-76	503 KAR 5:040			704 KAR 20:150		
201 KAR 12:101	418	12-1-76	Amended	157		Amended	546	
201 KAR 12:125	419	12-1-76	Rejected	433	10-6-76	704 KAR 20:170		
201 KAR 14:115			503 KAR 5:050			Amended	243	11-3-76
Amended	324	11-3-76	Amended	158	9-1-76	704 KAR 20:195		
201 KAR 16:040	336		503 KAR 5:060			Amended	546	
Rejected	481	11-3-76	Amended	159	9-1-76	704 KAR 20:220		
201 KAR 16:050	337	11-3-76	503 KAR 5:070			Repealed	421	12-1-76
201 KAR 20:030			Amended	159	9-1-76	704 KAR 20:221	421	12-1-76
Amended	444	1-5-77	600 KAR 1:010	185		704 KAR 20:222	272	11-3-76
201 KAR 20:090			Rejected	364	9-1-76	704 KAR 20:230		
Amended	445	1-5-77	Rejected	433	10-6-76	Amended	547	
201 KAR 21:020			Withdrawn		11-10-76	704 KAR 20:235		
Rejected	364	9-1-76	601 KAR 1:010			Amended	548	
Withdrawn		9-29-76	Amended	293	8-4-76	704 KAR 20:240		
201 KAR 21:050			601 KAR 1:095			Amended		
Repealed	433	10-1-76	Amended	294	8-4-76	704 KAR 20:245		
201 KAR 21:051	431	10-1-76	601 KAR 9:012	186	9-1-76	Amended	549	
201 KAR 23:010	262	10-6-76	601 KAR 9:013	567		704 KAR 20:266	464	1-5-77
201 KAR 23:020	263	10-6-76	601 KAR 9:035			704 KAR 20:270	568	
201 KAR 23:030	263	10-6-76	Amended	238	10-6-76	705 KAR 1:010		
201 KAR 23:040	263	10-6-76	601 KAR 9:040			Amended	243	11-3-76
201 KAR 23:050	264	10-6-76	Amended	294	8-4-76	Amended	327	11-3-76
201 KAR 23:060	264	10-6-76	601 KAR 9:047	268	10-6-76	705 KAR 4:130		
201 KAR 23:070	264	11-3-76	603 KAR 2:015			Repealed	273	11-3-76
201 KAR 23:080	266	10-6-76	Amended	538		705 KAR 4:131	273	11-3-76
201 KAR 23:090	266		603 KAR 3:010			705 KAR 4:150		
Withdrawn	433	10-6-76	Amended	390		Repealed	274	11-3-76

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705 KAR 4:151	274	11-3-76	804 KAR 4:210	341	11-3-76	902 KAR 1:141	306	8-4-76
705 KAR 7:050			804 KAR 12:020			902 KAR 1:150		
Amended	244	11-3-76	Amended	302	8-4-76	Amended	409	12-1-76
Amended	328	11-3-76	805 KAR 4:010			902 KAR 1:160		
705 KAR 10:010			Amended	317	9-1-76	Amended	306	8-4-76
Repealed	275	11-3-76	805 KAR 4:070			Amended	410	12-1-76
705 KAR 10:020			Amended	318	9-1-76	902 KAR 1:190		
Repealed	275	11-3-76	805 KAR 4:075			Amended	306	8-4-76
705 KAR 10:021	275	11-3-76	Amended	319	9-1-76	902 KAR 1:230		
705 KAR 10:030			805 KAR 4:080	364	9-1-76	Amended	410	12-1-76
Repealed	275	11-3-76	805 KAR 4:085	364	9-1-76	902 KAR 1:270		
705 KAR 10:040			805 KAR 4:087	527		Amended	411	12-1-76
Repealed	275	11-3-76	805 KAR 4:090	364	9-1-76	902 KAR 1:280		
705 KAR 10:050			805 KAR 4:095			Amended	411	12-1-76
Repealed	275	11-3-76	Amended	320	9-1-76	902 KAR 1:290		
705 KAR 10:060			805 KAR 4:100			Amended	307	8-4-76
Repealed	275	11-3-76	Amended	321	9-1-76	Amended	412	12-1-76
705 KAR 10:070			805 KAR 4:105	364	9-1-76	902 KAR 1:300		
Repealed	275	11-3-76	805 KAR 4:110			Amended	412	12-1-76
705 KAR 10:080			Amended	321	9-1-76	902 KAR 1:312	307	8-4-76
Repealed	275	11-3-76	805 KAR 4:115			902 KAR 1:314	307	8-4-76
705 KAR 10:090			Amended	322	9-1-76	902 KAR 1:316	307	8-4-76
Repealed	275	11-3-76	805 KAR 4:120	364	9-1-76	902 KAR 1:318	308	8-4-76
705 KAR 10:100			805 KAR 4:125	364	9-1-76	902 KAR 1:320	308	8-4-76
Repealed	275	11-3-76	805 KAR 4:130	364	9-1-76	902 KAR 1:322	309	8-4-76
705 KAR 10:120			805 KAR 4:135	323	9-1-76	902 KAR 1:324	309	8-4-76
Repealed	275	11-3-76	805 KAR 4:140	364	9-1-76	Amended	412	12-1-76
706 KAR 1:010			805 KAR 4:145	323	9-1-76	902 KAR 1:326	429	12-1-76
Amended	244	10-6-76	805 KAR 4:150	364	9-1-76	902 KAR 1:328	429	12-1-76
Amended	328	11-3-76	805 KAR 5:010	187	9-1-76	902 KAR 2:060		
Amended	452	1-5-77	Amended	328		Amended	162	9-1-76
707 KAR 1:003			Amended	437	11-3-76	902 KAR 6:040		
Amended	244	11-3-76	806 KAR 3:025	187	10-6-76	Amended	163	9-1-76
707 KAR 1:050			806 KAR 12:050			902 KAR 9:010	373	10-6-76
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