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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.

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

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## Public Hearings Scheduled

### DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION Bureau of Environmental Protection Division of Sanitary Engineering

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

**401 KAR 6:015. Public and semi-public water supplies. [3 Ky.R. 717]**

### PUBLIC PROTECTION AND REGULATION CABINET Department of Insurance

The Department of Insurance has scheduled a public hearing at 9 a.m. EDT June 6, 1977, 2nd Floor, Capital Plaza Tower, Frankfort, Kentucky 40601 on the following regulation, published in this issue:

**806 KAR 3:010. Reservation of insurer's names; fee. [3 Ky. R. 768]**

## Emergency Regulations Now In Effect

**JULIAN M. CARROLL, GOVERNOR**  
Executive Order 77-353  
April 25, 1977

### EMERGENCY REGULATION Kentucky Higher Education Assistance Authority

WHEREAS, the Counties of Knox, Harlan, Bell, Whitley, Perry, Leslie, Floyd, Martin, Johnson, Pike, Breathitt, Knott, Letcher, Magoffin, and Lawrence have been declared federal and state disaster areas; and

WHEREAS, there are substantial numbers of postsecondary students in these areas who have sustained severe losses of income and property; and

WHEREAS, such losses materially affect eligibility for student assistance programs administered by the Kentucky Higher Education Assistance Authority; and

WHEREAS, the Kentucky Higher Education Assistance Authority has determined and finds that an emergency exists and that there is an immediate necessity to provide by regulation for special application processing and temporary fund reserves for persons suffering losses directly related to this disaster; and

WHEREAS, the Executive Director of the Kentucky Higher Education Assistance Authority, in conjunction with the Secretary of the Cabinet, pursuant to KRS 13.082 and 164.748(3), has promulgated the regulation hereinabove described:

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 Higher Education Assistance Authority 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**

### KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY

**11 KAR 5:031E. Temporary reserve fund for students suffering disaster related losses.**

RELATES TO: KRS 164.740 to 164.785

PURSUANT TO: KRS 13.082, 164.748(3)

EFFECTIVE: April 27, 1977

EXPIRES: August 25, 1977

**NECESSITY AND FUNCTION:** The Kentucky Higher Education Assistance Authority administers financial assistance programs for students to attend Kentucky postsecondary educational institutions. This regulation permits modification of standard application procedures and establishes a temporary reserve fund for students suffering disaster related losses.

Section 1. Notwithstanding the other provisions of Title 11, Chapter 5, the Executive Director may establish special procedures and forms for use by students suffering disaster

related losses to determine eligibility for agency administered student assistance programs. Such procedures may include, but not necessarily be limited to, modifications of application priority dates, required base year income data, disaster related asset losses, and other disaster related changes in educational program enrollment plans.

Section 2. A disaster loss reserve fund of \$100,000 for 1977-78 Kentucky Higher Education Assistance Authority grants shall be maintained until July 15, 1977 for awards to students who qualify as a result of such losses.

PAUL P. BORDEN, Executive Director

ADOPTED: April 20, 1977

RECEIVED BY LRC: April 27, 1977 at 4:30 p.m.

**JULIAN M. CARROLL, GOVERNOR**  
Executive Order 77-404  
May 6, 1977

**EMERGENCY REGULATION**  
Cabinet for Public Protection and Regulation  
Public Service Commission  
Rules of Procedure

WHEREAS, the Public Service Commission and the utility consumers have a need to know the degree of efficiency with which the management structure and procedural policies of particular utilities are operated; and

WHEREAS, to gain such knowledge there is a need for management audits to be made of particular utilities; and

WHEREAS, the Public Service Commission needs to know the potential cost of such a management audit; and

WHEREAS, the Public Service Commission has determined and finds that an emergency exists and that there is an immediate need to establish procedures under which management audits of utilities may be conducted; and

WHEREAS, the Secretary of the Cabinet for Public Protection and Regulation, in conjunction with the Public Service Commission, pursuant to KRS 13.082 and 278.310(2) has promulgated the regulation hereinabove referenced;

NOW, THEREFORE, I, JULIAN M. CARROLL, Governor of the Commonwealth of Kentucky, by the authority vested in me by Section 13.035(2) of the Kentucky Revised Statutes, hereby acknowledge the finding of the Public Service Commission within the Cabinet for Public Protection and Regulation 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

### **PUBLIC PROTECTION AND REGULATION CABINET** **Public Service Commission**

**807 KAR 1:011E. Management audits.**

RELATES TO: KRS Chapter 278  
PURSUANT TO: KRS 13.082, 278.310(2)  
EFFECTIVE: May 6, 1977  
EXPIRES: September 3, 1977

NECESSITY AND FUNCTION: KRS 278.310(2) provides that all hearings and investigations before the commission or any commissioner shall be governed by rules adopted by the commission. This regulation prescribes requirements with respect to formal and informal proceedings before the commission.

Section 1. In order to properly carry out its statutory mandate of insuring reliable utility service with the State of Kentucky, the commission may, at its discretion, require management audits of utilities under its jurisdiction. When such an audit is ordered, the commission shall make the final selection of the accounting or management consulting firms desiring to perform the specified audit. The commission may request that each firm expressing an interest in performing the specified audit include an estimated cost of such work as one of the factors to be taken into consideration by the commission in its final decision.

BARKLEY J. STURGILL, Chairman  
ADOPTED: May 3, 1977  
APPROVED: J.C. ROBERTS, Secretary  
RECEIVED BY LRC: May 6, 1977 at 9:45 a.m.



## Amended Regulations Now In Effect

### SECRETARY OF CABINET Commission on Human Rights As Amended

**104 KAR 1:070. Records and reports for apprenticeships and training programs.**

RELATES TO: KRS Chapter 344  
PURSUANT TO: KRS 344.250(3)  
EFFECTIVE: May 4, 1977

NECESSITY AND FUNCTION: KRS 344.250(3) provides that the Commission shall require apprenticeships or other training programs to keep records and make reports. This rule is designed to implement that section by record-keeping and reports and allowing the filing of similar records and reports as are required by federal or state law to be substituted.

Section 1. Each person subject to this chapter who controls an apprenticeship or other training program shall keep all records reasonably necessary to the determination of whether discrimination has occurred in the program because of an individual's race, color, religion, national origin, sex or age between forty (40) and sixty-five (65).

Section 2. Each apprenticeship or training program subject to this chapter shall keep for a period of two (2) years a list of applicants who wish to participate in such program, including the chronological order in which applicants were received.

Section 3. Each apprenticeship or training program subject to this chapter shall furnish to the commission on July 1, 1977, and annually thereafter, if requested by the commission, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program and a breakdown of current enrollment by race, sex and age. The commission may waive submission of all or a part of a report for hardship situations as provided in KRS 344.250(4), and the executive director may in his discretion postpone or waive the filing of any report required under this regulation].

Section 4. So as to avoid undue burdens on persons subject to this regulation, records and reports shall conform as near as may be to similar records and reports required by federal law and Kentucky law, including reports filed with the Federal Bureau of Apprenticeship and Training and the Kentucky Department of Labor. Where similar information is regularly filed with those agencies and made available to the commission, the commission may waive direct submission by the apprenticeship or training program. However, this provision shall not in any way justify any employer, labor organization or joint labor management committee controlling apprenticeship or other retraining, including on-the-job training programs, from supplying information requested by the commission staff in the course of investigating a complaint against those subject to this chapter.

[Section 5. If a person fails to make, keep, or preserve records or make reports in accordance with this regulation,

the circuit court for the county in which such person is found, resides or has his principal place of business, upon application of the commission, may issue an order requiring compliance.]

EDMUND P. KAREM, Chairman

ADOPTED: January 20, 1977

APPROVED: GALEN MARTIN, Executive Director

RECEIVED BY LRC: February 17, 1977 at 11 a.m.

### EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Bureau of Administrative Services Division of Accounts As Amended

**200 KAR 8:010. Reimbursable revenues of local courts.**

RELATES TO: KRS Chapter 24A  
PURSUANT TO: KRS 24A.193  
EFFECTIVE: May 4, 1977

NECESSITY AND FUNCTION: KRS Chapter 24A requires the Executive Department for Finance and Administration to promulgate regulations establishing the method of determining the number of dollars to be reimbursed to each city or county, which had a local court as of June 30, 1976, as well as outlining the method for distributing such payments. This statute was necessitated by the implementation of the unified court system, which will replace the local courts on January 1, 1978. This regulation is to provide for the uniform determination of the amounts reimbursable under the provisions of KRS Chapter 24A.

Section 1. Definitions. An expansion of definitions offered by KRS Chapter 24A and additional definitions required by this regulation follow:

(1) "Local court" means any of the following which sit as a judicial body: municipal police court, justices' or magistrates' court, quarterly court or county court.

(2) "Net court revenue" means the gross revenue collected by a local government from fees or fines, and forfeitures assessed by a local court, less the amount expended for court-related operating costs. This definition does not include any fees, fines, or forfeitures from parking violations unless that fee, fine, or forfeiture was collected as a result of action taken in the local court.

(3) "Court-related operating costs" means the amount expended for the operation and maintenance of a local court for:

- (a) Personnel,
- (b) Equipment,
- (c) Office supplies,
- (d) Operating expenses, and
- (e) Any other expenses borne by a city or county or paid from fines, fees, and forfeitures of a local court, which

will be assumed by the state in connection with the operation of the unified court system after January 1, 1978.

(4) "Base court revenue" means the net court revenue averaged for the three (3) fiscal years ended June 30, 1974, June 30, 1975, and June 30, 1976.

(5) "Net reimbursement" means base court revenue less the net amount received by the city or county from any new or existing source as a result of implementation of the district court.

(6) "Department" means the Executive Department for Finance and Administration.

Section 2. Notification, Implementation. Following are the actions required during the next year to implement the provision of KRS Chapter 24A:

(1) Correspondence required by subsections (2) and (3) of this section shall be by certified letter.

(2) The department shall notify the mayor of each city, the mayor of each urban county government, and the judge of each county of the creation and implementation date of the unified court system and of the necessity for determining the base court revenue.

(3) Each unit of local government receiving the notification required by subsection (2) of this section shall respond to the department on or before July 15, 1977. Such response shall be by one (1) of the following three (3) forms:

(a) Correspondence indicating that the unit of government did not have a local court as of June 30, 1976; or

(b) The local government's determination of base court revenue prepared in accordance with the procedures outlined in this regulation; or

(c) Correspondence indicating that the administrative and financial officers of the unit of government realized that the court system was operating at a deficit and that no reimbursement is available under the provisions of KRS Chapter 24A.

(4) In the event a unit of local government does not respond to the notification required by subsection (2) of this section, the department will take no further action *until such response has been received and acted upon.*

(5) All submitted computations of base court revenue are subject to audit. [The department will authorize the audit of those base court revenue determinations, which it deems necessary and economical.] Independent certified public accounting firms will be engaged by the department to conduct the audit of submitted base court revenue determinations. The program, plans, and schedule for such audits will be approved by the department to achieve a comprehensive economical audit with a timely completion. Each firm will be required to participate in appropriate training programs in preparation for these assignments. All adjustments to the computation of base court revenue proposed by the auditor will be subject to appeal to the Secretary of the Department in accordance with subsection (7) of this section. The costs of all audits will be paid by the department. Additional costs incurred in the performance of the audits resulting from failure by the submitting governmental entity to comply with this regulation will be the responsibility of the submitting entity.

(6) Each base court revenue determination will be subject to a review by the department. Each unit of local government will be notified of the result of such review.

(7) If any unit of government believes that unusual

circumstances and/or audit adjustments have adversely affected the resulting computation of base court revenue, that unit of government may appeal to the Secretary of the Department. Such appeal must be filed within thirty (30) days after notification of base court revenue. A time and place will be set for the representative(s) of each appealing unit of government to present their appeal to the representative(s) of the Secretary of the Department. The secretary will have the authority to adjust the base court revenue determined for any unit of government.

(8) The department will acquire from both the Administrative Office of the Courts and the Office of the Attorney General a listing of payments, if any, for the rental of court and court related facilities. These amounts and any income from a new or existing source generated as a result of the implementation of the unified court system will be subtracted from the base court revenue computation to determine the amount of net reimbursement. Each unit of local government will be notified of its net reimbursement.

Section 3. General Procedure. The following procedure shall be followed to determine net court revenue:

(1) An item of revenue or expense shall be included in the computation of net court revenue if the item will be assumed by the state in connection with the operation of the court after January 1, 1978.

(2) All revenues generated by the local courts deposited in the treasury of the local government, except parking fines collected without action of a local court, are to be reflected in the computation. In addition, the excess fees over statutory maximum earned by the county attorney, county judge, and circuit court clerk during the calendar year ending in each of the three (3) fiscal years are to be reflected in the computation submitted by the counties.

(3) All direct expenses borne by the local government in the operation and maintenance of local courts are to be reflected in the computation. In addition, any expenses paid by the county for the office of county attorney and circuit court clerk and any expenses that are related to the office of county judge's judicial function are to be included.

(4) General administrative costs such as the cost of the personnel recruitment, purchasing, payroll, accounting, and auditing, and financial data processing functions will not be included unless such expense is easily identifiable as a court related cost.

(5) The computation of net court revenue is to be made independently of the local government's historical classification of revenues and expenses. The determination of amounts includable in the computation will require a detailed analysis of various operating accounts. If the individual identification of court related usage is not readily determinable, an allocation of the respective accounts should be made.

(6) An item of revenue or expense is to be included in the computation regardless of the fund or account in which it has been historically accounted for if the item is related to the operation of the courts.

(7) Each submitting entity must adjust the applicable accounts so as to provide for the inclusion of twelve months of activity in each of the fiscal years.

Section 4. Forms. The department shall prescribe forms to be used for submitting computations of base court revenue unless prior approval to do otherwise is granted by the department. Each municipality, each county, and each

urban county government, shall submit detail schedules as provided by the department in support of the computation of net court revenue. Each submitting governmental entity shall adhere to instructions provided by the department for the proper completion of forms. Each submitting governmental entity shall retain, for a period of five (5) years, all work sheets, analyses, and records utilized in determining the amounts reported.

Section 5. Distribution of Funds. Net reimbursement authorized under KRS Chapter 24A will be paid quarterly. The amount of each distribution shall not exceed twenty-five percent (25%) of the net reimbursement. The first distribution will be made on or about January 31, 1978, and distributions will continue each quarter thereafter.

RUSSELL R. McCLURE, Secretary

ADOPTED: March 15, 1977

RECEIVED BY LRC: March 15, 1977 at 4 p.m.

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

**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

EFFECTIVE: May 4, 1977

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. (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] 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.

**DEPARTMENT FOR HUMAN RESOURCES**  
Bureau for Health Services  
As Amended

**902 KAR 11:010. Application for licensure; fee.**

RELATES TO: KRS Chapter 333

PURSUANT TO: KRS 13.082, 194.050

EFFECTIVE: May 4, 1977

NECESSITY AND FUNCTION: KRS Chapter 333 empowers the Department for Human Resources to license and regulate medical laboratories in Kentucky including applications for licenses and the setting of reasonable license fees. The function of this regulation is to establish application procedures for licensure and to establish reasonable licensure fees.

Section 1. Licenses. (1) *Except as otherwise provided by KRS 333.040* no person shall operate any medical laboratory in this Commonwealth without first obtaining the appropriate license therefor.

(2) All applications for licensure shall be filed with the Department for Human Resources, Bureau for Administration and Operations, Division for Licensing and Regulation, Frankfort, Kentucky 40601.

(3) All applicants for licenses shall, as a condition precedent to licensure, be in compliance with the applicable regulations relating to the particular medical laboratory.

(4) All licenses shall expire on December 31 following the date of issuance.

(5) Licenses may be renewed upon payment of the prescribed fee provided the medical laboratory is in com-

pliance with the applicable provisions of KRS Chapter 333 and the regulations of the department.

[(6) Medical laboratories operated by a licensed physician, or group of licensed physicians, solely and exclusively in connection with the diagnosis and treatment of their own patients shall be exempt from the licensure provisions of these regulations. If any referred work is received or performed by such medical laboratories, all provisions of these regulations shall apply.]

Section 2. Fee Schedule. The initial application fee for a license and the annual renewal thereof for each medical laboratory shall be twenty-five dollars (\$25).

WILLIAM P. McELWAIN, Commissioner

ADOPTED: June 18, 1976

APPROVED: C. LESLIE DAWSON, Secretary

RECEIVED BY LRC: April 13, 1977 at 1 p.m.

## DEPARTMENT FOR HUMAN RESOURCES

### Bureau for Health Services

#### As Amended

902 KAR 11:020. Reports and standards of health and safety.

RELATES TO: KRS Chapter 333

PURSUANT TO: KRS 13.082, 194.050

EFFECTIVE: May 4, 1977

NECESSITY AND FUNCTION: KRS Chapter 333 directs that the Department for Human Resources may require medical laboratory directors to submit reports concerning selected test results and medical laboratory operations. Further, KRS Chapter 333 empowers the Secretary of the Department for Human Resources to adopt rules and regulations to effectuate the purposes and provisions of KRS Chapter 333, including, but not limited to, standards of construction of medical laboratories and sanitary conditions within the medical laboratory and its surroundings, as well as licensure of medical laboratories. The function of this regulation is to set out the contents of the required reports, standards of health and safety for medical laboratories, and a provision relating to licensure.

Section 1. Reporting of Information Concerning Operations. The medical laboratory director shall submit to the department such reports of operation as the department may from time to time require. These reports shall include, but not be limited to, the following:

(1) Any change in laboratory supervisory personnel; such report shall be made within ten (10) days after such change;

(2) Annual reports of workload data by test, specialty, and subspecialty; such reports may be made either on a calendar or fiscal year basis depending on the accounting procedure used by the medical laboratory.

Section 2. Medical laboratory Space, Facilities, and Personnel Health. Conditions in the medical laboratory shall be adequate to ensure proper performance of services

within the laboratory. Specifically, the following requirements must be met:

(1) Workbench space within the laboratory must be ample, well-lighted, and situated so as to facilitate the use of necessary sinks, water, gas, suction, and electrical outlets;

(2) Work areas must be arranged so as to minimize problems in transportation and communication;

(3) The laboratory must be properly ventilated;

(4) Volatile chemicals and inflammable solvents must be properly stored in areas where they are unlikely to ignite;

(5) Temperature and humidity within the laboratory must be controlled within the limits required for proper performance of tests and operation of instruments affected by these variations;

(6) Voltage levels of electrical sources to which automated equipment is connected must be monitored and recorded;

(7) Adequate fire precautions and occupational safety rules must be posted and observed in order to avoid physical, chemical, and biological hazards.

(8) Syringes, needles, lancets, or other blood-letting devices capable of transmitting infection from one person to another shall not be reused unless they are properly sterilized prior to each use and wrapped in a manner which will ensure that they remain sterile until used. Appropriate sterilization and disinfection techniques shall be utilized for tests performed on potentially contaminated material. Disposable syringes and needles shall be disposed of in accordance with KRS 217.177(6). Pipettes, Petri dishes, and other disposable items shall be appropriately discarded immediately after use. Each sterilizing cycle must contain a recording thermometer or other device indicating the point of proper sterilization. Records of temperature readings must be kept. Proper operation of the autoclave shall be checked monthly with viable spores or appropriate indicator.

(9) All pipette washers must have approved vacuum breakers to prevent back-siphoning.

Section 3. Provisions for Acceptance by National Licensing or other Accrediting Bodies. With the exception of Section 1 of this regulation, [the provisions of the department's regulations relating to] medical laboratories [shall not apply to a medical laboratory] inspected and licensed pursuant to Title 42, part 74 (Clinical Laboratories Improvement Act of 1967), medical laboratories inspected and certified pursuant to Title 20, part 405, subpart M (Conditions for Coverage of Services of Independent Laboratories), and medical laboratories which have been inspected and accredited by the commission on inspection and accreditation of the College of American Pathologist or by any other national accreditation body approved for the purpose by the department, *shall be deemed to meet all of the requirements for licensure*, but only if the standards applied by such commission or body in determining whether or not to accredit such medical laboratory are equal to or more stringent than the provisions of KRS Chapter 333 and the rules and regulations issued pursuant to KRS Chapter 333 and only if there is adequate provision for assuring such standards continue to be met by such laboratory[; provided that any such laboratory shall be treated as a licensed laboratory for all other purposes of this section].

Section 4. Compliance with State, Federal, and Local Laws. All medical laboratories shall comply with any other applicable state, federal, and local laws and regulations.

WILLIAM P. McELWAIN, Commissioner

ADOPTED: June 18, 1976

APPROVED: C. LESLIE DAWSON, Secretary

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

## Proposed Amendments

### KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY (Proposed Amendment)

#### 11 KAR 5:020. Definitions.

RELATES TO: KRS 164.740 to 164.764, 164.780, 164.785

PURSUANT TO: KRS 13.082, 164.748(3)

NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority administers grant programs to provide financial assistance to students to attend Kentucky post-secondary institutions. This regulation sets forth the definitions of acronyms, words and phrases used in the administration of KHEAA grant programs.

Section 1. Definitions. (1) "Academic year" is a period of time, usually eight (8) or nine (9) months, during which a full-time student would normally be expected to complete the equivalent of two (2) semesters, two (2) trimesters, or three (3) quarters or 900 clock hours of instruction. [of instruction.]

(2) "Agreement" is the document titled "Certifications and Declarations to Participate in the Kentucky Higher Education Assistance Authority Grant Programs" executed by the educational institution and the "Authority Declaration of Eligibility to Participate in the Kentucky Higher Education Assistance Authority Grant Programs" executed by the authority.

(3) "Application" means Kentucky Financial Aid Form, a copy of which is herein filed by reference. This form is available from Kentucky Higher Education Assistance Authority, Frankfort, Kentucky 40601.

(4) "Authority" is the Board of Directors of the Kentucky Higher Education Assistance Authority.

(5) "Basic Grant" is an award under the Basic Educational Opportunity Grant Program operated by the United States Government under the provision of PL Number 92-315.

(6) "Business school" means a proprietary institution of higher education incorporated in Kentucky which:

(a) Admits as regular students only persons having a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate;

(b) Is legally authorized by the State Board for Proprietary Education under the provisions of KRS 165A.310 to 165A.990 to provide a program of education beyond secondary education;

(c) Pursuant to KRS 164.740(6) is accredited by the Association of Independent Colleges and Schools, Accreditation Commission, which is successor to the Commission for Business Schools;

(d) Is not a public or other nonprofit institution; and

(e) Has been in existence for at least two (2) years.

(7) [(6)] "Clock hour" is a period of time which is the equivalent of a fifty (50) to sixty (60) minute class, lecture or recitation, or a fifty (50) to sixty (60) minute period of faculty-supervised laboratory, shop training, or internship.

(8) [(7)] "Degree" means the earned academic title or designation, mark, appellation or series of letters or words which signify satisfactory completion of the requirements of an educational program of undergraduate study beyond the secondary school level and which leads to an associate or bachelor's degree.

(9) [(8)] "Dependent student" is a KHEAA grant applicant who answers yes for the years specified on the application to any questions relating to living with parents more than the specified number of weeks each [two (2) consecutive weeks in a] year, listing as a tax exemption on parents' United States income tax return, and receipt of financial assistance from parents.

(10) [(9)] "Eligible course of study" is a program offered by an eligible institution which:

[(a)] Enrolls as regular students only those persons having either a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate;

(a) [(b)] Is of at least two (2) academic years duration; and

(b) [(c)] Leads to a degree in a field other than theology, divinity, or religious education.

(11) [(10)] "Eligible institution" is an [accredited public or other nonprofit or proprietary educational] institution located in Kentucky which offers an eligible course of study which is not comprised solely of sectarian instruction, and which has entered into an agreement with the authority[,] and is:

(a) An accredited public or other nonprofit college, university, school of nursing or vocational school which enrolls as regular students only those persons having either a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate; or persons who are beyond the age of compulsory school attendance in the Commonwealth of Kentucky and who have the ability to benefit from the training offered by the institution; or

(b) A business school.

(12) [(11)] "Executive director" is the chief administrative officer appointed by the authority.

(13) [(12)] "Full-time student" is a student who is carrying a full-time academic work load, other than by correspondence, measured in terms of:

(a) Course work or other required activities as determined by the institution in which the student is enrolled, including any combination of courses, work experience, research or special studies which the institution requires of the student to consider him as being engaged in full-time study, and which amounts to the equivalent of a minimum of twelve (12) semester hours or twelve (12) quarter hours per academic term for institutions utilizing trimesters, semesters or quarter hour systems [; and], or which consists of a program requiring the minimum of twenty-five (25) clock hours per week for those institutions that do not utilize such systems; and

(b) The tuition and fees customary for full-time study at that institution.

(14) [(13)] "Independent student" is a KHEAA grant applicant who answers no to all questions relating to living with parents more than [two (2) consecutive weeks in a] the specified number of weeks each year, listing as a tax exemption on parents' United States income tax return and receipt of financial assistance from parents.

(15) [(14)] "KHEAA grant program officer (KGPO)" is the full-time administrative official designated on the agreement by a participating institution to serve as the authority's on-campus agent to certify all institutional transactions and activities with respect to the KHEAA grant programs.

(16) [(15)] "Over-award" means provision through any and all sources of more financial assistance than is needed by a student.

(17) [(16)] "Parental contribution (PC)" is the amount the parents or others in loco parentis of a dependent student can reasonably be expected to contribute toward meeting the student's educational cost. PC is determined for KHEAA grant programs by application of the uniform methodology of need analysis assessment to the data entered on the application.

[(17)] "Proprietary institution" means a school;]

[(a)] Which admits as regular students only persons having a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate;]

[(b)] Which is legally authorized by the State Board for Proprietary Education under the provisions of KRS Chapter 164 to provide a program of education beyond secondary education;]

[(c)] Which, pursuant to KRS 164.740(6), is accredited by the Association of Independent Colleges and Schools, Accreditation Commission, which is successor to the Commission for Business Schools;]

[(d)] Which is not a public or other nonprofit institution; and]

[(e)] Which has been in existence for at least two (2) years.]

(18) "Resident of Kentucky" is a person who is classified as an instate student in accordance with the "Policy on Classification of Students for Fee Assessment Purposes at State-Supported Institutions of Higher Education" as adopted and from time to time amended by the Council on Public Higher Education.

(19) "Student contribution (SC)" is the amount the student and/or spouse can reasonably be expected to contribute toward meeting the applicant's educational cost.

The SC is determined for KHEAA grant programs by application of the uniform methodology of need analysis assessment to the data entered on the application.

(20) "Student eligibility index (SEI)" is the expected family contribution computed by the United States Office of Education or its contractor from the data on the application for a basic grant.

(21) "Total cost of education (TCE)" for an academic year is an amount determined for each applicant by the following formula: normal tuition and fees for a full-time student at the institution chosen by the applicant plus maximum board contract amount plus minimum room contract amount. For a one (1) semester applicant one-half (½) of the TCE shall be used. For institutions which do not have room and board charges, a maintenance allowance of \$900 for the year or \$450 for a semester or such other allowances as may be agreed to between the authority and any eligible institution will be allowed.

PAUL P. BORDEN, Executive Director

ADOPTED: April 14, 1977

RECEIVED BY LRC: April 25, 1977 at 11:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Executive Director, Kentucky Higher Education Assistance Authority, 691 Teton Trail, Frankfort, Kentucky 40601.

# KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY (Proposed Amendment)

## 11 KAR 5:030. Student eligibility requirements.

RELATES TO: KRS 164.740 to 164.764, 164.780, 164.785

PURSUANT TO: KRS 13.082, 164.748(3)

NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority administers grant programs to provide financial assistance to students to attend Kentucky post-secondary institutions. This regulation sets forth eligibility requirements for KHEAA grant programs.

Section 1. Eligibility of students. In order to qualify for a KHEAA grant, a student shall:

(1) Be a resident of the Commonwealth of Kentucky;  
(2) Be enrolled as a full-time student in an eligible course of study;

[(3)] Be enrolled in an eligible institution;]

(3) [(4)] Have established financial need for the grant program assistance pursuant to 11 KAR 5:050 and 11 KAR 5:060;

(4) [(5)] Have remaining eligibility. A student enrolled in an associate degree program shall be limited to four (4) semesters or six (6) quarters of grant eligibility. A student enrolled in a bachelor's degree program shall be limited to eight (8) semesters or twelve (12) quarters of grant program eligibility. An exception may be granted if the bachelor's program leads to a first degree and is designed to be completed in a ten (10) semester period in which case the eligibility may be extended for cause by the executive

director [at the discretion of the authority] to ten (10) semesters. A student enrolled in an eligible program of a duration not otherwise covered by this regulation shall have the same number of semesters or quarters of grant program eligibility as are normally required for a student to complete that eligible program; [and]

(5) [(6)] Not receive financial assistance in excess of financial need;

(6) *Maintain satisfactory progress in an eligible course of study according to the standards and practices of the institution at which the student is enrolled; and*

(7) *Satisfy all financial obligations to the authority and to any eligible institution. Ineligibility under this subsection may be waived for cause by the executive director.*

PAUL P. BORDEN, Executive Director

ADOPTED: April 14, 1977

RECEIVED BY LRC: April 25, 1977 at 11:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING  
TO: The Executive Director, Kentucky Higher Education Assistance Authority, 691 Teton Trail, Frankfort, Kentucky 40601.

#### KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY (Proposed Amendment)

##### 11 KAR 5:070. Notification of award.

RELATES TO: KRS 164.740 to 164.764, 164.780, 164.785

PURSUANT TO: KRS 13.082, 164.748(3)

NECESSITY AND FUNCTION: The Kentucky Higher Education Assistance Authority administers grant programs to provide financial assistance to students to attend Kentucky post-secondary institutions. This regulation sets forth the procedures for notification of grant awards to recipients and to eligible institutions.

Section 1. The authority will notify each applicant of the decision of the authority regarding eligibility for a grant.

(1) The authority will notify each KHEAA grant recipient of the amount of award together with disbursement information. The recipient must notify the authority of any incorrect information appearing on the notice, including name, address, Social Security number or institutional choice errors or changes.

(2) *So long as funds are available the authority will individually notify Kentucky applicants the reason for their denial. When funds are no longer available public rather than individual notification shall be given. [The authority will notify applicants who will not receive grants the reason for their denial.]*

Section 2. Periodically the authority may forward to the KGPO at each eligible institution a roster of student reci-

pients indicating that institution as the one where they plan to enroll.

PAUL P. BORDEN, Executive Director

ADOPTED: April 14, 1977

RECEIVED BY LRC: April 25, 1977 at 11:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING  
TO: The Executive Director, Kentucky Higher Education Assistance Authority, 691 Teton Trail, Frankfort, Kentucky 40601.

#### EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

Division of Occupations and Professions  
Board of Examiners and Registration of Architects  
(Proposed Amendment)

201 KAR 19:095. Professional practice standards; violations, penalties.

RELATES TO: KRS 323.095, 323.120

PURSUANT TO: KRS 323.210

NECESSITY AND FUNCTION: To define basis for board to proceed against architects for unprofessional practice.

Section 1. Penalties for Unprofessional Practice. (1) The board may refuse to renew or may suspend for a period or revoke any license, or forbid practice by any architect for any of the following reasons:

- (a) Gross incompetency or gross negligence.
- (b) Unprofessional conduct or conduct tending to bring the profession into disrepute.
- (c) Conviction of a felony.
- (d) Fraudulent or dishonest architectural practice.
- (e) Use of false evidence, or misrepresentation in an application for licensing.

(f) Signing or affixing his seal to any plans, prints, specifications for buildings, or reports which have not been prepared by him personally or by his employees under his supervision.

(2) The procedure for such action shall be in accordance with the provisions of KRS 323.130 and 323.140.

Section 2. Gross Incompetence and Gross Negligence Defined: The following acts or omissions shall be deemed to be gross incompetence or gross negligence within the meaning of the law and be cause for denial, suspension or revocation of a license:

(1) Willfully failing to use reasonable care and diligence in his professional practice, resulting in a building or structure being improperly constructed to the detriment of the occupants.

(2) Willfully failing to use reasonable care and diligence in preparing contracts and other documents for the protection of a client in all relationships as agent of the client.

Section 3. Unprofessional Conduct Defined: Any of the following acts by an architect shall be deemed to be "unprofessional conduct" and be cause for denial of registra-



tion, or suspension, revocation or refusal to renew a license to practice architecture:

(1) Accepting compensation for architectural services from other than his client or employer.

(2) Submitting competitive bids for professional employment, or knowingly competing against another architect on the basis of professional charges, or using kickbacks or forgiveness of portions of his fee in order to obtain competitive advantage; or furnishing uncommissioned architectural services of any kind in the attempt to obtain competitive advantage; or misrepresenting his qualifications.

(3) Having a financial interest in the manufacture, sale or installation of any component or process used in a project for which he is the architect unless his client has been so advised and has waived any objection he may have had thereto.

(4) Publicly endorsing a product, system, or service, or permitting the use of his name or photograph to imply such endorsement. However, he may be identified with any product, system, or service designed or developed by him.

(5) Engaging an agent or representative to solicit work on his behalf whose compensation is either (i) unreasonable or (ii) contingent, in whole or in part, upon the obtaining of professional work for the architect.

(6) Using paid advertising; indulging in self-laudatory, exaggerated, misleading, or false publicity; or soliciting, or permitting others to solicit in his name, advertisements for any publication presenting his work.

(7) Knowingly, falsely or maliciously injuring the professional reputation, prospects or practice of another architect.

(8) Attempting to supplant another architect after a definite commitment has been made by the client for the latter's employment.

(9) Undertaking a commission for which he knows another architect has been retained until he has conclusively determined that the original commission has been terminated with reasonable compensation for work already performed by the latter.

**Section 4. Conviction of a Felony:** Any conviction of a felony within the United States of America or its possessions is prima facie evidence of misconduct.

**Section 5. Faudulent or Dishonest Practice Defined:** The following practices shall be deemed to be "fraudulent or dishonest practice" within the meaning of the law and be cause for denial, suspension or revocation of a license to practice architecture:

(1) Making untrue or deceitful statements in an application for examination or registration, or in any other statements or representations to the board.

(2) Affixing his seal to any drawings other than those for which he is the author. All plans must be sealed by the author or authors thereof. "Authors" is defined as those in responsible charge of the preparation of plans which are made by them personally or under their supervision.

(3) Bribing any person or persons who may influence the selection of an architect.

(4) Willfully misleading or defrauding any person or persons employing him as an architect.

(5) Willfully violating the laws of Kentucky or any other state relating to the practice of architecture; or willfully violating any rule or regulation of this board made in pursuance to law.

(6) Using, or attempting to use, or practicing under, a

license that has been suspended or revoked or which has not been renewed as required by law and the regulations of the board.

**Section 6. Registration While Working for Others:** (1) An architect may work as the employee of another architect without affecting the status of his registration.

(2) Or he may work as an employee for any firm in which his duties are not those of any architect, without affecting the status of his registration. But if he works as an architect for, or with, an individual not an architect, or a firm or corporation not under the control of architects, then he must maintain free and unbiased judgment and unrestrained use [used] of his professional prerogatives and services to clients; and the terms of his employment or agreement shall be compatible therewith, and such as to permit full compliance with the "obligations of practice," and these regulations.

(3) Violations of these requirements shall be cause for a license to be denied, suspended or revoked.

**Section 7. Office Staffing:** *A firm, partnership, or association maintaining one or more places of business in this state, except where a project office is established only for on-site supervision or inspection; shall maintain in charge of each separate place, a resident registered architect; "resident" as used in this section shall mean the architect or architects who spend the majority of the normal office hours in said place of business. The firm, partnership, or association shall inform the board of the name or names of the resident architect or architects in charge of each separate place of business. [Any office maintained by an architect in Kentucky must be staffed with an architect in charge who is licensed in this state;]*

L. WAYNE TUNE, Director

ADOPTED: February 11, 1977

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 6, 1977 at 10:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING  
TO: L. Wayne Tune, Executive Director, State Board of  
Examiners and Registration of Architects, P. O. Box 7097,  
Lexington, Kentucky 40502.

**CABINET FOR DEVELOPMENT**  
**Department of Fish and Wildlife Resources**  
**(Proposed Amendment)**

**301 KAR 2:047. Specified areas; seasons, limits for birds and small game.**

RELATES TO: KRS 150.025, 150.170, 150.176, 150.330, 150.340, 150.360, 150.370

PURSUANT TO: KRS 13.082

**NECESSITY AND FUNCTION:** This regulation pertains to the hunting seasons, bag and possession limits for upland game birds and animals on specified wildlife management areas and refuges. This regulation is necessary for the continued protection of the species listed



herein, and to insure a permanent and continued supply of the wildlife resource for the purpose of furnishing sport and recreation for present and future residents of the state. The function of this regulation is to provide for the prudent taking of upland game birds and animals within reasonable limits based upon an adequate supply. This amendment is necessary because of changes in season dates.

Section 1. *All statewide and specified area regulations, seasons, bag and possession limits apply to the following wildlife management areas, and refuges unless exceptions are listed herein.* [The following statewide regulations also apply to the wildlife areas listed herein:]

(1) Prohibited ammunition. No person while in the act of hunting any small game species may have in his or her possession any buckshot or shotgun slugs.]

(2) Squirrel hunting weapons. No person, while in the act of hunting squirrels, may use or possess a breech-loading rifle of .240 caliber or larger, or a shotgun with slugs or buckshot. Squirrels may be taken with any type of muzzle-loading weapon.]

(3) Wild animals and wild birds may be taken with the aid of hand or mouth operated calls, or both. The use of electronic recording devices shall be prohibited except for the taking by authorized persons, those animals or birds recognized by the department to be causing damages or creating a nuisance or health hazard.]

Section 2. The following wildlife management areas are closed to all hunting at all times:

(1) Grayson Wildlife Management Area in Carter and Elliott Counties.

(2) Beaver Creek Wildlife Management Area, including all private inholdings, in Pulaski and McCreary Counties.

(3) Pine Mountain Wildlife Management Area in Letcher County.

(4) Robinson Forest Wildlife Management Area in Breathitt, Perry and Knott Counties.

(5) Red Bird Wildlife Management Area in Leslie and Clay Counties.

(6) Dewey Lake Wildlife Management Area in Floyd County.

Section 3. Exceptions to statewide small game hunting regulations for [on the following] wildlife management areas and refuges. [Except as stated, all other hunting regulations, bag and possession limits apply on the areas listed. Hunting for small game species, plus waterfowl, rails, gallinules, woodcock and snipe is permitted during the December 4 through 8 statewide deer gun season on the following areas unless otherwise specified in this or other state or federal regulations.]

(1) West Kentucky Wildlife Management Area located in McCracken County.

(a) Quail [(Bobwhite)]: November 17, [18] 1977 through February 28, 1978 [1977] on Tracts 2, 3 and 6, and any others designated open at the check station.

(b) Rabbit: November 17, [18] 1977 through February 28, 1978 [1977] on Tracts 2 and 3. November 17, [18] 1977 through January 31, 1978 [1977] on Tract 6 only. Other tracts may be opened and will be designated at the check station.

(c) Squirrel: August 20, [21] 1977 through October 31, 1977 [14, 1976] on Tracts 1, 2, 3, 4, 5 and 6. November 17, [18] 1977 through December 31, 1977 [1976] on Tract 6 only.

(d) Raccoon and opossum: *During the regular statewide season with gun or dog on Tracts 1, 2, 3, 4, 5 and 6 and night training and shake-out on all tracts.* [With gun or dog on Tracts 1, 2, 3, 4, 5 and 6 from November 18 through January 31, 1977. Night training and shake-out season is allowed on all Tracts from February 1 through the third Wednesday in November.]

(e) Rabbit and quail hunters must check in and out at the designated check station.

(f) All tracts designated by numbers followed by the letter "A" are closed to gun hunting.

(g) Weapon restrictions. No rifles, or ball or slug ammunition of any type shall be permitted for taking small game on this area.

(2) Land Between the Lakes Wildlife Management Area located in Trigg and Lyon Counties. Areas open to hunting for the following species are located north of the state line to Barkley Canal, except that no hunting is allowed in developed public use areas, safety zones and posted areas unless otherwise noted.

(a) Squirrel: August 20, [21] 1977 through October 2 [3], 1977 [1976]; November 21 [December 1] 1977 through December 31, 1977 [1976].

(b) Quail [(Bobwhite)]: November 21, 1977 [December 1] through February 28, 1978 [1977].

(c) Rabbit: November 21, 1977 [December 1] through January 31, 1978 [1977]. *Daily bag limit five (5).*

(d) Raccoon and Opossum: Tuesdays, Fridays and Saturdays during the period December 2, [1] 1977 through January 31, 1978 [1977].

(e) Raccoon field trials; February 1, 1978 through May 31, 1978. *Scheduled basis only. Written requests must be received by Land Between the Lakes at least ten (10) days prior to the proposed hunt date. Approval must be given by Land Between the Lakes and the Department of Fish and Wildlife Resources District Supervisor. Field trials must be recognized club hunts and each participant must be on a club roster for that hunt and must have a valid score card in his or her possession.*

(f) [(e)] Fox chasing: From sunset to sunrise; August 20, 1977 [October 2 and 3] through October 2, 1977 [December 4 and 5] south of highway 68 to state line.

(g) [(f)] Fox taking: Gray fox only during daylight hours only; December 1, 1977 through February 28, 1978 [1977].

(h) Woodchuck: *Hunting during daylight hours only. March 8, 1978 through March 19, 1978. No hunting in the Environmental Education Center Area including a one-quarter (1/4) mile safety zone around the outside boundary. No hunting within one-quarter (1/4) mile of the Trace, U.S. Highway 68, Energy Lake Road and Shaw Branch Road. A special Land Between the Lakes woodchuck permit required. All woodchucks harvested must be removed from the area. Legal firearms and archery equipment include center-fire rifles .17 caliber or larger, .22 magnum rifles, muzzle-loading rifles of .36 caliber or larger, and longbows and compound bows according to state regulations. All other weapons are prohibited. Bow hunting only allowed in Hunt Area 8 and in that portion of Hunt Area 9 designated as the ORV Area.*

[(h)] Field trial season: November 1 through April 15, 1977.]

(i) [(g)] Bird dog and beagle hound training season: October 1, 1977 through October 31, 1977 [1976] on Turkey Creek Area only. A permit is required from Land Between the Lakes.

(j) [(i)] For Land Between the Lakes hunting rules refer to regulation 301 KAR 2:050.

(k) *Permits.* All required permits may be obtained by writing the Wildlife Management Section, Land Between the Lakes, Golden Pond, Kentucky 42231, or in person during open hours at the two (2) information stations or the main office.

(3) Reelfoot National Wildlife Refuge located in Fulton County.

(a) Squirrel: August 27, [28] 1977 through September 30, 1977 [1976] only in areas designated by signs as open to public hunting.

(b) Raccoon: September 26, 1977 through October 1, 1977 [Selected dates are September 20 through 25 and September 27 through October 2, 1976] with hunting allowed only during the hours of 7:30 p.m. to 12:00 midnight.

(c) *Permits:* All hunters are required to have a special hunting permit which can be obtained at refuge headquarters, P. O. Box 295, Samburg, Tennessee 38254, or at designated check stations.

(d) *Age limit.* Hunters under seventeen age (17) must be accompanied by an adult. For safety reasons, the ratio should be one (1) adult to one (1) juvenile, but in no case more than two (2) juveniles per adult.

(e) *Firearms.* Only shotguns incapable of holding more than three (3) shells and .22 caliber rifles are permitted.

(f) Dogs are permitted only for raccoon hunting.

(g) Open fires and cutting trees are not permitted.

(4) Ballard County Wildlife Management Area located in Ballard County.

(a) Squirrel: August 20, [21] 1977 through October 14, 1977 [1976] on the whole management area.

(b) All statewide game seasons, bag and possession limits apply only to the wooded area south of Terrell Landing Road and designated by signs reading "Wildlife Management Area for Public Hunting." Small game hunting and trapping on this area will be closed during the statewide December 3 [4] through 5 [8] deer gun season.

(5) Central Kentucky Wildlife Management Area located in Madison County.

(a) Squirrel: August 20, [21] 1977 through October 14, 1977 [1976].

(b) This area is closed to all hunting except dove (see statewide dove regulation) and squirrel.

(6) Curtis Gates Lloyd Wildlife and Recreation Area located in Grant County: [(a)] Areas closed to hunting are designated by refuge signs. [The remainder of the area is open to all statewide hunting seasons.]

[(b)] Small game hunting will be closed during the statewide December 4 through 8 deer gun season.]

(7) Pioneer Weapons Wildlife Management Area located in Bath and Menifee Counties: [(a)] Statewide limits and seasons apply for all game species except during the deer gun season, but] Hunters on this area are restricted to pioneer weapons only. These include muzzle-loading rifles, muzzle-loading pistols, muzzle-loading shotguns, longbows and crossbows. Muzzle-loading shotguns for taking squirrels, quail, grouse and rabbits must not use shot larger than No. 2 in size.

[(b)] Small game hunting will be closed during the December 4 through 11 deer gun season.]

(8) Fort Campbell Wildlife Management Area located in Christian and Trigg Counties; there will be no hunting on Mondays and Tuesdays except when Monday is a federal holiday, then hunting will be permitted.

(a) Seasons, bag and possession limits:

1. Squirrel: September 1, 1977 through October 2, 1977 [10, 1976], November 23 [24], 1977 through November 28, 1977 [1976]. November 30, 1977 [December 1] through December 31, 1977 [12, 1976] on selected areas. [December 15 through December 31, 1976; bag limit six (6); possession limit twelve (12).]

2. Quail: November 23 [24], 1977 through November 27, 1977 [28, 1976]. November 30, 1977 [December 1] through December 31, 1977 [12, 1976] on selected areas. January 1 [December 15], 1978 through February 27, 1978 [1977]. [; bag limit ten (10); possession limit twenty (20).]

3. Rabbit: November 23 [24], 1977 through November 27, 1977 [28, 1976]. November 30, [December 1] 1977 through December 31, 1977 [12, 1976] on selected areas. January 1, 1978 [December 15] through January 29, 1978 [30, 1977]; bag limit 5; possession limit ten (10).

4. Raccoon and opossum: Taking with gun and/or dogs, November 23 [24], 1977 through November 27, 1977 [28, 1976]. November 30, 1977 [December 1] through December 31, 1977 [12, 1976] on selected areas. January 1, 1978 [December 15] through January 29, 1978 [30, 1977]; possession limit one (1) per person.

5. Gray fox and Woodchuck [groundhog]: July 13 [14], 1977 through October 2, 1977 [10, 1976]. January 1, 1978 [December 15] through April 9, 1978. [10, 1977; no bag limit; no possession limit.]

6. Red fox: November 23 [24], 1977 through November 27, 1977 [28, 1976]. November 30, 1977 [December 1] through December 31, 1977 [12, 1976] on selected areas. January 1, 1978 [December 15] through January 29, 1978. [30, 1977; no bag limit; no possession limit.]

[(b)] Permission must be obtained for each hunt at building # 6645 and hunters must stay within their assigned area. A hunting permit costing ten dollars (\$10) [seven dollars (\$7)] is required and is good for all species hunting for the season.

(9) Knob State Forest located in Nelson County: Closed to all small game hunting except squirrels during the regular statewide seasons. Squirrel hunting weapons are limited to shotguns using shotshells and .22 caliber rifles.

ROBERT C. WEBB, Chairman,

Department of Fish and Wildlife Resources Commission

ARNOLD L. MITCHELL, Commissioner

ADOPTED: March 7, 1977

APPROVED:

WILLIAM L. SHORT, Secretary

RECEIVED BY LRC: May 11, 1977 at 2:10 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

**CABINET FOR DEVELOPMENT**  
**Department of Fish and Wildlife Resources**  
**(Proposed Amendment)**

**301 KAR 2:105. Deer gun and archery season; restrictions.**

RELATES TO: KRS 150.025, 150.170, 150.176, 150.305, 150.330, 150.340, 150.360, 150.390, 150.370, 150.400

PURSUANT TO: KRS 13.082

**NECESSITY AND FUNCTION:** This regulation pertains to the statewide deer gun season, the deer gun and archery season on specified wildlife management areas and refuges and the turkey archery season on Land Between the Lakes. This regulation is necessary for the continued protection of the species listed herein, and to insure a permanent and continued supply of the wildlife resource for the purpose of furnishing sport and recreation for present and future residents of the state. The function of this regulation is to provide for the prudent taking of deer and turkey within reasonable limits based upon an adequate supply. This amendment is necessary to change [the] season dates, [;] and close additional counties and game management areas to deer hunting. [; add a mandatory deer check station system and to better manage the deer herd by dividing the state into zones for gun deer hunting.]

**Section 1. Statewide Deer Gun Season, limits and Hunting Hours [.] for White-tailed Deer only.** (1) Season. Opens on November 12 [the first Saturday in December (4th)] and continues through November 14, 1977. [December 8, 1976.] Opens on December 3 and continues through December 5, 1977.

(2) Zones and legal deer which may be taken:

(a) Zone No. 1: McCracken, Livingston, [and] Crittenden and Ballard Counties. Bucks only with at least one (1) forked antler during November 12 through November 14, 1977, and December 4 and 5, 1977. [December 5 through December 8, 1976.] Either sex deer on December 3 [4] only.

(b) Zone No. 2: Barren, Hart and Edmonson Counties. Bucks only with at least one (1) forked antler during November 12 through November 14, 1977, and December 4 and 5, 1977. Either sex deer on December 3 only. [from December 4 through December 8, 1976.]

(c) Zone No. 3: Gallatin and Owen Counties. Bucks only with at least one (1) forked antler during November 12 through November 14, 1977, and December 4 and 5, 1977. [December 5 through December 8, 1976.] Either sex deer on December 3 [4] only.

(d) Zone No. 4: Remainder of state [(] except those counties closed to deer hunting; those management areas which are closed to all hunting; and those management areas where the season dates vary from the statewide hunting dates [)]. Bucks only with at least one (1) forked antler, [white-tailed, fallow or European red deer,] November 12 through November 14, 1977 and December 3 through December 5, 1977. [December 4 through December 8, 1976.]

(e) All Zones: Limit is one (1) white-tailed deer per season per hunter, either by gun or archery, except as stated herein on Fort Campbell Wildlife Management Area.

(3) Hunting Hours. One-half ( $\frac{1}{2}$ ) hour before sunrise to one-half ( $\frac{1}{2}$ ) hour after sunset prevailing local time for gun or archery. [Day-light hours only for gun or archery.]

**Section 2. This section pertains to counties closed to both gun and archery deer hunting; areas open to samll game hunting and trapping during the statewide gun deer hunting season; wildlife areas closed to all hunting.**

(1) The following counties are closed to both gun and archery deer hunting: Jackson, Owsley, Clay, Powell, Harlan, Leslie, Wolfe, Clark, Johnson, Perry, Knott, Breathitt [and that portion of Breathitt county south of Buckhorn Creek Road], Martin, Floyd and Magoffin. [All other counties are open to archery and gun deer hunting.]

[(2) The entire state will be closed to hunting for all game species except waterfowl, rails and gallinules and trapping for furbearers during the December 4 through 8 statewide deer gun season, except the following areas where hunting will be allowed:]

[(a) West Kentucky Wildlife Management Area in McCracken County.]

[(b) Higginson-Henry Wildlife Management Area in Union County.]

[(c) Land Between the Lakes Wildlife Management Area in Trigg and Lyon Counties.]

[(d) Fort Knox Wildlife Management Area in Hardin, Meade and Bullitt Counties.]

[(e) Fort Campbell Wildlife Management Area in Christian and Trigg Counties.]

(2) [(3)] The following wildlife management areas are closed to all hunting: Grayson Wildlife Management Area in Carter and Elliott counties, Beaver Creek Wildlife Management Area, including all private inholdings, in Pulaski and McCreary Counties, Pine Mountain Wildlife Management Area in Letcher County, Robinson Forest Wildlife Management Area in Breathitt, Perry and Knott Counties, [and] Redbird Wildlife Management Area, including all private inholdings, in Leslie and Clay counties and Dewey Lake Wildlife Management Area in Floyd county.

**Section 3. License Requirements for Gun and Archery Deer Hunting.** Each hunter taking or attempting to take deer must have in his or her possession a valid deer hunting permit, unless exempted by KRS 150.170(3), (5) or (6) (the resident owner of farmlands, his wife or dependent children; resident tenants or their dependent children residing upon said farmlands; residents sixty-five (65) years or older; and resident servicemen on furlough of more than three (3) days in their county of legal residence). All persons except those exempted by KRS 150.170(3), (5) or (6), must have a valid Kentucky hunting license in addition to the deer hunting permit. All non-residents are required to possess an annual non-resident hunting license and a deer permit.

**Section 4. Mandatory Deer Check Stations:** (1) All deer gun hunters harvesting [killing] a deer during the November 12 through November 14, 1977 and December 3 through December 5, 1977 [December 4 through 8] season, must have it checked at a [an open] check station nearest to where the deer was harvested [killed], or by the nearest available conservation officer, no later than 9:00 a.m. the next day. This also applies to the last day's hunt during both hunting periods. The hunter must fill out the stub attached to his deer permit, and this stub will be detached by the check station operator or conservation officer. A list of statewide check stations may be obtained from any county clerk's office.

(2) Hunters harvesting [killing] a deer on military posts, Land Between the Lakes or state-owned wildlife management areas listed in this regulation, must conform to check

station requirements on those areas.

(3) Persons eligible to hunt without a hunting license or deer permit (see Section 3 of this regulation) must contact their nearest conservation officer for a free tag whenever they kill a deer.

Section 5. General Requirements for Gun and Archery Hunting. (1) Deer hunting is prohibited within the exterior boundaries of Mammoth Cave National Park.

(2) Each hunter who *harvests* [kills] a deer must immediately attach to the deer the *adhesive paper* [locking] tag provided with the deer permit. The tag may be attached to any portion of the deer, provided that it cannot be removed without mutilating the deer carcass or damaging or destroying the *adhesive paper* [locking] tag. The tag must remain attached to the deer until the carcass is processed and packaged by locker plant, butcher or hunter. The card portion of the deer permit must be separated from the *adhesive paper* [locking] tag when tagging the deer and retained in possession of licensee. All persons eligible to hunt without a hunting license or deer hunting permit as exempted by KRS 150.170(3), (5) or (6), must attach to the deer a free identification tag obtained from a conservation officer [or deer check station] before removing said deer from their land or other lands.

(3) The deer hide tag attached to the deer permit must be attached to the raw hide immediately after removal from the carcass. Deer hides legally taken and tagged may be possessed and processed, but cannot be bought or sold.

(4) Hunters *harvesting* [killing] a deer must leave the head attached to the body until the carcass is removed from the field and processed by a locker plant, butcher or hunter.

[(5) All eligible hunters hunting in accordance with KRS 150.170(3), (5) or (6), shall notify the department in writing as to deer killed.]

(5) [(6)] Non-residents whose state does not grant residents of Kentucky the same hunting privilege as provided by KRS 150.176, may not hunt deer in Kentucky.

(6) [(7)] Deer may not be taken with the aid of dogs.

(7) [(8)] Deer may not be taken with the use of boats, any type of land vehicle or any domestic animal.

(8) [(9)] Deer may not be taken at any time or place while the deer is in the act of swimming or in any stream or body of water where the deer's body is submerged except for neck and head.

Section 6. *General Statewide Gun Season Requirements. Unless listed here or under specified wildlife management areas, all other firearms are prohibited.*

(1) Permitted Weapons:

(a) Shotgun ten (10) gauge maximum and twenty (20) gauge minimum with shells carrying a single slug.

(b) Center fire rifles .240 caliber or larger.

(c) Muzzle-loading rifles of .38 caliber or larger fired from the shoulder.

(d) Semi-automatic rifles (trigger has to be pulled each time the rifle fires).

(e) *Handguns with barrel lengths of 3.90 inches or longer. Only the following cartridges may be used: .30 Herret; .357 magnum; .357 Herret; .357 auto mag.; .41 magnum; .41 auto mag.; .44 magnum; .44 auto mag.; .44/40; .45 colt long; .45 auto mag.; and .45 ACP; the last of which must use either semi-jacketed hollow points or semi-jacketed soft point bullets. No full metal jacketed bullets of any caliber may be used.*

[(e) Any type of muzzle-loading weapon may be used on

Pioneer Weapons Wildlife Management Area in Bath and Menifee Counties. If muzzle-loading shotgun is used, the shot must be No. 2 buckshot or larger. Muzzle-loading shotguns and rifles using ball ammunition only on Land Between the Lakes Wildlife Management Area during the gun season only. Muzzle-loading rifles of not less than .40 caliber or more than .58 caliber on Fort Campbell Wildlife Management Area during the deer gun season only. Muzzle-loading rifles of .38 caliber or larger on Higginson-Henry Wildlife Management Area during the deer gun season only.]

(2) Prohibited Weapons and conditions:

(a) Persons under eighteen (18) years of age may not hunt deer unless accompanied by an adult.

(b) No one may hunt deer with a gun unless wearing a visible vest, or coat, or coveralls, or cap or hat of hunter orange color. The entire vest, coat, coveralls, cap or hat must be of the hunter orange color. Any one of these items may be worn to comply with this regulation.

(c) Buckshot or any type of shot shells are prohibited except on the Pioneer Weapons Wildlife Management Area located in Bath and Menifee Counties.

(d) Fully automatic rifles (when holding down the trigger will fire all remaining shells in the rifle).

(e) Full jacketed (military type) ammunition.

(f) Tracer bullet ammunition.

(g) Any Army issue M-1 .30 caliber carbine or its equivalent commercially sold counterpart. Any .256 caliber rifle.

(h) Muzzle-loading shotgun, except on Pioneer Weapons Wildlife Management Area and a portion of the Land Between the Lakes Wildlife Management Area.

(i) [(j)] Crossbow and Longbows.

[(i) Revolvers, pistols or any type of handgun may be carried during the deer gun season, but cannot be used in any way to take deer (except for muzzle-loading handguns on Pioneer Weapons Wildlife Management Area).]

Section 7. Archery Season Requirements. (1) Permitted weapons:

(a) Longbows and compound bows.

(b) Barbless arrows with broad head points at least seven-eighths (7/8) inch wide.

(c) Crossbows on Pioneer Weapons Wildlife Management Area only in Bath and Menifee Counties. Crossbows must be of not less than eighty (80) pounds pull with barbless arrows with broad head points at least seven-eighths (7/8) inch wide.

(2) Prohibited weapons and conditions:

(a) Any type of firearms.

(b) Crossbows, except as stated under permitted weapons.

(c) Chemically treated arrows, or attachments containing chemicals.

Section 8. Exceptions to Statewide Deer Hunting Regulations on the following Wildlife Management Areas and Refuges.

(1) West Kentucky Wildlife Management Area located in McCracken County:

(a) Deer Archery (either sex): October 1 [15] through October 31, 1977 on Tracts 1, 2, 3, 4, 5 and 6. December 10 [13] through December 31, 1977 [1976] on Tracts 4, 5 and 6 [only].

(b) Deer Gun (either sex): November 8 and 9, 1977 [13 and 14] on Tracts 1, 2, 3, 4, 5 and 6. Limited to hunters possessing a Kentucky hunting license whose last digit ends

in an odd number. November 19 and 20, 1977 [December 11 and 12, 1976] on Tracts 1, 2, 3, 4, 5 and 6. Limited to hunters possessing a Kentucky hunting license whose last digit ends in zero (0) or an even number. Persons sixty-five (65) or more years old, possessing a lifetime hunting license may hunt during any one (1) of the two (2) weekends.

(c) Checking in and out: All hunters must check in and out at the designated check station.

(d) Permitted [Legal] and prohibited guns: No rifles or sidearms permitted. Only shotguns twenty (20) gauge to ten (10) gauge with slug ammunition may be used for taking deer.

(e) Permitted [Legal] and prohibited archery weapons: Refer to Section 7(1) and (2) of this regulation.

(f) Closed areas: All tracts designated by a number followed by the letter "A" are closed to hunting.

(2) Land Between the Lakes Wildlife Management Area located in Trigg and Lyon Counties:

(a) Deer Archery (either sex): *White-tailed deer only*. October 8 [9] through November 2 [10], 1977. December 10 [18] through December 31, 1977 [1976].

(b) Deer Gun: *White-tailed deer only*. Bucks with at least one (1) forked antler. Some areas either sex or antlerless only. [ , species as specified on permit.] November 7, 11, 16 and 19, 1977 [17, 20, 22, 29, 1976].

(c) Turkey Archery: *Gobblers only with visible beards*. One (1) per hunter. October 8 [9] through November 2 [10], 1977. December 10 [18] through December 31, 1977 [1976].

(d) Deer Gun (for youths only): November 5, 1977 [13, 1976]. Youths who will be at least ten (10) years of age, but who will not have reached sixteen (16) years of age on the day of the hunt will be allowed. Youths must be accompanied by an adult and the youth must have a valid Kentucky hunting license, a state deer permit, a Land Between the Lakes Youth Hunt Permit, and a state Hunter Safety Certificate. The accompanying adult must have a valid Kentucky hunting license and deer permit. There will be a quota on the number of hunters. Applications must be submitted to Kentucky Deer Hunt, Land Between the Lakes, Golden Pond, Kentucky 42231 and be postmarked [received] no later than *midnight [12 noon] August 10, 1977 [September 1, 1976] or delivered in person to the Wildlife Management office at Golden Pond, Kentucky by 4:30 p.m. of this same date. Applications not complying with this deadline will be rejected.* Bag limit is one (1) deer of either sex.

(e) Areas open and closed to hunting. State line to Barkley Canal is open to hunting except for developed public use areas, safety zones and posted areas. *Duncan Bay Area on Kentucky Lake is closed to all hunting, as posted, from October 1 through March 31 each year as an eagle sanctuary.*

(f) Deer gun hunt applications and drawing. A drawing by computer will select hunters for each of the hunts. Application forms must be submitted to Kentucky Deer Hunt, Land Between the Lakes, Golden Pond, Kentucky 42231, and be postmarked no later than *midnight August 10, 1977 [not later than 12 noon September 1, 1976] or delivered in person to the Wildlife Management office at Golden Pond, Kentucky by 4:30 p.m. of this same date. Applications not complying with this deadline will be rejected.*

(g) Checking in and out; gun hunters. All hunters, including those camping in Land Between the Lakes, must check in, but will not be required to check out unless a deer [or turkey] is *harvested [killed]*. Hunters may check in between 9:00 a.m. [noon] and 5:00 p.m. the day before the

hunt, or after 4:00 a.m. on hunt days. Check stations will be open from 4:00 a.m. to 6:30 p.m. (CST) [EST] on hunt days.

(h) Checking in and out; archery hunters. Archery hunters are not required to check in or out, but all deer and trukeys *harvested [taken]* must be checked out.

(i) Tagging Deer. All deer *harvested [taken]* during the gun hunts must be tagged with a Land Between the Lakes *locking deer hunt tag* in addition to the state *adhesive paper [locking] tag*.

(j) Turkey archery hunting restriction. turkey hunting will not be allowed after a hunter has *harvested [killed]* a deer.

(k) Permitted or Prohibited Weapons. The same as statewide regulations (see Section 6(1) and (2) and Section 7(1) and (2)), except that *muzzle-loading shotguns using ball ammunition only are permitted. Hunting deer with handguns is not permitted.*

[(k) Prohibited Weapons. Firearms and crossbows are prohibited during the bow hunt.]

(l) For Land Between the Lakes general hunting rules refer to regulation 301 KAR 2:050.

(3) Pioneer Weapons Wildlife Management Area located in Bath and Menifee Counties:

(a) Deer Archery (either sex): October 1 through November 11, 1977 [14, 1976]. December 10 [18] through December 31, 1977 [1976].

(b) Deer Gun: Bucks with at least one (1) forked antler. November 12 through November 14, 1977. December 3 [4] through December 5, 1977 [11, 1976].

(c) Permitted [Legal] archery weapons: Longbows, compound bows and crossbows. Crossbows must not be less than eighty (80) pounds pull with barbless arrows with broad head points at least seven-eighths (7/8) inch wide.

(d) Permitted [Legal] guns: Only pioneer weapons are permitted. These include muzzle-loading rifles, muzzle-loading shotguns using No. 2 buckshot or larger and muzzle-loading pistols.

(4) Fort Campbell Wildlife Management Area located in Christian and Trigg Counties, there will be no hunting on Mondays and Tuesdays except when Monday is a federal holiday, then hunting will be permitted.

(a) Deer Archery (either sex): October 5 [13] through October 10 [17], 1977. October 15 [20] through November 20, 1977 [21, 1976] on selected areas. November 30 through December 31, 1977 [December 15 through December 31, 1976] on selected areas.

(b) Deer Gun (either sex): October 15 [20] through November 20 [21], 1977. November 30 through December 31, 1977 [December 1 through December 12, 1976] on selected areas.

(c) Shooting Hours: *One-half (½) hour before sunrise to one-half (½) hour after sunset prevailing local time for gun and archery. [Daylight hours only for gun or archery deer hunting]*

(d) Bag Limits: *The deer bag limit for Kentucky license holders hunting on Fort Campbell will be two (2) deer of either sex taken by either gun or bow provided; only one (1) deer of either sex is taken by gun or bow during the first hunting period of October 5 through November 20, 1977 and one (1) deer of either sex by gun or bow during the second hunting period of November 30 through December 31, 1977. If no deer is taken during the first hunting period, this does not entitle the hunter to take two (2) deer during the second hunting period. Persons having taken a deer at Fort Campbell are not eligible to hunt deer anywhere else in the state. Persons having taken a legal*

deer elsewhere in Kentucky may take only one (1) deer at Fort Campbell.

[(d) Bag Limit and Permits: The deer bag limit for Kentucky license holders will be one deer of either sex per season per hunter taken by either gun or bow. Persons having taken a deer at Fort Campbell are not eligible to hunt deer elsewhere in Kentucky during the season. Deer taken on post must be tagged with a statewide deer tag. Fort Campbell hunting permits are required and may be purchased for seven dollars (\$7) at building # 6645 on post.]

(e) Permits and tagging requirements:

1. Deer hunters must purchase a ten dollar (\$10) post hunting and fishing permit which includes a Fort Campbell deer tag, at building # 6645. All Fort Campbell deer hunters must also have a valid Kentucky deer permit. Persons sixty-five (65) years of age or older are not required to purchase a post hunting and fishing permit.

2. All deer taken on post must have a Kentucky adhesive paper deer tag and a Fort Campbell locking tag attached to the carcass.

3. All persons taking a deer on post during the first hunting period will have their name, address and permit number recorded by Fort Campbell authorities at building # 6645. This will entitle the individual to receive a free Fort Campbell and special state deer tag for use during the second hunting period.

4. Any person legally taking a deer elsewhere in Kentucky may obtain the necessary special state and Fort Campbell tags upon presentation of the card portion of his Kentucky deer permit for validation.

(f) [(e)] Permitted [Legal] guns: Muzzle-loading rifles of not less than .38 [.40] caliber [or more than .58 caliber] will be allowed during the deer gun season. Shotguns of twenty (20), sixteen (16) and twelve (12) gauge only using slugs are also allowed. No handguns will be permitted.

(g) [(f)] Permitted [Legal] and prohibited archery weapons: Bows for deer hunting must have a minimum pull of thirty-five (35) pounds. Big game hunting arrows must be not less than twenty-four (24) inches in length, equipped with broad head barbless blades not less than seven-eighths (7/8) inch nor more than one and one-half (1½) inches wide for single two-edged blades, or not more than three (3) inches in circumference for three (3) or more blades. The minimum weight for all broad heads will be 100 grains. Chemically treated arrows or explosive heads are prohibited. Crossbows are prohibited.

(5) Fort Knox Wildlife Management Area located in Hardin, Bullitt and Meade Counties:

(a) Deer archery (either sex): October 1 through October 31, 1977 [1976].

(b) Deer gun (either sex): December 3 and 4 and December 10 and 11, 1977. [November 20 and 21, November 27 and 28, 1976.] The period December 17 and 18, 1977 will be used only if harvest goals are not met during the previous two (2) weekends.

(c) Permitted [Legal] or [and] prohibited archery weapons. Refer to Section 7(1) and (2) of this regulation.

(d) Permitted [Legal] guns: Shotguns of sixteen (16), twenty (20) and twelve (12) gauge with slug ammunition only. Muzzle-loading rifles of .38 caliber or larger firing a single projectile.

(e) Applications for deer archery and gun hunting permits: Separate applications are required for each hunt. Applications for permits should be made by letter with enclosed fee of ten dollars (\$10) by certified check or money order payable to Treasurer of United States and mailed to the Fort Knox Conservation and Beautification Commit-

tee, P. O. Box 1052, Fort Knox, Kentucky 40121. [(f)] Applications for the deer archery hunt will be accepted no earlier than August 1, 1977 [1976], and for the gun hunt no earlier than September 6, 1977 [August 27, 1976]. Deadlines for accepting applications are: for bow hunting, August 20, 1977 [1976]; for gun hunting, September 16, 1977 [24, 1976]. The fees of those applicants not selected will be returned. All area and hunting assignment dates are final and fees will not be returned to those individuals selected to hunt.

(f) Validation of state deer permit: All deer hunters taking deer on Fort Knox must have the paper portion of their Kentucky deer permit stamped at a check point or deer check station with the words "Taken at Fort Knox."

(6) Higginson-Henry Wildlife Management Area located in Union County:

(a) Deer archery (either sex): October 1 through November 11, [14] 1977. December 10 [18] through December 31, 1977 [1976].

(b) Deer gun (either sex): November 15 and 16, 1977 [16 and 17, 1976].

(c) Permitted [Legal] and prohibited archery weapons. Refer to Section 7(1) and (2) of this regulation.

(d) Permitted [Legal] guns: Shotguns of ten (10) gauge maximum and twenty (20) gauge minimum with slug ammunition only and muzzle-loading rifles of .38 caliber or larger.

(e) Checking in and out: All hunters must check in and out daily at a designated check station.

(f) Applications for Deer Gun Hunting Permits: Deer gun hunters will be limited to 300 persons chosen by a drawing. Requests for deer gun hunting application[s] forms should be made to: Manager, Higginson-Henry Wildlife Management Area, Route # 5, Morganfield, Kentucky 42437, and must be accompanied by a stamped, self-addressed envelope. Completed application[s] forms for a deer gun permit will be accepted only during the period August 13, 1977 [15] through noon September 3, 1977 [4, 1976]. Requests for applications received before or after these dates will be discarded. The drawing of 300 names will take place shortly thereafter in the Union County Court House. Permits will be mailed by September 24, [25] 1977 to successful applicants [the persons drawn]. Persons unsuccessful in the drawing will not be notified.

(7) Blue Grass Army Depot Wildlife Management Area located in Madison County:

(a) Deer archery (either sex): [Bucks only with at least one (1) forked antler.] October 15, 16, 29 and 30, 1977. [9 and 10, 23 and 24, 1976.]

(b) Deer gun (either sex): December 3, 4 and 17, 1977.

(c) [(b)] Applications for deer hunting [archery] permits: Requests for deer hunting permits should be mailed on a postcard to the Chairman, Wildlife Management Subcommittee, Building S-14, Lexington Blue Grass Army Depot, Lexington, Kentucky 40507. To be eligible for a hunting permit, the card must contain the following information: Name of hunter (one person only), address, age, [and] telephone number [.] and method of hunting (archery or gun). Each person is limited to only one (1) day of hunting by either gun or archery. All cards must be postmarked no earlier than August 15 or no later than September 15, 1977. More than one (1) card from an individual will disqualify the applicant. A ten dollar (\$10) fee will be charged by the Army Depot, payable only after the hunter is notified of his selection and specific hunting date.

(d) General rules and conditions: No hunter under age fourteen (14) will be allowed to hunt. Hunters under six-



teen (16) years of age will not be permitted to hunt unless accompanied by an adult. Hunting will be discontinued whenever the quota is harvested or Depot operations make it necessary to stop hunting. All statewide deer hunting regulations apply unless otherwise specified herein.

(e) [(c)] Permitted [Legal] Archery Weapons: Refer to Section 7(1) and (2) of this regulation.

(f) Permitted guns: Shotguns only of ten (10) gauge maximum and twenty (20) gauge minimum with slug ammunition only.

(8) Ballard County Wildlife Management Area located in Ballard County.

(a) Area open to regular statewide deer hunting: Only the wooded area south of Terrell Landing road designated by signs reading "Wildlife Management Area for Public Hunting" is open during the regular statewide deer gun and archery seasons. [Regular statewide deer gun and archery seasons and regulations apply only to the wooded area south of Terrell Landing Road and designated by signs reading "Wildlife Management Area for Public Hunting".]

(b) Special deer hunt on designated zones within Ballard County Wildlife Management Area: All statewide deer gun and archery regulations apply unless otherwise stated herein.

1. Deer Archery (either sex): October 16 and 17, 23 and 24 and 30 and 31, 1977.

2. Deer Gun (either sex): October 21 and 22, 28 and 29 and November 5 and 6, 1977.

3. Permitted or prohibited archery weapons: Refer to Section 7(1) and (2) of this regulation.

4. Permitted guns: Shotguns only of ten (10) gauge maximum and twenty (20) gauge minimum with slug ammunition only.

5. Checking in and out: Hunters must claim reservations at check station one (1) hour before sunrise (C.T.). Hunting Zones will be assigned at the check station and transportation furnished to and from hunting zones. All deer taken must be checked through check station.

6. Applications and drawing for deer hunting permits: There will be a limit of 120 hunters for each two-day hunt to be chosen by a drawing. Hunters are limited to one (1) two-day hunt, either with gun or bow. A ten dollar (\$10) fee will be charged, payable only after the person is notified of his selection and assigned specific hunting dates. Applications will be received by letter only during the period July 1 through July 14, 1977 and a drawing will be held shortly thereafter. Applications received before or after this period will be discarded. More than one (1) application from an individual will disqualify the applicant. Mail application to: Manager, Ballard County Wildlife Management Area, Route # 1, LaCenter, Kentucky 42056 and write "Archery" or "Gun" in the lower left hand corner of the envelope. All applications must be accompanied by a stamped, self-addressed envelope. Letters of application are limited to no more than two (2) hunters. Each letter of application must contain the name of each applicant (limit two (2)), address, age, telephone number, hunting license number, method of hunting (gun or bow) and the first, second and third choice of hunting dates. All persons successfully drawn or not, will be notified. Persons drawn and assigned hunting dates will be mailed a deer hunting permit and be allowed fourteen (14) days to submit the ten dollar (\$10) per hunter fee in the form of a cashier's or certified check or money order made payable to the Department of Fish and Wildlife Resources. Failure to send the fee will result in the cancellation of the hunting permit.

7. General rules: No prescouting of hunting zones will be allowed. Only portable tree stands are allowed. Hunters are restricted to their assigned hunting zones.

(9) Knob State Forest located in Nelson County: All statewide gun and archery regulations and seasons apply unless otherwise stated herein. Permitted guns: Shotguns only of ten (10) gauge maximum and twenty (20) gauge minimum with slug ammunition only.

DR. ROBERT C. WEBB, Chairman

Department of Fish and Wildlife Resources Commission

ARNOLD L. MITCHELL, Commissioner

ADOPTED: March 7, 1977

RECEIVED BY LRC: May 11, 1977 at 2:10 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, Capital Plaza Tower, Frankfort, Kentucky 40601.

#### DEPARTMENT OF TRANSPORTATION Bureau of Vehicle Regulation (Proposed Amendment)

601 KAR 9:025. Temporary tags.

RELATES TO: KRS 186.074

PURSUANT TO: KRS 13.082, 186.074

NECESSITY AND FUNCTION: KRS 186.074 gives the Department of Transportation the authority and responsibility of promulgating regulations to provide for the sale of temporary tags in the Commonwealth.

Section 1. Temporary tags authorized by KRS 186.074 shall be issued under the following conditions:

(1) The Department of Transportation shall keep a record of the numbers on temporary tags assigned to each county clerk.

(2) The county clerk may sell temporary tags to motor vehicle dealers licensed under KRS 186.070 whose regular place of business is located within that county for a fee of fifty (50) cents for each tag. The county clerk shall keep a record of the numbers on temporary tags issued to each dealer.

(3) Dealers may issue temporary tags to purchasers of motor vehicles which have not been previously licensed in Kentucky. A temporary tag may not be sold for a price that exceeds fifty (50) cents. Each dealer shall keep a record of purchasers of motor vehicles to whom he issues temporary tags. This record shall contain the same information that is required to be filled in on the temporary tag and the name and address of the purchaser.

Section 2. A temporary tag shall in no event be valid for more than ten (10) days from the date the vehicle is sold as shown on [by] the bill of sale. The date of issuance and the date of expiration must be *written* [stamped] on the temporary tag, otherwise the tag is not valid. Only one (1) temporary tag may be issued for each sale of a motor vehicle and it must be issued at the time of the sale. Dealers are prohibited from placing temporary tags on motor vehicles until such vehicles are sold.

Section 3. Each county clerk and motor vehicle dealer shall be required to account for all temporary tags issued to them at any time the Department of Transportation requests to examine their records. Dealers issuing temporary tags in violation of this regulation will be denied the privilege of issuing any further tags and any such tags assigned to the dealer and unissued must be surrendered to the department.

Section 4. KRS 186.020 permits a five (5) day period before requiring registration, with the bill of sale kept in the motor vehicle during this period. Therefore, it is not necessary for a Kentucky resident to obtain a temporary tag if registration is accomplished within the five (5) day period.

O. B. ARNOLD, Commissioner

ADOPTED: May 12, 1977

APPROVED: CALVIN G. GRAYSON, Secretary

RECEIVED BY LRC: May 12, 1977 at 2:15 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Deputy Secretary for Legal Affairs, Department of Transportation, State Office Building, Frankfort, Kentucky 40601.

**DEPARTMENT FOR HUMAN RESOURCES**  
Bureau for Administration and Operations  
(Proposed Amendment)

**901 KAR 1:030. Schedule IV substances.**

RELATES TO: KRS Ch. 218A

PURSUANT TO: KRS 13.082, 194.050, 211.090

NECESSITY AND FUNCTION: KRS 218A.100 authorizes the Department for Human Resources to place a substance in Schedule IV if it finds that: (1) the substance has a low potential for abuse relative to substances in Schedule III; (2) the substance has currently accepted medical use in treatment in the United States; and (3) abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. The Department for Human Resources after considering such criteria hereby designates the substances set forth in this regulation as Schedule IV controlled substances.

Section 1. Stimulants: New Anorectic Drugs. The Department for Human Resources hereby designates as "Schedule IV" controlled substances, in addition to those specified by KRS 218A.110, any material, compound, mixture, or preparation which contains any quantity of the following substances, including their salts, isomers (whether optical position or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible:

- (1) Fenfluramine;
- (2) Diethylpropion; and
- (3) Phentermine.

Section 2. Depressants: The Department for Human Resources hereby designates as "Schedule IV" controlled substances, in addition to those specified by KRS 218A.110, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Chlordiazepoxide;
- (2) Clonazepam;
- (3) Clorazepate;
- (4) Diazepam
- (5) Flurazepam;
- (6) Mebutamate;
- (7) Methohexital;
- (8) Oxazepam; and
- (9) Pemoline.

Section 3. Analgesics, Non-Narcotics: The Department for Human Resources hereby designates as "Schedule IV" controlled substances, in addition to those specified by KRS 218A.110, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts: Dextropropoxyphene (Alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-proptonoxybutane).

BERNICE RANSDELL, JR.,  
Special Assistant to the Commissioner  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

RECEIVED BY LRC: May 9, 1977 at 9:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Capitol Annex, Room 201, Frankfort, Kentucky 40601.

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

**902 KAR 100:030. Posting and disposal requirements.**

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 for quantity requirements for posting and disposal of radioactive material.

Section 1. Applicability. This regulation applies to persons licensed pursuant to the department's radiation regulation.



Section 2. Table. The following table provides for the quantity requirements for posting and disposal of radioactive material as set forth in 902 KAR 100:020:

QUANTITY BASES FOR POSTING AND DISPOSAL REQUIREMENTS

Material	Microcuries	Material	Microcuries
Americium-241	0.01	Osmium-191	100
Antimony-122	100	Osmium-193	100
Antimony-124	10	Palladium-103	100
Antimony-125	10	Palladium-109	100
Arsenic-73	100	Phosphorus-32	10
Arsenic-74	10	Platinum-191	100
Arsenic-76	10	Platinum-193m	100
Arsenic-77	100	Platinum-193	100
Barium-131	10	Platinum-197m	100
Barium-133	10	Platinum-197	100
Barium-140	10	Plutonium-239	0.01
Bismuth-210	1	Polonium-210	0.1
Bromine-82	10	Potassium-42	10
Cadmium-109	10	Praseodymium-142	100
Cadmium-115m	10	Praseodymium-143	100
Cadmium-115	100	Promethium-147	10
Calcium-45	10	Promethium-149	10
Calcium-47	10	Radium-226	0.01
Carbon-14	100	Rhenium-186	100
Cerium-141	100	Rhenium-188	100
Cerium-143	100	Rhodium-103m	100
Cerium-144	1	Rhodium-105	100
Cesium-131	1,000	Rubidium-86	10
Cesium-134m	100	Rubidium-87	10
Cesium-134	1	Ruthenium-97	100
Cesium-135	10	Ruthenium-103	10
Cesium-136	10	Ruthenium-105	10
Cesium-137	10	Ruthenium-106	1
Chlorine-36	10	Samarium-151	10
Chlorine-38	10	Samarium-153	100
Chromium-51	1,000	Scandium-46	10
Cobalt-58m	10	Scandium-47	100
Cobalt-58	10	Scandium-48	10
Cobalt-60	1	Selenium-75	10
Copper-64	100	Silicon-31	100
Dysprosium-165	10	Silver-105	10
Dysprosium-166	100	Silver-110m	1
Erbium-169	100	Silver-111	100
Erbium-171	100	Sodium-24	10
Europium-152 9.2h	100	Strontium-85	10
Europium-152 13 yr.	1	Strontium-89	1
Europium-154	1	Strontium-90	0.1
Europium-155	10	Strontium-91	10
Fluorine-18	1,000	Strontium-92	10
Gadolinium-153	10	Sulphur-35	100
Gadolinium-159	100	Tantalum-182	10
Gallium-72	10	Technetium-96	10
Germanium-71	100	Technetium-97m	100
Gold-198	100	Technetium-97	100
Gold-199	100	Technetium-99m	100
Hafnium-181	10	Technetium-99	10
Holmium-166	100	Tellurium-125m	10
Hydrogen-3	1,000	Tellurium-127m	10
Indium-113m	100	Tellurium-127	100
Indium-114m	10	Tellurium-129m	10
Indium-115m	100	Tellurium-129	100
Indium-115	10	Tellurium-131m	10
Iodine-125	1	Tellurium-132	10
Iodine-126	1	Terbium-160	10
Iodine-129	0.1	Thallium-200	100
Iodine-131	1	Thallium-201	100
Iodine-132	10	Thallium-202	100
Iodine-133	1	Thallium-204	10
Iodine-34	10	Thorium (Natural)	100(50)
Iridium-192	10	Thulium-170	10
Iridium-194	100	Thulium-171	10
Iron-55	100	Tin-113	10
Iron-59	10	Tin-125	10
Krypton-85	100	Tungsten-181	10
Krypton-87	10	Tungsten-185	10
Lanthanum-140	10	Tungsten-187	100
		Uranium (Natural)	100(50)

Material	Microcuries	Material	Microcuries
Lutetium-177	100	Uranium-233	0.01
Manganese-52	10	Uranium-234	0.01
Manganese-54	10	Uranium-235	0.01
Manganese-56	10	Vanadium-48	10
Mercury-197m	100	Xenon-131m	1,000
Mercury-197	100	Xenon-133	100
Mercury-203	10	Xenon-135	100
Molybdenum-99	100	Ytterbium-175	100
Neodymium-147	100	Ytterbium-90	10
Neodymium-149	100	Yttrium-91	10
Nickel-59	100	Yttrium-92	100
Nickel-63	10	Yttrium-93	100
Nickel-65	100	Zinc-65	10
Niobium-93m	10	Zinc-69m	100
Niobium-95	10	Zinc-69	1,000
Niobium-97	10	Zirconium-93	10
Osmium-185	10	Zirconium-95	10
Osmium-191m	100	Zirconium-97	10

Any alpha emitting radionuclide not listed above or mixture of alpha emitters of unknown composition 0.01

Any radionuclide other than alpha emitting radionuclides, not listed above or mixtures of beta emitters of unknown composition 0.1[0.01]

Section 3. Footnotes to Table. (1) *Natural Thorium quantity limit based on alpha disintegration rate of Thorium 230, Thorium 232 and their daughter products.*

(2) *Natural Uranium quantity limit based on alpha disintegration rate of Uranium 234, Uranium 235 and Uranium 238.*

(3) [(1)] For purposes of these regulations where there is involved a combination of isotopes in known amounts, the limit for the combination should be derived as follows: Determine, for each isotope in the combination, the ratio between the quantity present in the combination and the limit otherwise established for the specific isotope when not in combination. The sum of such ratios for all the isotopes in the combination may not exceed "1" (i.e., "unity").

(4) [(2)] Example: For purposes of these regulations, if a particular batch contains 20,000 uCi of Au-198 and 50,000 uCi of C-14, it may also include not more than 300 uCi of I-131. This limit was determined as follows:

$$\frac{20,000 \text{ uCi Au-198}}{100,000 \text{ uCi}} + \frac{50,000 \text{ uCi C-14}}{100,000 \text{ uCi}} + \frac{300 \text{ uCi I-131}}{1,000 \text{ uCi}} = 1$$

(5) [(3)] The denominator in each of the above ratios was obtained by multiplying the figure in the table by 1000 [1].

BURNICE RANDELL, JR.,  
Special Assistant to the Commissioner  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

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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 100:075. 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 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 waste. The purpose of this regulation is to *classify specific diagnostic procedures using radioactive material into groups* [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) Iodine 131 or Iodine 125 as sodium iodide for thyroid imaging.

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

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

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

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

(g) Iodine 131 as iodopyracet, sodium iodohippurate, sodium diatrizoate, diatrizoate methylglucamine, sodium diprotrizoate, or sodium acetrizoate for kidney imaging.

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

(i) Iodine 131 as iodinated human serum albumin (IHSA) for placental localization.

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

(k) Chromium 51 as labeled human serum albumin for placental localization.

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

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

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

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

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

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

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

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

(t) Technetium 99m as labeled sulfur colloid for liver, spleen and bone marrow imaging.

(u) 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) 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) 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 and bone marrow 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).

BURNICE RANDELL, JR.,  
Special Assistant to the Commissioner  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

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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 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.

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) *Is currently receiving or has been found ineligible for unemployment compensation; [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 project 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 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 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  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

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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 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) Savings, stocks, bonds, 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, 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 (½) 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,] *Income of the patient is conserved as needed to provide needs of the spouse and minor children up to 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.

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  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

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Frankfort, Kentucky 40601.

patient per physician per calendar year.

(3) [(4)] Pre-authorization by the Division for Medical Assistance shall be required for those patients who, due to over utilization, have been "locked-in" to one (1) physician and one (1) pharmacy, for payment for services in excess of four (4) prescriptions and four (4) physician visits per month.

(4) [(5)] Coverage for laboratory procedures performed in the physician's office shall be limited to those procedures listed on the agency's physician laboratory benefit schedule.

(5) [(6)] The cost of preparations used in injections shall not be considered a [non]-covered benefit.

(6) [(7)] Telephone contacts with patients shall not be considered a covered benefit.

GAIL S. HUECKER, Commissioner  
PETER D. CONN, Secretary

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Frankfort, Kentucky 40601.

## DEPARTMENT FOR HUMAN RESOURCES

### Bureau for Social Insurance (Proposed Amendment)

#### 904 KAR 1:009. Physicians' services.

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 to Kentucky's indigent citizenry. This regulation sets forth the provisions relating to physicians' services for which payment shall be made by the medical assistance program in behalf of both the categorically needy and the medically needy.

Section 1. Physicians' Services: Covered services shall include those furnished by physicians through direct physician-patient contact in the office, the patient's home, a hospital, a skilled nursing or intermediate care facility or elsewhere.

Section 2. Limitations: (1) Coverage for initial and extensive visits shall be limited to two (2) visits per patient per physician per calendar year.

[(2)] Coverage for outpatient services shall be restricted to payment for a maximum of three (3) family members seen on a given day. Program payment for three (3) family members shall be considered to be payment in full for that particular family visit.]

(2) [(3)] Payment for outpatient psychiatric services rendered by other than board-eligible and board-certified psychiatrists shall be limited to four (4) such services per

## DEPARTMENT FOR HUMAN RESOURCES

### Bureau for Social Insurance (Proposed Amendment)

#### 904 KAR 1:014. Out-patient hospital services.

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 to Kentucky's indigent citizenry. This regulation sets forth the provisions relating to out-patient hospital services for which payment will be made by the medical assistance program in behalf of both the categorically needy and medically needy.

Section 1. Hospital Out-patient Services covered by the Medical Assistance Program: There are no limitations on the number of hospital out-patient visits or services available to program recipients. Hospital out-patient services to be covered, listed below, must be prescribed by, or in the case of emergency room services, determined to be medically necessary by a duly-licensed physician, or when applicable, a duly-licensed dentist, for the care and treatment indicated in the management of illness, injury, impairment or maternity care, or for the purpose of determining the existence of such an illness or condition in a patient. Moreover the services must be furnished by or under the supervision of a duly-licensed physician, or when applicable, a duly-licensed dentist.

- (1) Diagnostic services as ordered by a physician;
- (2) Therapeutic services as ordered by a physician;
- (3) Emergency room services in emergency situations as determined by a physician.

Section 2. Hospital Out-patient Services not covered by the Medical Assistance Program: (1) Items and services which are not reasonable and necessary for or related to the diagnosis or treatment of illness or injury, impairment or maternity care.

(2) Services for which the individual has no obligation to pay and for which no other person has a legal obligation to provide or to pay [for].

(3) Medical supplies and appliances except those incident to the performance of services in the hospital out-patient department and which are included in the rate of payment established by the Kentucky Medical Assistance Program for hospital out-patient services.

(4) Drugs, biologicals and injectables purchased by or dispensed to a patient.

[(5) Clinic fees.]

(5) [(6)] Routine physical examinations.

GAIL S. HUECKER, Commissioner  
PETER D. CONN, Secretary

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

**904 KAR 1:024. Intermediate care facility services.**

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 to Kentucky's indigent citizenry. This regulation sets forth the provision relating to intermediate care facility services for which payment shall be made by the medical assistance program in behalf of both the categorically needy and the medically needy.

Section 1. Provision of Service: Payment for services shall be limited to those services provided to eligible individuals meeting the criteria of patient status in that they require intermittent skilled nursing care, continuous personal care and/or supervision in an institutional setting.

Section 2. Classification of Facilities: There shall be two (2) classifications of intermediate care facilities, i.e. (i) general intermediate care facilities and (ii) intermediate care facilities for the mentally retarded and persons with related conditions.

Section 3. Determining Patient Status: Professional staff of the department shall review and evaluate the health status and care needs of the recipient in need of institutional care giving consideration to the medical diagnosis, care needs, services and health personnel required to meet the needs and the feasibility of meeting the needs through alternative institutional or non-institutional services. A patient with a stable medical condition manifesting a combination of the following care needs may be qualified for intermediate care:

- (1) Assistance with wheelchair;
- (2) Physical and/or environmental management for confusion and mild agitation;
- (3) Must be fed;
- (4) Assistance with going to bathroom or using bedpan for elimination;
- (5) Old colostomy care;
- (6) In-dwelling catheter for dry care;
- (7) Changes in bed position;
- (8) Administration of stabilized dosages of medication;
- (9) Restorative and supportive nursing care to maintain the patient and prevent deterioration of his condition;
- (10) Administration of injections during time licensed personnel is available.

(11) Services that could ordinarily be provided or administered by the individual but due to physical and/or mental condition is not capable of such self-care.

(12) *Routine administration of medical gases after a regimen of therapy has been established.*

(13) [(12)] For intermediate care in an intermediate care facility/mentally retarded only, physical and/or environmental management and/or rehabilitation for moderate to severe retardation.

Section 5. Re-evaluation of Need for Service: Intermediate care shall be provided for as long as the health status and care needs are within the scope of program benefits. Patient status shall be re-evaluated at least every six (6) months. If the re-evaluation reveals that the patient's condition indicates the need for a different level of care, payment shall continue for a maximum of twenty (20) days to provide for orderly transfer to the appropriate level of care.

GAIL S. HUECKER, Commissioner  
PETER D. CONN, Secretary

ADOPTED: May 6, 1977

RECEIVED BY LRC: May 9, 1977 at 9:45 a.m.

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

# Proposed Regulations

## AUDITOR OF PUBLIC ACCOUNTS

### 45 KAR 1:010. County fee officials' audit standards.

RELATES TO: KRS 43.070(1)(b), 64.810

PURSUANT TO: KRS 13.082, 43.075

NECESSITY AND FUNCTION: KRS 43.075 requires the Auditor of Public Accounts to develop uniform standards, procedures and formats for reporting all audits of the accounts, books and papers of elected county or district officials. This regulation provides the audit guide for county fee officials.

Section 1. On and after July 1, 1977, audits of county fee officials shall be conducted in accordance with generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants. This regulation reflects the interpretation of the Auditor of Public Accounts of generally accepted auditing standards as applied to county fee officials in Kentucky.

Section 2. (1) The U.S. General Accounting Office has indicated that generally accepted auditing standards relative to governmental units should include the following audit elements:

- (a) Financial and compliance;
- (b) Economy and efficiency; and
- (c) Program results.

(2) While economy and efficiency and program results audits are encouraged, the minimum requirements for the audits of county fee officials involve only the financial and compliance audit.

Section 3. (1) The provisions of this regulation are outlined in greater detail in the "Audit Guide for County Fee Officials," July 1, 1977 edition, published by the Auditor of Public Accounts, which is incorporated by reference. Copies may be obtained from the Auditor of Public Accounts, Capitol Annex, Frankfort, Kentucky 40601.

(2) It is not the intent, however, of this regulation or the guide to subjugate either the judgment or the independence of the certified public accountant.

Section 4. Objective of the Audit. (1) The primary objective of audits of county fee officials is to express an opinion as to the fairness of the reported "excess fees," if any, of the official and to determine whether the official complied with the applicable laws and regulations governing the collection and expenditure of public funds.

(2) More specifically, the auditor should make sufficient tests to determine:

(a) Whether statutory receipts have been collected, accounted for and disbursed in accordance with applicable state and federal laws and regulations;

(b) Whether expenses claimed are allowable against fee income by statute or common law;

(c) The amount of "excess fees," if any, of the officials and the amounts otherwise payable to the county and/or the state;

(d) Whether the official is complying with all other legal requirements relating to the management of public funds by his office, including but not limited to requirements of the uniform system of accounts adopted under KRS 68.210 and all publication requirements.

Section 5. Reporting Format. (1) The auditor's report shall indicate whether the audit was conducted in accordance with generally accepted auditing standards and the "Audit Guide for County Fee Officials."

(2) The report shall include a statement of receipts and disbursements, with receipts classified by source and disbursements classified by object. Excess fees shall be identified in the statement as the excess of receipts over disbursements. Excess fees shall be reduced by payments, including payments made up to the date of the audit report. Other financial statements may also be included in the report.

(3) The auditor shall express an overall opinion as to whether the statement of receipts and disbursements presents fairly the excess fees of the official, or shall indicate the reasons why an overall opinion cannot be expressed.

(4) Since the content of the statement of receipts and disbursements is determined by law and since the statement does not purport to reflect net income, reference to generally accepted accounting principles or their consistent application would not be appropriate.

(5) The report shall indicate any matters of non-compliance with law or regulation known to the auditor.

GEORGE L. ATKINS,  
Auditor of Public Accounts

ADOPTED: May 12, 1977

RECEIVED BY LRC: May 12, 1977 at 10:25 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING  
TO: Auditor of Public Accounts, Capitol Annex,  
Frankfort, Kentucky 40601.

## DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

Bureau of Natural Resources  
Division of Water Resources

### 401 KAR 4:020. General permit procedure exemptions.

RELATES TO: KRS Chapter 151

PURSUANT TO: KRS 13.082, 151.250(1), 224.033(17)

NECESSITY AND FUNCTION: This regulation is necessary to exempt from the permitting requirements of KRS 151.250 those dams, embankments and other obstructions in and along streams of the Commonwealth which



are not of such size or type as to require approval by the Department in the interest of safety or retention of water supply. This regulation exempts only those activities which have been approved by the United States Department of the Army pursuant to the specific criteria set forth in its General Permit procedures.

Section 1. No permit shall be required pursuant to KRS 151.250 for those activities in and along the streams of the Commonwealth of Kentucky which are approved by the United States Department of the Army in accordance with its General Permit procedures as set out in Title 33 CFR 209.120(i)(2)(ix), and as published in the Federal Register of 25 July, 1975, Volume 40, Number 144.

ROBERT D. BELL, Secretary

ADOPTED: April 18, 1977

RECEIVED BY LRC: April 25, 1977 at 9:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Gene Brandenburg, Director, Division of Water Resources, Department for Natural Resources and Environmental Protection, 6th Floor Capital Plaza Tower, Frankfort, Kentucky 40601.

#### **PUBLIC PROTECTION AND REGULATION CABINET** Department of Insurance

##### **806 KAR 3:010. Reservation of insurer's names; fee.**

RELATES TO: KRS 304.3-100(3)

PURSUANT TO: KRS 13.082, 304.2-110

NECESSITY AND FUNCTION: KRS 304.2-110 provides that the Commissioner of Insurance shall make reasonable rules and regulations necessary for or as an aid to the effectuation of any provisions of the Kentucky Insurance Code. This regulation authorizes the Commissioner of Insurance to reserve the name of a foreign insurer provided application is duly made to the commissioner by the insurer.

Section 1. No filing pursuant to KRS 304.3-100(3) or written consent obtained thereunder will be effective unless duly applied for and registered with the commissioner.

Section 2. No filing pursuant to said section shall be effective for more than a period of twelve (12) months from the date of receipt of the said filing by the commissioner.

Section 3. Each filing or application shall be accompanied by a fee of fifty-two dollars (\$52) to defray the cost of maintaining a weekly list of such reservations for the period of one (1) year.

HAROLD B. McGUFFY, Commissioner

ADOPTED: May 9, 1977

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: May 11, 1977 at 3:10 p.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 9 a.m. EDT Monday, June 6, 1977 at the Department of Insurance, second floor, Capital Plaza Tower, Frankfort, Kentucky 40601.

#### **DEPARTMENT FOR HUMAN RESOURCES** Bureau for Social Insurance

##### **904 KAR 2:013. Emergency assistance program.**

RELATES TO: KRS 205.215

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources is authorized by KRS 205.215 to provide short term assistance to families with children in crisis situations as provided for in title IV-A of the Social Security Act. This regulation sets forth the criteria for eligibility and type and amounts of assistance granted under the Emergency Assistance Program, hereinafter referred to as EAP, as administered in accordance with 45 C.F.R. § 233.120.

Section 1. Crisis Situations: The EAP program provides assistance to destitute families whose need for assistance is the direct result of one of the following unforeseen crises: a natural disaster, a civil disorder or disruption, illness, death, desertion, imprisonment, or unemployment. In addition, a stranded and destitute migrant or transient family may be considered to be in a crisis situation.

Section 2. Definitions: Terms used in the EAP program are defined as follows:

(1) Destitution is that situation in which a family has neither financial nor non-financial means to meet basic needs of food, shelter, clothing and/or emergency child care.

(2) Natural disaster includes fire, flood, storm or earthquake the magnitude of which is insufficient to qualify affected families for federal disaster assistance.

(3) Civil disorders and other disruptions include riots, vandalism, industrial or home explosions, forced evacuation and theft of basic household furnishings.

(4) Illness is that condition resulting from accident or disease which results in unforeseen expenditure and/or loss of income except that for active AFDC cases, illness of the parent on whose incapacity deprivation is based is not considered as a crisis situation.

(5) Death, for purposes of consideration as a crisis situation, is limited to unforeseen expenditures resulting from death of a related member living with the applicant family.

(6) Desertion is the intentional severing through absence, of parental obligations, duties and rights on the part of the parent, or person acting in place of parent, and includes separation of parent and children from the other parent due to actual or threatened physical abuse, with no durational time limitation.

(7) Imprisonment is the absence of a parent due to incarceration with no durational limitation on length of sentence.

(8) Unemployment is the loss of employment by the primary wage earner through no fault of his own.

Section 3. Eligible Groups: Any family which includes a child under twenty-one (21) or an unborn child may qualify for EAP if all other eligibility conditions are met. In addition, a child who, within six (6) months, did reside with a specified relative as defined in Section 406(a)(1) of the Social Security Act may qualify. Specifically excluded is any family whose need resulted because of refusal without good cause of the adult to accept employment or training for employment or termination of such without good cause



as determined in accordance with 45 C.F.R. § 233.100(a)(3)(ii).

**Section 4. Income and Resource Limitations:** An applicant for EAP will be required to utilize all cash resources to meet emergency needs. Continuing income is related to the "Medical Assistance Only" income standard for family size. Any excess is considered as available to meet emergency needs in whole or in part.

**Section 5. Additional Limitations:** (1) Need is considered to be a direct result of a defined crisis only if application is made within sixty (60) days of such occurrence.

(2) EAP is limited to one (1) period of thirty (30) consecutive days in any twelve (12) consecutive months.

**Section 6. Needs Which Can Be Met:** EAP utilizes community resources to supplement payments provided by the program for the following needs: food, clothing, shelter,

utilities and/or heating fuel, home repairs, home furnishings, transportation, and child care. Information and referral services are also provided.

**Section 7. Method and Amount of Payment:** EAP payments are made directly to vendors by means of locally authorized voucher or by check drawn in favor of the recipient or recipient and vendor. The amount of payment is directly related to those needs which if unmet would result in destitution of the child.

GAIL S. HUECKER, Commissioner

ADOPTED: May 6, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 9, 1977 at 9:45 a.m.

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

## ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

### Minutes of May 4, 1977 Meeting

(Subject to Subcommittee approval at its next meeting on June 1, 1977.)

The Administrative Regulation Review Subcommittee held its regularly scheduled meeting on May 4, 1977, at 10 a.m. EDT in room 327 of the Capitol. Present were: Members: Representative William T. Brinkley, Chairman; Senator Donald L. Johnson and Representative David G. Mason.

Guests: Charles D. Wickliffe, Joyce A. Morse, R. Clark Beauchamp, Joe Moore, Margaret M. LeBus, Jay Burner, Linda Horton and Stanley A. Stratford, Executive Department for Finance and Administration; William C. Pearce and A. K. Buhger, Touche Ross and Co.; Cattie Lou Miller, Board of Claims; Paul H. Trehues, Jr., Board of Ethics of the General Assembly; Larry W. Potter, Department of Labor; Carl Kays and Joe Bruna, Department of Fish and Wildlife Resources; David M. Kimbel, Sr. and A. R. Sullivan, State Board for Proprietary Education; Judy Hagler, Kentucky Medical Association; Jim Wilson, Kentucky Chamber of Commerce; Nat Sanders, Kentucky Real Estate Commission; Arthur Hatterick and Tom Graham, Department of Personnel; C. O. Neel, Education and Arts Cabinet; Gary R. Harp and John H. Burrus, Zero Perk Systems, Inc.; Eugene Perkins and Arthur S. Curtis, Jr., Department for Natural Resources and Environmental Protection; W. O. Hubbard, Elizabeth R. Gardner, John L. Clayton and Judy Weis, Department for Human Resources; Galen Martin and Norma Jean Jones, Kentucky Commission on Human Rights.

LRC Staff: William H. Raines, Hugh Morris, Mabel D. Robertson, Ollie Fint, Garnett Evins and Phyllis Herman.

The minutes of the April 6 meeting were approved.

The following regulations were deferred until the June meeting:

301 KAR 2:110, Cabinet for Development, Department of Fish and Wildlife Resources, Raccoon and opossum; training and shake-out seasons, was deferred on motion of

Senator Johnson, who questioned whether the department had made a finding of necessity as required by statute; and expressed the opinion that such finding should be written into the regulation.

401 KAR 1:105, Department for Natural Resources and Environmental Protection, Bureau of Environmental Protection, Division of Plumbing, Subsurface sewerage disposal systems, was deferred on motion of Senator Johnson, for further study and for the department to clarify the definition of availability.

The following regulations were approved and ordered filed:

#### GENERAL ASSEMBLY

##### Board of Ethics

2 KAR 1:020. rules of procedure.

#### SECRETARY OF THE CABINET

##### Department of Personnel

##### Personnel Rules

101 KAR 1:130. Appeals.

101 KAR 1:200. Rules for unclassified service.

#### Commission on Human Rights

##### Human Rights

104 KAR 1:070. Records and reports for apprenticeship and training programs. (as amended in committee)

##### Board of Claims

##### Practice and Procedure

108 KAR 1:010. Board operation and claim procedure.

#### EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

##### Coal Producing County Development Fund

200 KAR 4:020. Coal severance economic aid boards; fund; selection of projects.

**Bureau of Administrative Services  
Division of Accounts**

**Accounts**

200 KAR 8:010. Reimbursable revenues of local courts.  
(as amended in committee)

**Office for Local Government**

200 KAR 10:040. Area development fund; expenditure.

**Division of Occupations and Professions**

**Real Estate Commission**

201 KAR 11:033. Discrimination prohibited.

**Board for Proprietary Education**

201 KAR 24:020. Associate degree award standards.

**CABINET FOR DEVELOPMENT**

**Department of Fish and Wildlife Resources**

**Game**

301 KAR 2:045. Upland game birds, furbearers and small game; seasons, limits.

301 KAR 2:100. Archery season and limits for deer.

**DEPARTMENT FOR HUMAN RESOURCES**

**Bureau for Health Services**

**Drug Formulary**

902 KAR 1:020. Ampicillin.

902 KAR 1:035. Chlorpheniramine Maleate.

902 KAR 1:040. Penicillin-G.

902 KAR 1:050. Penicillin-V.

902 KAR 1:055. Meclizine Hydrochloride.

902 KAR 1:080. Acetaminophen.

902 KAR 1:081. Acetaminophen with Codeine.

902 KAR 1:110. Diphenhydramine.

902 KAR 1:140. Sulfisoxazole Tablet.

902 KAR 1:220. Propantheline Bromide Tablet.

902 KAR 1:230. Dimenhydrinate Tablet.

902 KAR 1:270. Pseudoephedrine Hydrochloride.

902 KAR 1:280. Chloral Hydrate Capsules and Syrup.

902 KAR 1:320. Imipramine Hydrochloride Tablet.

902 KAR 1:328. Chlordiazepoxide Hydrochloride Capsule.

**Medical Laboratories**

902 KAR 11:010. Application for licensure; fee.

902 KAR 11:020. Reports and standards of health and safety.

902 KAR 11:030. Personnel standards.

902 KAR 11:035. Proficiency test procedures.

902 KAR 11:040. Specialty test procedures.

902 KAR 11:045. Test and specimen records.

902 KAR 11:050. Equipment, methods and samples.

**Bureau for Social Insurance**

**Food Stamp Program**

904 KAR 3:010. Definitions.

904 KAR 3:020. Eligibility requirements.

904 KAR 3:030. Application and certification process.

904 KAR 3:040. Issuance procedures.

904 KAR 3:050. Additional provisions.

**Bureau for Social Services**

**Child Welfare**

905 KAR 1:100. Procedures for presenting mentally ill or mentally defective children for observation.

The meeting adjourned at 1:45 p.m. to meet again on June 1, 1977 at 10 a.m. EDT in Room 327 of the Capitol.

# *Administrative Register* <sup>of</sup> *kentucky*

## Cumulative Supplement

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## Regulation Locator—Effective Dates

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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

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11 KAR 5:031E	743	4-27-77	803 KAR 25:060E	225	7-27-76	11 KAR 5:030		
Expires		8-25-77	Expired		11-24-76	Amended	146	9-1-76
101 KAR 1:050E	483	12-2-76	805 KAR 4:010E	130	6-18-76	Amended	750	
Expired		4-1-77	Expired		10-16-76	11 KAR 5:060		
101 KAR 1:200E	627	3-10-77	805 KAR 4:070E	131	6-18-76	Amended	146	9-1-76
Expires		7-8-77	Expired		10-16-76	11 KAR 5:070		
105 KAR 1:040E	114	6-30-76	805 KAR 4:075E	132	6-18-76	Amended	751	
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105 KAR 1:050E	531	1-1-77	805 KAR 4:080E	133	6-18-76	Amended	375	12-1-76
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106 KAR 1:010E	220	7-23-76	805 KAR 4:085E	133	6-18-76	Amended	375	12-1-76
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107 KAR 1:015E	436	11-9-76	805 KAR 4:095E	134	6-18-76	Amended	767	
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107 KAR 1:025E	436	11-9-76	805 KAR 4:100E	135	6-18-76	Amended	370	10-6-76
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108 KAR 1:010E	630	3-7-77	805 KAR 4:105E	135	6-18-76	101 KAR 1:080		
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200 KAR 1:020E	116	6-21-76	805 KAR 4:110E	136	6-18-76	101 KAR 1:090		
Expired		10-19-76	Expired		10-16-76	Amended	280	8-4-76
200 KAR 4:020E	119	6-24-76	805 KAR 4:115E	137	6-18-76	101 KAR 1:100		
Expired		10-22-76	Expired		10-16-76	Amended	281	8-4-76
200 KAR 10:040E	121	6-24-76	805 KAR 4:120E	137	6-18-76	101 KAR 1:110		
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301 KAR 1:015E	123	6-30-76	805 KAR 4:125E	138	6-18-76	101 KAR 1:120		
Expired		10-28-76	Expired		10-16-76	Amended	282	8-4-76
301 KAR 2:022E	367	9-27-76	805 KAR 4:130E	138	6-18-76	101 KAR 1:130		
Expired		1-20-77	Expired		10-16-76	Amended	642	5-4-77
301 KAR 2:023E	311	8-23-76	805 KAR 4:135E	139	6-18-76	101 KAR 1:140		
Expired		12-20-76	Expired		10-16-76	Amended	283	8-4-76
302 KAR 20:070E	631	2-17-77	805 KAR 4:140E	139	6-18-76	Amended	535	3-2-77
Expires		6-17-77	Expired		10-16-76	101 KAR 1:200		
400 KAR 1:010E	221	7-22-76	805 KAR 4:145E	140	6-18-76	Amended	644	5-4-77
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503 KAR 5:050E	126	6-30-76	806 KAR 40:010E	141	7-8-76	Amended	376	12-1-76
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503 KAR 5:060E	128	6-30-76	806 KAR 50:010E	226	8-6-76	Amended	377	12-1-76
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503 KAR 5:070E	128	6-30-76	807 KAR 1:011E	744	5-6-77	Amended	377	12-1-76
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601 KAR 9:012E	128	6-21-76	902 KAR 6:040E	685	3-16-77	Amended	378	12-1-76
Expired		10-19-76	Expires		7-14-77	102 KAR 1:120		
601 KAR 9:013E	532	1-2-77				Amended	378	12-1-76
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604 KAR 1:010E	581	2-15-77				Amended	379	12-1-76
Expires		6-15-77				102 KAR 1:153	286	8-4-76
702 KAR 3:061E	582	2-10-77				102 KAR 1:185		
Expires		6-10-77	Regulation	3 Ky.R. Page No.	Effective Date	Amended	379	12-1-76
803 KAR 2:020E	222	8-12-76	2 KAR 1:010	670	5-4-77	102 KAR 2:010		
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Expired		10-29-76	10 KAR 1:010	416	12-1-76	Amended	381	12-1-76
803 KAR 4:021E	436	11-3-76	11 KAR 5:020			103 KAR 15:040		
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## ADMINISTRATIVE REGISTER

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103 KAR 15:060			201 KAR 1:085			301 KAR 3:052	525	2-2-77
Amended	147	9-1-76	Repealed	461	1-5-77	Expired	525	5-8-77
103 KAR 16:060			201 KAR 1:086	461	1-5-77	301 KAR 3:070		
Amended	382	12-1-76	201 KAR 1:090			Amended	602	4-6-77
103 KAR 16:070			Amended	443		302 KAR 1:020	182	9-1-76
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Amended	148	9-1-76	Amended	703		Amended	325	11-3-76
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Amended	149	9-1-76	Amended	600	4-6-77	Amended	153	11-3-76
103 KAR 17:050			201 KAR 8:277			Amended	654	
Repealed	173	9-1-76	Amended	600	4-6-77	303 KAR 1:002	185	
103 KAR 17:051	173	9-1-76	201 KAR 9:075	180		Withdrawn		10-21-76
103 KAR 17:070			201 KAR 11:033	676	5-4-77	305 KAR 1:010	267	10-6-76
Amended	149	9-1-76	201 KAR 11:052	620	4-6-77	400 KAR 1:010	267	1-5-77
103 KAR 17:080			201 KAR 11:062	182	9-1-76	401 KAR 1:010		
Amended	150	9-1-76	201 KAR 12:031	417	12-1-76	Amended	357	9-1-76
103 KAR 18:050			201 KAR 12:057			401 KAR 1:011	337	
Amended	150	9-1-76	Rejected	433	10-6-76	Amended	488	12-1-76
103 KAR 18:100			201 KAR 12:082			401 KAR 1:015		
Amended	151	9-1-76	Amended	388	12-1-76	Amended	237	11-3-76
103 KAR 18:110			201 KAR 12:083	418	12-1-76	401 KAR 1:030		
Amended	287	8-4-76	201 KAR 12:101	418	12-1-76	Amended	313	9-1-76
103 KAR 27:090			201 KAR 12:125	419	12-1-76	Amended	445	1-5-77
Amended	287	8-4-76	201 KAR 14:115			401 KAR 1:040		
103 KAR 30:090			Amended	324	11-3-76	Amended	447	1-5-77
Amended	288	8-4-76	201 KAR 16:040	336		401 KAR 1:070		
103 KAR 30:170			Amended	634	3-2-77	Amended	448	1-5-77
Amended	324	11-3-76	201 KAR 16:050	337	11-3-76	401 KAR 1:090		
103 KAR 30:235	716		201 KAR 18:040			Amended	450	1-5-77
103 KAR 31:140			Amended	584	2-2-77	401 KAR 1:100		
Amended	289	8-4-76	201 KAR 19:095			Amended	314	9-1-76
104 KAR 1:070	673		Amended	751		401 KAR 1:105	526	
Amended	745	5-4-77	201 KAR 20:011	620		401 KAR 1:110		
105 KAR 1:010			Amended	686	4-6-77	Amended	362	9-1-76
Amended	701		201 KAR 20:012	621	4-6-77	401 KAR 1:130		
105 KAR 1:040	173	9-1-76	201 KAR 20:015	621	4-6-77	Amended	705	
105 KAR 1:050	566	3-2-77	201 KAR 20:030			401 KAR 3:080	420	12-1-76
106 KAR 1:010	261	10-6-76	Amended	444	1-5-77	401 KAR 4:020		
107 KAR 1:005	460	1-5-77	201 KAR 20:090			Amended	767	
107 KAR 1:015	460	1-5-77	Amended	445	1-5-77	401 KAR 6:010		
107 KAR 1:025	461	1-5-77	201 KAR 21:020			Repealed	717	
Amended	702		Rejected	364	9-1-76	401 KAR 6:015		
108 KAR 1:010	674	5-4-77	Withdrawn		9-29-76	Amended	717	
200 KAR 1:010			201 KAR 21:050			402 KAR 1:011		
Repealed	716		Repealed	433	10-1-76	Withdrawn		9-10-76
200 KAR 1:011	716		201 KAR 21:051	431	10-1-76	503 KAR 5:010		
200 KAR 1:020	175	9-1-76	201 KAR 23:010	262	10-6-76	Amended	155	9-1-76
200 KAR 2:065	334		201 KAR 23:020	263	10-6-76	503 KAR 5:030		
Amended	486	12-1-76	201 KAR 23:030	263	10-6-76	Amended	156	9-1-76
200 KAR 4:020	177	9-1-76	201 KAR 23:040	263	10-6-76	503 KAR 5:040		
Amended	647	5-4-77	201 KAR 23:050	264	10-6-76	Amended	157	
200 KAR 5:075	335		201 KAR 23:060	264	10-6-76	Rejected	433	10-6-76
Amended	487	12-1-76	201 KAR 23:070	264	11-3-76	503 KAR 5:050		
200 KAR 8:010	674		201 KAR 23:080	266	10-6-76	Amended	158	9-1-76
Amended	745	5-4-77	201 KAR 23:090	266		503 KAR 5:060		
200 KAR 10:040	179	10-6-76	Withdrawn	433	10-6-76	Amended	159	9-1-76
Amended	649	5-4-77	201 KAR 24:010	461	1-5-77	503 KAR 5:070		
201 KAR 1:015			201 KAR 24:020	566		Amended	159	9-1-76
Amended	438	1-5-77	Amended	747	5-4-77	600 KAR 1:010	185	
201 KAR 1:025			301 KAR 1:015			Rejected	364	9-1-76
Amended	438	1-5-77	Amended	152	9-1-76	Rejected	433	10-6-76
201 KAR 1:035			301 KAR 2:045			Withdrawn		11-10-76
Amended	438	1-5-77	Amended	651	5-4-77	601 KAR 1:010		
201 KAR 1:040			301 KAR 2:047			Amended	293	8-4-76
Amended	439	1-5-77	Amended	752		601 KAR 1:095		
201 KAR 1:045			301 KAR 2:055			Amended	294	8-4-76
Amended	440		Amended	600	4-6-77	601 KAR 9:005	727	
Amended	583	2-2-77	301 KAR 2:070			601 KAR 9:012	186	9-1-76
201 KAR 1:050			Repealed	523	2-2-77	601 KAR 9:013	567	3-2-77
Amended	441	1-5-77	301 KAR 2:071	523	2-2-77	601 KAR 9:025		
201 KAR 1:055			301 KAR 2:100			Amended	759	
Amended	441	1-5-77	Amended	652	5-4-77	601 KAR 9:035		
201 KAR 1:060			301 KAR 2:105			Amended	238	10-6-76
Amended	442	1-5-77	Amended	289	8-4-76	601 KAR 9:040		
201 KAR 1:065			Amended	755		Amended	294	8-4-76
Amended	443	1-5-77	301 KAR 2:110			601 KAR 9:047	268	10-6-76
201 KAR 1:075			Amended	653		601 KAR 13:020		
Amended	443		301 KAR 3:010			Amended	603	4-6-77
Amended	584	2-2-77	Amended	153	9-1-76			



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601 KAR 25:030			704 KAR 20:195			803 KAR 1:100		
Amended	605	4-6-77	Amended	546	3-2-77	Amended	245	11-3-76
601 KAR 25:035	622	4-6-77	704 KAR 20:220			803 KAR 2:020		
601 KAR 25:050			Repealed	421	12-1-76	Amended	160	9-1-76
Amended	605	4-6-77	704 KAR 20:221	421	12-1-76	Amended	246	10-6-76
601 KAR 25:090			704 KAR 20:222	272	11-3-76	Amended	510	2-2-77
Amended	606	4-6-77	704 KAR 20:230			Amended	657	
601 KAR 25:150			Amended	547	3-2-77	803 KAR 2:030		
Amended	606	4-6-77	704 KAR 20:235			Amended	248	10-6-76
603 KAR 2:015			Amended	548	3-2-77	Amended	659	
Amended	538	3-2-77	704 KAR 20:240			803 KAR 2:032		
603 KAR 3:010			Amended	548	3-2-77	Amended	162	11-3-76
Amended	390		704 KAR 20:245			Amended	512	2-2-77
Amended	585	2-2-77	Amended	549	3-2-77	803 KAR 2:060		
603 KAR 3:020			704 KAR 20:266	464	1-5-77	Amended	249	10-6-76
Amended	393		704 KAR 20:270	568	3-2-77	803 KAR 2:062	275	10-6-76
Amended	588	2-2-77	705 KAR 1:010			803 KAR 2:120		
603 KAR 4:025	622	4-6-77	Amended	243	11-3-76	Amended	250	10-6-76
603 KAR 5:066	2	7-7-76	Amended	327	11-3-76	803 KAR 3:010	421	
603 KAR 5:096	4	7-7-76	705 KAR 4:130			Amended	687	4-6-77
Amended	327	11-3-76	Repealed	273	11-3-76	803 KAR 3:020	422	
Amended	451	1-5-77	705 KAR 4:131	273	11-3-76	Amended	687	4-6-77
603 KAR 5:110			705 KAR 4:150			803 KAR 3:030	423	
Amended	506	2-2-77	Repealed	274	11-3-76	Amended	688	4-6-77
604 KAR 1:010	623	4-6-77	705 KAR 4:151	274	11-3-76	803 KAR 3:040	424	
701 KAR 1:010			705 KAR 7:050			Amended	690	4-6-77
Amended	705		Amended	244	11-3-76	803 KAR 4:020	187	
701 KAR 1:020			Amended	328	11-3-76	Rejected	364	9-1-76
Amended	706		705 KAR 10:010			803 KAR 4:021	470	1-5-77
701 KAR 5:010	461		Repealed	275	11-3-76	803 KAR 5:010	425	
702 KAR 1:031			705 KAR 10:020			Withdrawn		11-18-76
Amended	727		Repealed	275	11-3-76	803 KAR 25:060	276	10-6-76
702 KAR 1:035	567	3-2-77	705 KAR 10:021	275	11-3-76	803 KAR 26:010		
702 KAR 1:090	269	10-6-76	705 KAR 10:030			Repealed	674	5-4-77
702 KAR 1:100	462		Repealed	275	11-3-76	804 KAR 1:090	341	11-3-76
Amended	592	2-2-77	705 KAR 10:040			804 KAR 2:007	276	10-6-76
702 KAR 3:185	269	11-3-76	Repealed	275	11-3-76	804 KAR 4:015	426	12-1-76
702 KAR 5:120	463	1-5-77	705 KAR 10:050			804 KAR 4:210	341	11-3-76
703 KAR 2:020			Repealed	275	11-3-76	804 KAR 12:020		
Amended	238	11-3-76	705 KAR 10:060			Amended	302	8-4-76
703 KAR 2:050			Repealed	275	11-3-76	805 KAR 3:050		
Amended	239	11-3-76	705 KAR 10:070			Repealed	527	3-2-77
704 KAR 3:010			Repealed	275	11-3-76	805 KAR 4:010		
Amended	241	11-3-76	705 KAR 10:080			Amended	317	9-1-76
704 KAR 3:050			Repealed	275	11-3-76	805 KAR 4:070	318	9-1-76
Amended	540	3-2-77	705 KAR 10:090			805 KAR 4:075	319	9-1-76
704 KAR 3:052	568	3-2-77	Repealed	275	11-3-76	805 KAR 4:080	364	9-1-76
704 KAR 3:055	269	11-3-76	705 KAR 10:100			805 KAR 4:085	364	9-1-76
704 KAR 3:175	270		Repealed	275	11-3-76	805 KAR 4:087	527	3-2-77
704 KAR 3:180			705 KAR 10:120			805 KAR 4:090	364	9-1-76
Amended	241		Repealed	275	11-3-76	805 KAR 4:095	320	9-1-76
704 KAR 6:010	270	11-3-76	706 KAR 1:010			805 KAR 4:100	321	9-1-76
704 KAR 10:022	271	11-3-76	Amended	244	10-6-76	805 KAR 4:105	364	9-1-76
704 KAR 10:023	463	1-5-77	Amended	328	11-3-76	805 KAR 4:110	321	9-1-76
704 KAR 15:015	271		Amended	452	1-5-77	805 KAR 4:115	322	9-1-76
704 KAR 20:005			707 KAR 1:003			805 KAR 4:120	364	9-1-76
Amended	242	11-3-76	Amended	244	11-3-76	805 KAR 4:125	364	9-1-76
704 KAR 20:030			707 KAR 1:020			805 KAR 4:130	364	9-1-76
Amended	243	11-3-76	Repealed	728		805 KAR 4:135	323	9-1-76
704 KAR 20:050			707 KAR 1:021	728		805 KAR 4:140	364	9-1-76
Amended	541	3-2-77	707 KAR 1:045	728		805 KAR 4:145	323	9-1-76
704 KAR 20:065			707 KAR 1:050			805 KAR 4:150	364	9-1-76
Amended	541	3-2-77	Amended	295	8-4-76	805 KAR 5:010	187	9-1-76
704 KAR 20:070			Amended	452	1-5-77	Amended	328	
Amended	542	3-2-77	707 KAR 1:060	569	4-6-77	Amended	437	11-3-76
704 KAR 20:080			707 KAR 1:070	569	3-2-77	806 KAR 3:010	768	
Amended	542	3-2-77	707 KAR 1:080	569	4-6-77	806 KAR 3:025	187	10-6-76
704 KAR 20:085			725 KAR 1:010	110	7-7-76	806 KAR 12:050		
Amended	543	3-2-77	725 KAR 1:020	110	7-7-76	Repealed	277	10-6-76
704 KAR 20:090			725 KAR 1:030	111	7-7-76	806 KAR 12:060	277	10-6-76
Amended	543	3-2-77	725 KAR 2:010			806 KAR 17:040	676	
704 KAR 20:100			Amended	507		Withdrawn		4-13-77
Amended	544	3-2-77	Withdrawn			806 KAR 21:010	676	
704 KAR 20:135			730 KAR 1:005	338	2-1-77	Withdrawn		4-19-77
Amended	545	3-2-77	Amended	634	3-2-77	806 KAR 40:010	188	10-6-76
704 KAR 20:145			801 KAR 2:010	338	11-3-76	806 KAR 50:010		
Amended	545	3-2-77	802 KAR 1:010			Amended	251	
704 KAR 20:150			Amended	398	12-1-76	Amended	489	12-1-76
Amended	546	3-2-77	803 KAR 1:025	469	1-5-77	Repealed	691	4-6-77
704 KAR 20:170			803 KAR 1:075			806 KAR 50:015	479	
Amended	243	11-3-76	Amended	301	8-4-76	Amended	691	4-6-77



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806 KAR 50:200			902 KAR 1:220			902 KAR 100:075	166	9-1-76
Amended	210	8-4-76	Amended	667	5-4-77	Amended	549	3-2-77
Amended	512	2-2-77	Amended	711		Amended	762	
806 KAR 50:205	341		902 KAR 1:230			902 KAR 100:077	348	11-3-76
Amended	499	12-1-76	Amended	410	12-1-76	902 KAR 100:100		
807 KAR 2:060			Amended	667	5-4-77	Amended	167	9-1-76
Repealed	593	2-2-77	Amended	711		902 KAR 100:105		
807 KAR 2:061	192		902 KAR 1:250			Amended	550	3-2-77
Amended	593	2-2-77	Amended	711		902 KAR 100:115		
808 KAR 1:070	481	1-5-77	902 KAR 1:260			Amended	553	3-2-77
808 KAR 2:016	730		Amended	712		902 KAR 100:120		
808 KAR 2:026	730		902 KAR 1:270			Amended	555	3-2-77
810 KAR 1:002			Amended	411	12-1-76	902 KAR 100:125		
Amended	399	12-1-76	Amended	668	5-4-77	Amended	557	3-2-77
810 KAR 1:012			902 KAR 1:280			902 KAR 100:130		
Amended	458	1-5-77	Amended	411	12-1-76	Amended	560	3-2-77
Amended	659		Amended	668	5-4-77	902 KAR 100:135		
811 KAR 1:032	427	12-1-76	902 KAR 1:290			Repealed	570	3-2-77
811 KAR 1:090			Amended	307	8-4-76	902 KAR 100:136	570	3-2-77
Amended	401	12-1-76	Amended	412	12-1-76	902 KAR 100:137	573	3-2-77
811 KAR 1:125			Amended	712		902 KAR 100:140		
Amended	402	12-1-76	902 KAR 1:300			Amended	561	3-2-77
811 KAR 1:200	428	12-1-76	Amended	412	12-1-76	902 KAR 100:165		
900 KAR 1:010	194		902 KAR 1:312	307	8-4-76	Amended	170	9-1-76
Rejected	433	10-6-76	902 KAR 1:314	307	8-4-76	902 KAR 105:010	635	3-2-77
901 KAR 1:030			902 KAR 1:316	307	8-4-76	902 KAR 105:020	636	3-2-77
Amended	518	2-2-77	902 KAR 1:318	308	8-4-76	902 KAR 105:030	637	3-2-77
Amended	760		902 KAR 1:320	308	8-4-76	902 KAR 105:040	638	3-2-77
902 KAR 1:015			Amended	669	5-4-77	902 KAR 105:050	639	3-2-77
Amended	407	12-1-76	Amended	712		902 KAR 105:060	640	3-2-77
902 KAR 1:020			902 KAR 1:322	309	8-4-76	902 KAR 105:070	640	3-2-77
Amended	303	8-4-76	902 KAR 1:324	309	8-4-76	903 KAR 1:010		
Amended	661	5-4-77	Amended	412	12-1-76	Amended	562	3-2-77
Amended	706		Amended	713		904 KAR 1:003		
902 KAR 1:025			902 KAR 1:326	429	12-1-76	Amended	563	3-2-77
Amended	408	12-1-76	902 KAR 1:328	429	12-1-76	Amended	763	
902 KAR 1:035			Amended	669	5-4-77	904 KAR 1:004		
Amended	408	12-1-76	Amended	714		Amended	564	3-2-77
Amended	662	5-4-77	902 KAR 2:060			Amended	764	
Amended	707		Amended	162	9-1-76	904 KAR 1:007	205	9-1-76
902 KAR 1:040			902 KAR 6:010			904 KAR 1:009		
Amended	662	5-4-77	Amended	594	2-2-77	Amended	765	
902 KAR 1:050			902 KAR 6:030			904 KAR 1:014		
Amended	663	5-4-77	Amended	595	2-2-77	Amended	765	
902 KAR 1:055			902 KAR 6:040			904 KAR 1:024		
Amended	664	5-4-77	Amended	163	9-1-76	Amended	766	
902 KAR 1:080			Amended	715		904 KAR 1:025	349	
Amended	408	12-1-76	902 KAR 9:010	373	10-6-76	904 KAR 1:030		
Amended	665	5-4-77	902 KAR 11:010	197		Amended	522	2-2-77
902 KAR 1:081			Amended	747	5-4-77	904 KAR 1:044	641	2-2-77
Amended	666	5-4-77	902 KAR 11:020	197		904 KAR 1:054	206	9-1-76
902 KAR 1:085			Amended	748	5-4-77	904 KAR 1:061	352	
Amended	304	8-4-76	902 KAR 11:030	198	5-4-77	904 KAR 2:005		
Amended	409	12-1-76	902 KAR 11:035	201	5-4-77	Amended	565	3-2-77
902 KAR 1:100			902 KAR 11:040	202	5-4-77	904 KAR 2:013		
Amended	304	8-4-76	902 KAR 11:045	203	5-4-77	Amended	768	
902 KAR 1:110			902 KAR 11:050	204	5-4-77	904 KAR 2:045	217	8-4-76
Amended	666	5-4-77	902 KAR 12:010	731		904 KAR 2:055	218	8-4-76
Amended	707		902 KAR 12:020	732		904 KAR 2:060	429	1-5-77
902 KAR 1:116	731		902 KAR 12:030	735		904 KAR 3:010	677	5-4-77
902 KAR 1:130			902 KAR 12:040	735		904 KAR 3:020	677	5-4-77
Amended	305	8-4-76	902 KAR 12:050	736		904 KAR 3:030	679	5-4-77
902 KAR 1:140			902 KAR 20:059			904 KAR 3:040	680	5-4-77
Amended	409	12-1-76	Amended	607		904 KAR 3:050	680	5-4-77
Amended	667	5-4-77	902 KAR 20:085			905 KAR 1:015	430	12-1-76
902 KAR 1:141	306	8-4-76	Amended	329	11-3-76	905 KAR 1:100	681	5-4-77
902 KAR 1:150			902 KAR 20:105					
Amended	409	12-1-76	Amended	518	3-2-77			
902 KAR 1:160			Amended	611	4-6-77			
Amended	306	8-4-76	902 KAR 47:010	736				
Amended	410	12-1-76	902 KAR 47:020	737				
Amended	708		902 KAR 47:030	739				
902 KAR 1:170			902 KAR 100:015					
Amended	708		Amended	164	9-1-76			
902 KAR 1:175			902 KAR 100:030					
Amended	709		Amended	760				
902 KAR 1:180			902 KAR 100:040					
Amended	709		Amended	413	12-1-76			
902 KAR 1:190			902 KAR 100:065					
Amended	306	8-4-76	Amended	165	9-1-76			



## KRS Sections Related to KAR

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
2.190	703 KAR 2:020	131.130	103 KAR 17:020	150.300	301 KAR 3:010
6.810-6.820	2 KAR 1:020	131.180	103 KAR 31:140	150.305	301 KAR 2:045
12.211	10 KAR 1:010	131.182	103 KAR 31:140		301 KAR 2:100
15.410-15.510	503 KAR 5:060	131.190	600 KAR 1:010		301 KAR 2:105
15.420	503 KAR 5:010	131.340	103 KAR 1:010		301 KAR 3:052
15.440	503 KAR 5:030	131.345	103 KAR 1:010	150.310	301 KAR 3:052
15.460	503 KAR 5:040		802 KAR 1:010	150.330	301 KAR 2:045
	503 KAR 5:050	131.360	103 KAR 1:010		301 KAR 2:047
15.470	503 KAR 5:050	131.365	103 KAR 1:010		301 KAR 2:100
15.490	503 KAR 5:050	131.370	103 KAR 1:010		301 KAR 2:105
15.510	503 KAR 5:070	131.990	103 KAR 31:140	150.340	301 KAR 2:045
16.505-16.652	105 KAR 1:010	Ch. 138	601 KAR 9:040		301 KAR 2:047
	105 KAR 1:040	138.685	600 KAR 1:010		301 KAR 2:100
	105 KAR 1:050	139.050	103 KAR 27:090		301 KAR 2:105
18.110	101 KAR 1:090	139.100	103 KAR 30:170	150.360	301 KAR 2:045
	101 KAR 1:100	139.110	103 KAR 27:090		301 KAR 2:047
	101 KAR 1:110	139.150	103 KAR 30:170		301 KAR 2:100
18.140	101 KAR 1:120	139.260	103 KAR 30:090		301 KAR 2:105
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