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

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

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Public Hearing Scheduled

CABINET FOR PUBLIC PROTECTION AND REGULATION Department of Insurance

A public hearing will be held at 9 a.m. EDT on July 11, 1977 at the Department of Insurance, Capital Plaza Tower, Second Floor, Frankfort, Kentucky 40601 on the following regulation published in this issue:

806 KAR 11:010. Industrial insured. [3 Ky.R. 799]

Proposed Amendments

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Real Estate Commission (Proposed Amendment)

201 KAR 11:030. License cancellation; reasons for.

RELATES TO: KRS 324.330

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To inform and set certain standards for the licensees and to protect the public.

Section 1. A license is automatically cancelled if the holder thereof fails to promptly notify the commission of any of the following changes: broker's business address, a change of firm name, salesman's or broker-salesmen's transfer from one broker to another, or a change of surname.

Section 2. The fee for all the above-listed changes is two dollars (\$2) per license.

Section 3. The commission *shall* [should also] be notified of a change of a residence address. There is no charge for this.

CHARLES R. BROWN, Chairman

ADOPTED: May 12, 1977

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 20, 1977 at 2:45 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: General Counselor, Kentucky Real Estate Commission, 100 East Liberty Street, Suite 204, Louisville, Kentucky 40202.

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

301 KAR 1:150. Waters open to commercial fishing.

RELATES TO: KRS 150.010, 150.025, 150.120, 150.170, 150.175, 150.445, 150.450

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: It is necessary to regulate the places where commercial fishing is permitted to

insure that the size of the water and fish population is large enough for this type of activity to better utilize and conserve those populations concerned. *The Commissioner, with the concurrence of the Commission, finds it consistent with accepted fish management practices to authorize commercial fishing in Barren Lake and so amends this regulation.* [It is necessary to add overflow lakes of Ohio River to the commercial fishing waters.]

Section 1. Appropriately licensed commercial fishermen may fish with commercial fishing gear in the following designated waters subject to requirements as set forth in regulations designating commercial gear and manner of taking. Commercial gear may be used in no other waters of the Commonwealth except under specific permit.

Section 2. Commercial Fishing Waters. (1) Streams and rivers:

(a) Barren River from its Junction with Green River upstream to Greencastle, Kentucky;

(b) Big Sandy River from its Junction with Ohio River upstream to Junction of Levisa and Tug Forks;

(c) Levisa Fork of Big Sandy River from its Junction with Big Sandy upstream to 200 yards below mouth of Paint Creek in Johnson County;

(d) Cumberland River from its Junction with Ohio River upstream to Highway 62 Bridge;

(e) Eagle Creek from its Junction with Kentucky River upstream to Highway 22 Bridge in Grant County;

(f) Green River from its Junction with Ohio River upstream to 200 yards below Lock and Dam 6,

(g) Highland Creek from its Junction with Ohio River upstream to Rock Ford Bridge in Union County;

(h) Kentucky River from its Junction with Ohio River upstream to Junction of North and Middle Forks of Kentucky River;

(i) North Fork of Kentucky River from its Junction with Kentucky River upstream to Mouth of Walker's Creek;

(j) South Fork of Kentucky River from its Junction with Kentucky River upstream to Mouth of Cow Creek;

(k) Licking River from its Junction with Ohio River upstream to a point directly adjacent to Highway 111 on the Bath and Fleming Counties line;

(l) Mississippi River from the Mouth of Ohio River downstream to the Tennessee line;

(m) Mud River from its Junction with Green River upstream to McGee Landing in Butler and Muhlenberg Counties;

(n) Ohio River from its Junction with Mississippi River upstream to West Virginia Line;

(o) Pond River from its Junction with Green River upstream to Highway 62 Bridge;

(p) Panther Creek from its Junction with Green River upstream to Head of Creek;

(q) Rough River from its Junction with Green River upstream to Highway 69 Bridge at Dundee, Kentucky;

(r) Tennessee River from its Junction with Ohio River upstream to River Mile 17.8;

(s) Tradewater from its Junction with Ohio River upstream to Highway 132 Bridge.

(2) Lakes. The following lakes are open to commercial fishing, but not above the first shoal or riffle upstream from the impounded or standing pool of the lake in any main or tributary stream:

(a) Barkley;

(b) Cumberland;

(c) Herrington;

(d) Kentucky;

(e) Nolin;

(f) Rough River;

(g) Overflow lakes directly connected to the Mississippi and Ohio Rivers;

(h) Dewey Lake is open uplake to a point directly beneath the concrete structure known as Buffalo Bridge which crosses the lake;

(i) *Barren Lake.*

ARNOLD L. MITCHELL, Commissioner
DR. ROBERT C. WEBB, Chairman

Department of Fish and Wildlife Resources Commission
ADOPTED: June 10, 1977

APPROVED: WILLIAM SHORT, Secretary

RECEIVED BY LRC: June 14, 1977 at 10:45 p.m.

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

DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION
Bureau of Environmental Protection
Division of Plumbing
(Proposed Amendment)

401 KAR 1:060. Soil, waste and vent systems.

RELATES TO: KRS Chapter 318

PURSUANT TO: KRS 13.082, 318.130 [, 211.090 and Executive Order 74-449]

NECESSITY AND FUNCTION: The department is directed by KRS 318.130 through the State Plumbing Code Committee to adopt and put into effect a State Plumbing Code. This regulation relates to material and the design of the soil, waste and vent systems that will be used in

all types of plumbing systems that are constructed throughout the Commonwealth.

Section 1. Grades and Supports of Horizontal Piping. All horizontal piping shall be run in practical alignment and at a uniform grade of not less than one-eighth ($1/8$) inch per foot, and shall be supported or anchored in accordance with the manufacturer's recommendations but in no instance to exceed ten (10) feet in length. All stacks shall be supported at their bases and all pipes shall be rigidly secured. No-hub pipe and fittings shall be supported at each joint of pipe and fittings. Polyvinyl chloride and acrylonitrile-butadiene-styrene schedule forty (40) horizontal piping shall be supported at intervals not to exceed five (5) feet and at the base of all vertical stacks and at all trap branches as close to the trap as possible. Polyethylene pipe and fittings must be continuously supported with a V channel. Stacks must be rigidly supported at their bases and at each floor level.

Section 2. Change in Direction. All changes in direction shall be made by the appropriate use of forty-five (45) degree wyes, half-wyes, quarter, sixth, eighth or sixteenth bends, except that a single sanitary tee may be used in a vertical stack, or a sanitary tee may be turned on its back or side at an angle of not more than forty-five (45) degrees.

Section 3. Prohibited Fittings. No double hub bend or double hub tee or inverted hubs shall be used on sewers, soil or waste line. The drilling and tapping of house sewers or house drains, soil, waste or vent pipes, and the use of saddle hubs and bands is prohibited. Double sanitary tees may be used on vertical soil, waste and vent lines. All pipes shall be installed without hubs or restrictions that would reduce the area or capacity of the pipe.

Section 4. Dead Ends. In the installation of any drainage system dead ends shall be avoided.

Section 5. Protection of Material. All pipes passing under or through walls shall be protected from breakage. All pipes passing through, or under cinder, concrete, or other corrosive material shall be protected against external corrosion.

Section 6. Materials. All main or branch soil, waste and vent pipes and fittings within or underneath a building shall be hub and spigot extra heavy or service weight cast iron, no-hub service weight cast iron, galvanized steel, galvanized wrought iron, lead, brass, types K, L, M, DWV copper, standard high frequency welded tubing conforming to ASTM B-586-73, Types R-K, R-L, R-DWV brass tubing, DWV brass tubing conforming to ASTM B-587-73, seamless stainless steel tubing, Grade G or H conforming to CS-263-68, polyvinyl chloride schedule 40 or 80 conforming to ASTM D-2665-69 and D-1784-65T, acrylonitrile-butadiene-styrene schedule 40 or 80 conforming to

ASTM D-2661-69 and D-1788-67, silicon iron or borosilicate. All mains or branch soil waste and vent pipe and fittings underground shall either be hub and spigot extra heavy or service weight cast iron, Type K or L copper pipe, Type R-K, R-L brass tubing, lead, silicon iron or borosilicate.

Section 7. Size of Waste Pipe Per Fixture Unit on Any One Stack. The following table, based on the rate of discharge from a lavatory as a unit, shall be employed to determine fixture equivalents.

Pipe Size (In Inches)	Maximum Developed Length	Fixture Units
1 1/4	25 ft.	1
1 1/2	30 ft.	2
2	50 ft.	6
2 1/2	100 ft.	12
3	225 ft.	30
4		96
5		180
6		420
8		1200
10		2400
12		4200

Section 8. Size of Combined Soil and Waste Pipe Per Fixture Unit of any One (1) Stack. The following table, based on the rate of discharge from a lavatory as the unit, shall be employed to determine fixture equivalents.

Pipe Size (In Inches)	(Maximum Developed Length of Combined Soil and Waste and Vent)	Fixture Units
*3	100 ft.	24
4		96
5		180
6		420
8		1200
10		2400
12		4200

*Not more than two (2) water closets or two (2) bathroom groups.

Section 9. Soil and Waste Branch Interval. The total number of fixture units installed on any soil or waste branch interval shall not exceed one-half (1/2) of the fixture units set forth in the table in Section 8, above.

Section 10. Combined Soil, Waste and/or Waste Stacks. Every building in which plumbing fixtures are installed shall have a soil [or] waste and/or vent stack, or stacks extending full size through the roof, except as otherwise provided for in Sections 7 or 8 of this regulation. Soil, [and] waste and/or vent stacks shall be as direct as possible and free from sharp bends or turns. The required size of the soil, waste and/or vent [waste] stack shall be determined from the total of all fixture units connected to the stack in accordance with Section 7 or 8 [the above tables] except that no more than two (2) water closets shall discharge into a three (3) inch stack.

Section 11. Future Openings. All openings left or installed in a plumbing system for future openings shall be complete with its soil and/or waste and vent piping and shall comply with all other sections of this code.

Section 12. House Drain. When a three (3) inch house drain enters a building it shall be provided with a three (3) inch stack. One (1) [basement] floor drain may be added to the house drain with a three (3) inch trap provided that it conforms with the requirements of Sections 26 and 29 of this regulation, without counting toward the fixture units of the system. Eight and one-half (8 1/2) [Seven and one-half (7 1/2)] fixture units may be added to the three (3) inch house drain if an additional two (2) inch stack is provided, [and] the fixtures are vented in accordance with [the other applicable] Section 23 [sections] of this Code, the [The] center of the last fixture opening does [must] not exceed ten (10) [five (5)] feet (horizontal measures) from the center line of the house drain and these fixtures are installed on a lower level than the other fixtures in the system.

Section 13. Soil and Waste Stacks, Fixture Connections. All soil and waste stacks and branches shall be provided with correctly faced inlets for fixture connections. Each fixture shall be independently connected to the soil and/or waste system. Fixture connections to water closets, floor-outlet pedestal sinks, pedestal urinals, or other similar plumbing fixtures shall be made by either cast iron, lead, brass, copper, or plastic closet bends. All three (3) inch closet bends shall have a four (4) inch by three (3) inch flange.

Section 14. Changing Soil and Vent Pipes. In an existing building where the soil, waste and vent piping is not extended undiminished through the roof or where there is a sheet metal soil or waste piping such piping shall be replaced with appropriate sizes and materials as prescribed for new work when a fixture or fixtures are changed or replaced.

Section 15. Prohibited Connections. No fixture connection shall be made to a lead bend or a branch of a water closet or a similar fixture. Vent pipes above the highest installed fixture on a branch or main shall not be used as a soil or waste pipe.

Section 16. Soil, Waste and Vent Pipe Protected. No soil, waste, or vent pipe shall be installed or permitted outside a building unless adequate provision is made to protect it from frost. The piping must be wrapped with one (1) layer of heavy hair felt and at least two (2) layers of two (2) ply tar paper, all properly bound with copper wire or in lieu thereof, the vent shall [may] be increased to full size, the size of the increaser required as if it were passing through the roof.

Section 17. Roof Extensions. All roof extensions of soil and waste stacks shall be run full size at least one (1) foot above the roof, and when the roof is used for other purposes than weather protection, such extensions shall not be less than five (5) feet above the roof. All stacks less than three (3) inches in diameter shall be increased to a minimum of three (3) inches in diameter before passing through a roof [shall be increased]. No stack shall be less than three (3) inches]. When a change in diameter is made

the fitting must be placed at least one (1) foot [inch] below the roof.

Section 18. Terminals. If a roof terminus of any stack or vent is within ten (10) feet of the top, bottom, face or side edge of any door, window, scuttle, or air shaft, and not screened from such an opening by a projecting roof or building wall, it shall be extended at least two (2) feet above the top edge of the window or opening.

Section 19. Terminals Adjoining High Buildings. No soil, waste or vent pipe extension of any new or existing building shall be run or placed on the outside of a wall, but shall be carried up in the inside of the building unless the piping is protected from freezing. In the event, the new building is built higher than the existing building, the owner of the new building shall not locate windows within ten (10) feet of any existing vent stack on the lower building.

Section 20. Traps, Protected; Vents. Every fixture trap shall be protected against siphonage and back-pressure. Air circulation shall be assured by means of an individual vent. Crown vents are not permitted.

Section 21. Distance of Trap from Vent. (1) The distance between the vent and the fixture trap shall be measured along the center line of the waste or soil pipe from the vertical inlet of the trap to the vent opening. The fixture trap vent, except for water closets and similar fixtures, shall not be below the dip of the trap, and all ninety (90) degree turns in the water line of the main waste, soil, or vent pipes shall be washed. Each fixture trap shall have a vent located with a developed length not greater than that set forth in the table below:

Size of Fixture Drain (In Inches)	Distance-Trap to Vent
1 1/4	2 ft. 6 in.
1 1/2	3 ft. 6 in.
2	5 ft.
3	6 ft.
4	10 ft.

(2) A fixture branch on a water closet shall not be more than three (3) feet.

Section 22. Main Vents to Connect at Base. When a [The] main vent or [the] vent stack is used, it shall connect full size at the [their] base of [to] the main soil or waste pipe at or below the lowest fixture branch and shall extend undiminished in size through the roof or shall be reconnected with the main soil or vent stack at least six (6) inches above the rim of the highest fixture. This section shall not apply to one (1) and two (2) story [residential] installations. When it becomes necessary to increase a vertical vent stack it then becomes a main vent and must comply with other sections of this code.

Section 23. Vents; Required Sizes. (1) The required size of a vent or vent stacks shall be determined by the total number of fixture units it serves and the developed length of the vent, in accordance with the fol-

lowing table, interpolating, when necessary, between permissible length of vent given in the following table.

MAXIMUM PERMISSIBLE LENGTHS OF VENTS		
Pipe Size (In Inches)	Maximum Length (In Feet)	Fixture Units
1 1/4	30	2
1 1/2	150	8
2	200	18
2 1/2	250	36
3	300	72
4	400	240
5	600	420
6	800	720

(2) If a fixture opening is installed more than twenty-five (25) feet of developed length from the point where it is connected to the main soil or waste systems, or, if more than ten (10) feet of vertical piping is used, the vent shall be continued full size through the roof or returned full size to the main vent.

Section 24. Branch and Individual Vents. In no instance shall a branch or individual vent be less than one and one-fourth (1 1/4) inches in diameter and shall not exceed the maximum length permitted for a main vent.

Section 25. Vent Pipes Grades and Connections. All vent and branch vent pipes shall be free from drops or sags and be so graded and connected as to drip back to the soil or waste pipe by gravity. Where vent pipes connect to a horizontal soil or waste pipe, the vent branch shall be taken off above the center line of the pipe, and the vent pipe must rise vertically at an angle of forty-five (45) degrees to the vertical, to a point six (6) inches above the fixture it is venting before offsetting horizontally or connecting to the branch, main, waste, soil or vent.

Section 26. Vents Not Required. Vents will not be required on a back-water trap, or a subsoil catch basin trap, or a basement floor drain provided that the basement floor drain is the first opening on the house drain and that the basement floor drain branches into the house drain so that measuring along the flow line from the center of the stack, the floor drain shall not be closer than five (5) feet to the stack, nor farther than twenty (20) feet. The floor drain line shall be four (4) inches above the house drain. All floor drains on a house drain in between stacks shall be vented. All floor drains shall be the caulk-on-type.

Section 27. When Common Vent Permissible. Where two (2) water closets, two (2) lavatories or two (2) of any fixtures of identical purpose are located on opposite sides of a wall or partition, or directly adjacent to each other within the prescribed distance as set forth in Section 21 of this regulation measured along the center line of the flow of water, the fixtures may have a common soil or waste pipe and a common vent. It shall be vented in accordance with the other sections of this code.

Section 28. Floor Drain Individual Vent Not Required. Manufacturers' floor drains do not require individual vents when they are placed on a waste line for floor drains only within the prescribed distance of ten (10) feet from the main waste line, or stack, provided the base of the stack is washed and the stack or stacks are undiminished through the roof, or connected to a main vent stack.

Section 29. A Basement Floor Drain Does Not Require an Individual Vent. A basement floor drain does not require an individual vent if it conforms to Section 26 of this regulation, or if it is the first floor drain on the main and is ahead of all sanitary openings and is not farther than five (5) feet from the main.

Section 30. House Drain Material. House drains shall be either extra heavy cast iron, service weight cast iron, brass Type (K) or (L) copper, lead, ABS or PVC plastic, or duriron.

Section 31. Indirect Waste Connections. Waste pipe from a refrigerator drain or any other receptacle where food is stored or waste water from a water cooled compressor, shall connect indirectly with the house drain, soil or waste pipe. The drain shall be vented to the outside air. Such waste pipes shall discharge into an open sink or another approved open receptacle that is properly supplied with water in accordance with other sections of this code. Such connections shall not be located in an inaccessible or unventilated area.

Section 32. Bar and Soda Fountain Wastes. Bar and soda fountain wastes, sinks and receptacles shall have a one and one-half (1 1/2) inch P trap and branches. The main shall not be less than two (2) inches. The fresh air pipe shall not be less than one and one-half (1 1/2) inches. The main waste line shall discharge into a properly vented and trapped open receptacle inside or outside a building. Food storage compartment drains shall be indirectly connected through a trapped receptacle whose upper edge is raised at least one (1) inch above the finished floor line.

Section 33. Open Receptacles. Soil or waste piping receiving the discharge from an open receptacle shall be at least six (6) inches above the surface of the ground when it discharges into a septic system.

Section 34. Refrigerator Wastes. Refrigerator waste pipes shall not be less than one and one-half (1 1/2) inches for one (1) to three (3) openings, and at least two (2) inches for four (4) to eight (8) openings. Each opening shall be trapped. Such waste piping shall be provided with sufficient cleanouts to allow for thorough cleaning.

Section 35. Overflow Pipes. Waste from a water supply tank or exhaust from a water lift shall not directly connect to a house drain, soil, or waste pipe. Such waste pipe shall discharge upon a roof or into a trapped open receptacle.

Section 36. Acid and Chemical Wastes. Except as provided herein, no corrosive liquids shall be permitted to discharge into the soil, waste or sewer system. Such waste shall be thoroughly diluted or neutralized by passing through a properly constructed and acceptable dilution or neutralizing pit before entering the house sewer.

Section 37. Laboratory Waste Piping. Laboratory waste piping shall be sized in accordance with the other sections of this code. Each fixture shall be individually trapped. A continuous waste and vent pipe system may be used, provided the waste discharges into a vented dilution pit outside the building with a vent equal to the size of the drain. The vent may be eliminated when a pit has a ventilated cover. If under certain conditions a dilution pit is not required and is not used, each fixture shall be individually vented. If construction conditions permit, the base of the stack of the continuous waste and vent system shall be washed by the last fixture opening, and continue full size independently through the roof. All fixture branches exceeding more than the distance specified in the table in Section 21 of this regulation from the main shall be reverted. The distance shall be measured from the center of the main to the center of the vertical riser. Fixture connections shall rise vertically to a height so that the trap will not be lower than twelve (12) inches from the bottom of the sink. Two (2) or more sinks may be connected into a common waste before entering the riser of the continuous waste and vent system, provided the fixtures are not more than five (5) feet from the center of one (1) fixture to the center of the other.

Section 38. Acid Waste Piping. Underground piping for acid wastes shall be extra heavy salt glazed vitrified pipe, silicon iron, lead, polyethylene pipe and fittings conforming to PS 10-69, PS 11-69, and PS 12-69, polypropylene pipe conforming to ASTM D-2146-65T, or other materials approved by the department. Piping for acid wastes and vents above ground shall be of silicon iron, lead, borosilicate, or polyethylene pipe conforming to PS 10-69, PS 11-69, and PS 12-69.

Section 39. Special Vents. Flat or wet vents serving a plumbing fixture may be constructed only with special permission when a plumbing system is being remodeled or when additions are added to an original system.

ROBERT D. BELL, Secretary

ADOPTED: June 13, 1977

RECEIVED BY LRC: June 13, 1977 at 2:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Arthur Curtis, Jr., Bureau of Environmental Protection,
5th Floor, Capital Plaza Tower, Frankfort, Kentucky
40601.

**DEPARTMENT OF JUSTICE
Kentucky Crime Commission
(Proposed Amendment)**

500 KAR 5:005. Commission's meeting dates.

RELATES TO: KRS 15A.040

PURSUANT TO: KRS 15A.140, 15A.160

NECESSITY AND FUNCTION: KRS 15A.140 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations consistent with the provisions of 1974 Acts Chapter 74. KRS 15A.040 vests supervisory authority of federal and state grant programs with the Kentucky Crime Commission. This regulation establishes meeting dates for the Kentucky Crime Commission.

Section 1. The Kentucky Crime Commission shall conduct at least four (4) regular meetings each year to be held on the second Thursday and Friday of *March* [February], *June* [May], *September* [August], and *December* [November] at such time and place designated by the chairman.

Section 2. Special meetings of the Kentucky Crime Commission may be conducted on call of the Secretary of the Department of Justice.

Section 3. Special meetings of committees of the Kentucky Crime Commission may be conducted on call of the committee chairman or by a majority of the membership of the committee.

JOHN L. SMITH, Secretary

ADOPTED: May 2, 1977

RECEIVED BY LRC: June 6, 1977 at 9:15 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary of Justice, State Office Building, Frankfort,
Kentucky 40601.

**DEPARTMENT OF JUSTICE
Bureau of Training
Kentucky Law Enforcement Council
(Proposed Amendment)**

503 KAR 1:040. Basic training certification.

RELATES TO: KRS 15.330

PURSUANT TO: KRS 15A.160, 15.330

NECESSITY AND FUNCTION: KRS 15.330 requires the Kentucky Law Enforcement Council to approve and issue certificates of approval to law enforcement officers having met the requirements for participation in law enforcement training programs. This regulation establishes the requirements for determination of completion of the basic training curriculum of those programs.

Section 1. The KLEC may certify a graduate of a certified school for basic training.

Section 2. *In order to be certified, a* [The] graduate of a certified school for basic training must be a member of a lawfully organized police unit or force of state, county, or city government, that is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state.

Section 3. *In order to successfully complete* [The graduate of] a Bureau of Training basic course, the cadets must have achieved a minimum [average] score of seventy (70) percent on each of ten (10) weekly examinations. *Failure to achieve seventy (70) percent on the weekly examination will require that the police cadet retake a different examination covering the same material and pass the second examination with seventy (70) percent success. Failure to pass the second examination will require the cadet to repeat the entire week of instruction and retake the examination for that week. This process of weekly instruction and examination must be repeated until such time as the cadet attains the score of seventy (70) percent on the examination for that week. In addition, the police cadet must satisfactorily complete a research paper and participate actively in all assigned projects. The ten (10) weekly examinations plus the research projects and other assignments will weigh fifty (50) percent of the overall score. A minimum overall score of seventy (70) percent shall constitute a passing grade for the academic portion of the basic training course.*

Section 4. *The graduate of a certified basic course must demonstrate safety and proficiency in the use of firearms in a combat firearms course, proficiency in first aid, proficiency in physical agility, and proficiency in mechanics of arrest, restraint and control.*

Section 5. [4.] the graduate of any [other] certified school, *other than the Bureau of Training, who requests certification without attending the complete basic training course, must attain* [have obtained] a grade of seventy (70) percent on the Bureau of Training final examination, *as well as a score of seventy (70) percent on all other training which may be required.*

Section 6. [5.] The graduate of a Bureau of Training basic course must participate in a total of 400 hours training. *Absences must be made up through additional training assignments.* [have participated in not less than eighty-five (85) percent of the total number of basic training hours required by KLEC]

Section 7. [6.] The Bureau of Training will conduct final examinations for all applicants for certification on subjects required in the Bureau of Training basic training curriculum.

Section 8. [7.] In a certified school other than a Bureau of Training basic course an applicant who fails to make the minimum standing of seventy (70) percent on the Bureau of Training final examination may, by written appeal authorized and countersigned by a duly responsible member of the department of the certified school, request a make-up examination. This appeal must be submitted within thirty (30) days of the time that the applicant was notified of his failure.

Section 9. [8.] The time and location of the make-up examination shall be at the sole discretion of the Bureau of Training.

Section 10. [9.] The second failure of an applicant to meet the minimum examination requirements shall necessitate his repeating the required basic training curriculum.

Section 11. [10.] The graduate must have complied with all rules and regulations of the KLEC and the certified school.

JOHN L. SMITH, Secretary

ADOPTED: March 14, 1977

RECEIVED BY LRC: June 6, 1977 at 9:15 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary of Justice, State Office Building, Frankfort,
Kentucky 40601.

DEPARTMENT OF JUSTICE
Kentucky Law Enforcement
Foundation Program Fund
(Proposed Amendment)

503 KAR 5:030. Training and educational eligibility requirements.

RELATES TO: KRS 15.440

PURSUANT TO: KRS 15.450, 15A.160

NECESSITY AND FUNCTION: KRS 15.450 and 15A.160 provide that the Secretary of the Department of Justice may adopt such regulations as are necessary to properly administer the law enforcement foundation program fund. KRS 15.440 requires police officers participating in the fund to complete a specific number of hours of basic training and in-service training. This regulation establishes general basic training and in-service training requirements for participating police officers and local units of government.

Section 1. The bureau shall review the qualifications of police officers employed by local units after the effective date of this regulation, to determine the basic training, if any, which the police officer may be required to successfully complete prior to being eligible to participate in the fund.

Section 2. Any police officer employed prior to July 1, 1972, shall be deemed to have met the basic training requirements.

Section 3. Any police officer employed by a participating local unit who possesses a high school degree or its equivalent and training equivalent to the basic training requirements established by the council may be eligible to participate in the fund by successfully passing the basic training final examination.

Section 4. Any police officer employed by a participating local unit who does not possess training equivalent to the basic training requirements established by the council must attend those sections of the basic training course recommended by the bureau and successfully complete the basic training final examination.

Section 5. A police officer shall not be eligible to participate in the fund until such time as he successfully completes the basic training course or successfully passes the basic training final examination pursuant to these regulations.

Section 6. [5.] Any police officer who attends the basic training course [or takes the basic training final examination] and fails to successfully complete the course [or fails the basic training final examination] shall not be allowed [ineligible] to repeat that course for a period of at least twelve (12) calendar months following the date of that failure and, furthermore, shall not be allowed to serve as a police officer until the basic training requirement is fulfilled. [participate in the fund until such time as he successfully completes the basic training course or successfully passes the basic training final examination, as the case may be.] Provided, however, that the failure to successfully complete the course or failure to successfully pass the basic training final examination under circumstances beyond the police officer's control, such as injury or serious illness, shall not disqualify the police officer's participation in the fund if the department is notified of these circumstances and those requirements are satisfactorily completed within a reasonable period of time.

Section 7. [6.] Any police officer who attends a certified or recognized in-service training course and fails to successfully complete the course shall not be allowed [ineligible] to participate in the fund for the twelve (12) calendar months following the date of that failure and until such time as the officer successfully completes a certified or recognized in-service training program. Provided, however, that the failure to successfully complete the course under circumstances beyond the police officer's control, such as injury or serious illness, shall not disqualify the police officer's participation in the fund if the department is notified of these circumstances and those requirements are satisfactorily completed within a reasonable period of time.

Section 8. [7.] Any police officer who successfully completes the basic training course during any calendar year shall be considered as having fulfilled the in-service training requirements for that year.

Section 9. [8.] The local unit must provide at least five (5) days training leave with pay not chargeable to the police officer's annual leave record for each police officer receiving in-service training.

Section 10. [9.] Each local unit employing forty (40) or more police officers shall establish a crime prevention team.

Section 11. [10.] Any police officer who does not possess a high school degree or its equivalent and who has been deemed eligible to participate in the fund pursuant to KRS 15.440(3) who terminates police service forfeits such eligibility and must meet the minimum educational requirement to reparticipate in the fund.

[Section 11. No police officer shall receive payments from the fund until the officer meets the basic training requirements.]

Section 12. Any police officer who does not possess training equivalent to the basic training requirements established by the council and who has been deemed eligible to participate in the fund pursuant to KRS 15.440(4) and who terminates police service forfeits such eligibility and must meet the minimum training requirement to reparticipate in the fund.

Section 13. [12.] A copy of the high school diploma or GED certificate for each officer where required must be maintained by the local unit and must be available for review by appropriate departmental personnel.

Section 14. After having successfully completed a certified basic training course, if a police officer transfers from one participating local unit to another, he shall not be eligible to receive payments from the fund for a period of one (1) year from the date on which the respective basic training course was completed.

JOHN L. SMITH, Secretary

ADOPTED: May 2, 1977

RECEIVED BY LRC: June 6, 1977 at 9:15 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary of Justice, State Office Building, Frankfort,
Kentucky 40601.

DEPARTMENT OF TRANSPORTATION

Bureau of Highways (Proposed Amendment)

603 KAR 5:096. Highway classifications.

RELATES TO: KRS 189.222

PURSUANT TO: KRS 13.082, 174.050, 189.222

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Secretary of Transportation to establish reasonable weight and dimension limits on all highways included in the State Primary Road System. This regulation is adopted to identify each road in the highway system and indicate its classifications.

Section 1. The weight and dimension limits set forth in 603 KAR 5:066 and 603 KAR 5:070 for truckway classifications shall apply on all highways in the State Primary Road System as indicated herewithin, unless bridge postings prohibit such weights on any particular segment.

Section 2. The maximum weight limits for the three (3) classifications of highways are as follows: "AAA" System, 80,000 pounds gross weight; "AA" System, 62,000 pounds gross weight; "A" System, 44,000 pounds gross weight. There shall be no tolerances allowed on gross weight, axle weight, or combinations of axle weights on the Interstate and National Defense Highway System only.

Section 3. The classifications for each highway* in the State Primary Road System are as follows:

KY 22

AAA-From Jct. US 42, northeast of Louisville to Jct. US 27 in Falmouth. [421, N. E. of Pleasureville; and from Jct. US 421 at Pleasureville to Jct. KY 389 near the Kentucky River in Henry Co.]

[AAA-From Jct. US 127 near SECL of Owenton to Jct. US 27, north of Falmouth.]

AA-[From Jct. KY 389 in Henry Co. to Jct. US 127 in Owenton; and [f] From Jct. US 27 in Falmouth to Jct. KY 10 at Willow in Bracken Co.

KY 389

AAA [AA]-From Jct. Co. Road at Lockport in Henry Co. to Jct. KY 22, 2.3 miles north of Lockport. [KY 55, 2.3 miles S. of Prestonville in Carroll Co.]

AA-From Jct. KY 22, 2.3 miles north of Lockport to Jct. KY 55, 2.3 miles S. of Prestonville in Carroll Co.

US 421

AAA-From Indiana State Line at Milton to Jct. KY 22 at Pleasureville in Henry Co. [55, south of New Castle]; and from Broadway in Frankfort, via Wilkinson Blvd., [Street, Daily Avenue, and Thornhill Bypass] and via Lexington, Richmond, and Bighill to Jct. KY 2004 at Sand Gap in Jackson County; and [AAA] From the north city limits of Manchester to Jct. KY 80 south of Manchester; and [AAA] from Jct. US 119 at Baxter to Jct. KY 38 in Harlan; and from Jct. KY 987 at Cawood to Virginia State Line.

AA-From Jct. KY 22 at Pleasureville in Henry Co. [55, south of New Castle] to Jct. Broadway and Wilkinson Blvd. [Streets] in Frankfort; and [AA] From Jct. KY 2004 at Sand Gap to N.C.L. of Manchester; and from Jct. KY 80 south of Manchester via Hyden to Jct. US 119 at Baxter; and [AA] From Jct. KY 38 in Harlan to Jct. KY 987 at Cawood.

*COMPILERS NOTE: Only those particular highways affected by the proposed amendment are shown here. 603 KAR 5:096 is printed in full in 3 Ky.R.4-109.

CALVIN G. GRAYSON, Secretary

ADOPTED: June 8, 1977

RECEIVED BY LRC: June 15, 1977 at 3:20 p.m.

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

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:015. Tripeleennamine Hydrochloride.

RELATES TO: KRS 217.814 to 217.826,
217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Tripeleennamine Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Tripelethamine Hydrochloride Pharmaceutical Products. The following tripelethamine hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Tripelethamine Hydrochloride 50 mg. Tablet Form:

- (1) Pyribenzamine: Ciba Pharmaceutical Company;
- (2) Tripelethamine Hydrochloride: *Bolar Pharmaceuticals*, *Kasar Laboratories*, *Midway Medical Company*, *Murray Drug Corporation*, *Richie Pharmacal*, *Richlyn Laboratories*, *Rugby Laboratories*, and *United Research Laboratories*.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

Pharmaceuticals, *Geneva Drugs, Ltd.*, *Geneva Generics*, *H. L. Moore Drug Exchange*, *Lederle Laboratories*, *McKesson Laboratories*, *Murray Drug Corporation*, *Pace-Bond Drug Company*, *Paramount Surgical Supply Corporation [Company]*, *Parmed Pharmaceuticals*, *Pharmecon, Inc.*, *Philips-Roxane Laboratories*, *Purepac Pharmaceuticals*, *Richie Pharmacal*, *Rugby Laboratories*, *Spencer-Mead, Inc.*, *Theda Corporation*, *United Research Laboratories*, and *Zenith Laboratories, Inc.*;

(c) Peritrate: Warner/Chilcott; and

(d) Tetrate: Vanguard Laboratories.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Kentucky Drug Formulary Council
(Proposed Amendment)

902 KAR 1:025. Pentaerythritol Tetranitrate.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Pentaerythritol Tetranitrate pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Pentaerythritol Tetranitrate Pharmaceutical Products. The following Pentaerythritol Tetranitrate tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Pentaerythritol Tetranitrate 10 mg. Tablet Form:

(a) Midapet: Midway Medical Company;

(b) Pentaerythritol Tetranitrate: *Cooper Drug Company*, *Cooper Drug Division*, *Bell Pharmacal*, *Bolar Pharmaceuticals*, *Geneva Drugs, Ltd.*, *Geneva Generics*, *H. L. Moore Drug Exchange*, *Lederle Laboratories*, *McKesson Laboratories*, *Murray Drug Corporation*, *Pace-Bond Drug Company*, *Paramount Surgical Supply Corporation [Company]*, *Parmed Pharmaceuticals*, *Pharmecon, Inc.*, *Philips-Roxane Laboratories*, *Purepac Pharmaceuticals*, *Richie Pharmacal*, *Rugby Laboratories*, *Spencer-Mead, Inc.*, *Theda Corporation*, *United Research Laboratories*, and *Zenith Laboratories, Inc.*;

(c) Peritrate: Warner/Chilcott; and

(d) Tetrate: Vanguard Laboratories.

(2) Pentaerythritol Tetranitrate 20 mg. Tablet Form:

(a) Midapet: Midway Medical Company;

(b) Pentaerythritol Tetranitrate: *Cooper Drug Company*, *Cooper Drug Division*, *Bell Pharmacal*, *Bolar*

DEPARTMENT FOR HUMAN RESOURCES

Kentucky Drug Formulary Council
(Proposed Amendment)

902 KAR 1:050. Penicillin-V.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Phenoxymethyl Penicillin (Penicillin V) pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Phenoxymethyl Penicillin (Penicillin V) Tablet Pharmaceutical Products. The following Penicillin V tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Penicillin V 125 mg. Tablet Form:

(a) Compcillin VK: Abbott Laboratories;

(b) Paclin VK: Geneva Drugs, Ltd.;

(c) Penicillin V: Columbia Medical Company;

(d) Penicillin VK: Richie Pharmacal;

(e) Pen Vee K: Wyeth Laboratories;

(f) Phenoxymethyl Penicillin: *Paramount Surgical Supply Corp.*, *Purepac Pharmaceutical*, *Rondex Laboratories*, *Zenith Laboratories*;

(g) Vanpen VK: Vanguard Laboratories;

(h) V-Cillin-K: Eli Lilly & Company.

(2) Penicillin V 250 mg. Tablet Form:

(a) Compcillin VK: Abbott Laboratories;

(b) Dowpen VK: Dow Pharmaceuticals;

(c) Kesso-Pen-VK: McKesson Laboratories;

(d) Ledercillin: Lederle Laboratories;

(e) Paclin VK: Geneva Drugs, Ltd.;

(f) Penapar VK: Parke-Davis & Company;

(g) Penicillin V: Columbia Medical Company;

(h) Penicillin VK: Philips-Roxane Laboratories, Richie Pharmacal;

(i) Pen Vee K: Wyeth Laboratories;

(j) Pfizerpen VK: Pfizer Laboratories;

(k) Phenoxymethyl Penicillin: Bell Pharmacal, Bristol Laboratories, Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Murray Drug Corporation, Mylan Laboratories, Paramount Surgical Supply Corporation, Parmed Pharmaceuticals, *Pharmecon, Inc.*, Purepac Pharmaceuticals, Rexall Drug Company, Rogers Wholesalers, Rondex Laboratories, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, Three P Products Corporation, United Research Laboratories, Walgreens, Zenith Laboratories;

(l) QIDpen VK: Mallinckrodt Chemical Works;

(m) Robicillin VK: A. H. Robins Company;

(n) SK-Penicillin-VK: Smith, Kline & French Labs.;

(o) Uticillin VK: Upjohn Company;

(p) Vanpen VK: Vanguard Laboratories;

(q) V-Cillin-K: Eli Lilly & Company;

(r) Veetids: E. R. Squibb & Sons.

(3) Penicillin V 500 mg. Tablet Form:

(a) Compocillin VK: Abbott Laboratories;

(b) Dowpen VK: Dow Pharmaceuticals;

(c) Kesso-Pen-VK: McKesson Laboratories;

(d) Ledericillin: Lederle Laboratories;

(e) Penapar VK: Parke-Davis & Company;

(f) Penicillin V: Columbia Medical Company;

(g) Penicillin VK: Philips-Roxane Labs.;

(h) Pen Vee K: Wyeth Laboratories;

(i) Pfizerpen VK: Pfizer Laboratories;

(j) Phenoxymethyl Penicillin: Bell Pharmacal, Bristol Laboratories, Geneva Generics, H. L. Moore Drug Exchange, Murray Drug Corporation, Mylan Laboratories, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Walgreens;

(k) QIDpen VK: Mallinckrodt Chemical Works;

(l) Robicillin VK: A. H. Robins Company;

(m) SK-Penicillin-VK: Smith, Kline & French Labs.;

(n) Uticillin VK: Upjohn Company;

(o) Vanpen VK: Vanguard Laboratories;

(p) V-Cillin-K: Eli Lilly & Company;

(q) Veetids: E. R. Squibb & Sons.

Section 2. Phenoxymethyl Penicillin (Penicillin V) Oral Liquid Pharmaceutical Products. The following Penicillin V pharmaceutical products for oral liquid are considered to be therapeutically equivalent, in each respective dose:

(1) Penicillin V 125 mg. Powders or Granules for Oral Liquid Dosage Form:

(a) Compocillin VK: Abbott Laboratories;

(b) Kesso-Pen-VK: McKesson Laboratories;

(c) Penapar VK: Parke-Davis & Company;

(d) Penicillin V: Columbia Medical Company;

(e) Penicillin VK: Richie Pharmacal Company;

(f) Pen Vee K: Wyeth Laboratories;

(g) Pfizerpen VK: Pfizer Laboratories;

(h) Phenoxymethyl Penicillin: Bell Pharmacal, Bristol Laboratories, H. L. Moore Drug Exchange, Lederle Laboratories, Mylan Laboratories, Murray Drug Corporation, Parmed Pharmaceuticals, Rexall Drug Company, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Walgreens;

(i) QIDpen VK: Mallinckrodt Chemical Works

(j) Robicillin VK: A. H. Robins Company;

(k) SK-Penicillin-VK: Smith, Kline & French Labs.;

(l) Uticillin VK: Upjohn Company;

(m) Vanpen VK: Vanguard Laboratories;

(n) V-Cillin-K: Eli Lilly & Company;

(o) Veetids: E. R. Squibb & Sons.

(2) Penicillin V 250 mg. Powders or Granules for Oral Liquid Dosage Form:

(a) Compocillin VK: Abbott Laboratories;

(b) Kesso-Pen-VK: McKesson Laboratories;

(c) Penapar VK: Parke-Davis & Company;

(d) Penicillin V: Columbia Medical Company;

(e) Pencillin VK: Richie Pharmacal;

(f) Pen Vee K: Wyeth Laboratories, Inc.;

(g) Pfizerpen VK: Pfizer Laboratories;

(h) Phenoxymethyl Penicillin: Bell Pharmacal, Bristol Laboratories, H. L. Moore Drug Exchange, Lederle Laboratories, Mylan Pharmaceuticals, Murray Drug Corporation, Parmed Pharmaceuticals, Rexall Drug Company, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Walgreens;

(i) QIDpen VK: Mallinckrodt Chemical Works;

(j) Robicillin VK: A. H. Robins Company;

(k) SK-Penicillin-VK: Smith, Kline & French Laboratories;

(l) Uticillin VK: Upjohn Company;

(m) Vanpen VK: Vanguard Laboratories;

(n) V-Cillin-K: Eli Lilly & Company;

(o) Veetids: E. R. Squibb & Sons.

THOMAS S. FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:055. Meclizine Hydrochloride.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Meclizine Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Meclizine Hydrochloride Pharmaceutical Products. The following meclizine hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Meclizine Hydrochloride 12.5 mg. Tablet Form:

(a) Antivert: Roerig;

(b) Meclizine Hydrochloride: Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, *Parmed Pharmaceuticals*, Richie Pharmacal, [and] Theda Corporation, and *Vanguard Laboratories*.

(2) Meclizine Hydrochloride 25 mg. Tablet Form:

(a) Antivert: Roerig;

(b) Meclizine Hydrochloride: Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Murray Drug Corporation, *Parmed Pharmaceuticals*, Richie Pharmacal, [and] Theda Corporation, and *Vanguard Laboratories*.

(3) Meclizine Hydrochloride 25 mg. Chewable Tablet Form:

(a) Antivert: Roerig;

(b) Bonine: Pfizer Laboratories;

(c) Meclizine Hydrochloride: H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Midway Medical Company, Rogers Wholesalers, Three P Products Corporation, and United Research Laboratories.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:100. Reserpine.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Reserpine pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Reserpine Tablet Pharmaceutical Products. The following Reserpine tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Reserpine 0.1 mg. Tablet Form:

(a) Reserpine: Geneva Drugs, Ltd., Geneva Generics, Lederle Laboratories, Murray Drug Corp., Paramount Surgical Supply Corp., *Pharmecon, Inc.*, Purepac Pharmaceuticals, Rexall Drug Company, Richie Pharmacal, Rondex Laboratories, Zenith Laboratories;

(b) Reserpoid: Upjohn Company;

(c) Serpasil: Ciba Pharmaceutical Company;

(d) V-serp: Vanguard Laboratories.

(2) Reserpine 0.25 mg. Tablet Form:

(a) Rau-sed: E. R. Squibb & Sons;

(b) Rausingle: Philips-Roxane Laboratories;

(c) Resercen: The Central Pharmacal Company;

(d) Reserpine: Alliance Laboratories, Geneva Drugs, Ltd., Geneva Generics, Kasar Laboratories, Lederle Laboratories, Murray Drug Corp., Paramount Surgical Supply Corp., Purepac Pharmaceutical Co., Rexall Drug Company, Richie Pharmacal Company, Rondex Laboratories, Inc., Zenith Laboratories;

(e) Reserpoid: Upjohn Company;

(f) Serpasil: Ciba Pharmaceutical Company;

(g) V-serp: Vanguard Laboratories.

(3) Reserpine 1.0 mg. Tablet Form:

(a) Reserpoid: Upjohn Company;

(b) Serpasil: Ciba Pharmaceutical Company.

Section 2. Reserpine Elixir Pharmaceutical Products. The following Reserpine elixir pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Reserpine 0.25 mg/5 ml Elixir Form:

(1) Reserpoid: Upjohn Company;

(2) Serpasil: Ciba Pharmaceutical Company.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES

Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:120. Promethazine Hydrochloride.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Promethazine Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Promethazine Hydrochloride Tablet Pharmaceutical Products. The following Promethazine hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Promethazine Hydrochloride 12.5 mg. Tablet Form:

(a) Methazine: Vanguard Laboratories;

(b) Phenergan: Wyeth Laboratories, Inc.;

(c) Promethazine Hydrochloride: Columbia Medical Company, *Cooper Drug Company*, Geneva Drugs, Ltd., Midway Medical Company, Murray Drug Corporation, Paramount Surgical Supply Corp., *Spencer-Mead, Inc.*, *Theda Corporation*, Zenith Laboratories.

(2) Promethazine Hydrochloride 25 mg. Tablet Form:

- (a) Methazine: Vanguard Laboratories;
- (b) Phenergan: Wyeth Laboratories, Inc.;
- (c) Promethazine Hydrochloride: *Cooper Drug Company*, Geneva Drugs, Ltd., Midway Medical Company, Murray Drug Corporation, Paramount Surgical Supply Corp., Parmed Pharmaceuticals, *Richie Pharmacal*, *Spencer-Mead, Inc.*, *Theda Corporation*, Zenith Laboratories.
- (3) Promethazine Hydrochloride 50 mg. Tablet Form:
 - (a) Methazine: Vanguard Laboratories;
 - (b) Phenergan: Wyeth Laboratories, Inc.;
 - (c) Promethazine Hydrochloride: *Cooper Drug Company*, Geneva Drugs, Ltd., Midway Medical Company, Murray Drug Corporation, Paramount Surgical Supply Corp., Parmed Pharmaceuticals, *Spencer-Mead, Inc.*, *Theda Corporation*, Zenith Laboratories.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

- (d) Propoxyphene Hydrochloride: Abbott Laboratories, Bell Pharmacal, Bolar Pharmaceuticals, Columbia Medical Company, Cooper Drug Company, Geneva Generics, Midway Medical Company, H. L. Moore Drug Company, Murray Drug Corporation, Mylan Pharmaceuticals, Paramount Surgical Supply Corp., Parmed Pharmaceuticals, *Pharmecon, Inc.*, Purepac Pharmaceuticals [Company], Rachele Laboratories, Rexall Drug Company, Richie Pharmacal, *Rogers Wholesalers*, *Spencer-Mead, Inc.*, *Three P Products*, *Theda Corporation*, United Research Laboratories, Zenith Laboratories;
- (e) SK-65: Smith, Kline and French Labs.; and
- (f) Vadar: Vanguard Laboratories.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:170. Propoxyphene Hydrochloride Capsule.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Propoxyphene Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Propoxyphene Hydrochloride Capsule Pharmaceutical Products. The following Propoxyphene hydrochloride capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

- (1) Propoxyphene Hydrochloride 32 mg. Capsule Form:
 - (a) Darvon: Eli Lilly and Company;
 - (b) Mardon: Geneva Drugs, Ltd.;
 - (c) Propoxyphene Hydrochloride: Cooper Drug Company, Murray Drug Corporation, Mylan Pharmaceuticals, Inc., Paramount Surgical Supply Corp., Richie Pharmacal, *Rugby Laboratories*, *Spencer-Mead, Inc.*, and Zenith Laboratories.
- (2) Propoxyphene Hydrochloride 65 mg. Capsule Form:
 - (a) Darvon: Eli Lilly and Company;
 - (b) Dolene: Lederle Laboratories;
 - (c) Mardon: Geneva Drugs, Ltd.;

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:180. Tetracycline Hydrochloride.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Tetracycline Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Tetracycline Hydrochloride Tablet Pharmaceutical Products. The following Tetracycline hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

- (1) Tetracycline Hydrochloride 250 mg. Tablet Form:
 - (a) Panmycin: Upjohn Company;
 - (b) Sumycin: E. R. Squibb & Sons;
 - (c) Tetrachel: Rachele Laboratories; and
 - (d) Tetracycline Hydrochloride: H. L. Moore Drug Exchange, Mylan Pharmaceuticals, Richie Pharmacal.
- (2) Tetracycline Hydrochloride 500 mg. Tablet Form:
 - (a) Panmycin: Upjohn Company;
 - (b) Sumycin: E. R. Squibb & Sons; and
 - (c) Tetracycline Hydrochloride: Mylan Pharmaceuticals, Richie Pharmacal.

Section 2. Tetracycline Hydrochloride Capsule Pharmaceutical Products. The following Tetracycline Hydrochloride capsule pharmaceutical products are deter-

mined to be therapeutically equivalent, in each respective dosage:

- (1) Tetracycline Hydrochloride 250 mg. Capsule Form:
 - (a) Achromycin V: Lederle Laboratories;
 - (b) Bristacycline: Bristol Laboratories;
 - (c) Centet: Central Pharmacal;
 - (d) Kesso-Tetra: McKesson Laboratories;
 - (e) Ranmycin: Upjohn Company;
 - (f) OID-Tet: Mallinckrodt Chemical;
 - (g) Retet-250: Reid-Provident;
 - (h) Robitet: A. H. Robins Company;
 - (i) SK-Tetracycline: Smith, Kline & French;
 - (j) Sumycin: E. R. Squibb & Sons;
 - (k) Tetrachel: Rachele Laboratories;
 - (l) Tetracycline Hydrochloride: Alliance Laboratories, Bell Pharmacal Company, Bocan Drug Company, Columbia Medical, Cooper Drug Company, Geneva Drugs, Ltd., International Laboratories, H. L. Moore Drug Exchange, Murray Drug Corporation, Mylan Pharmaceuticals, Paramount Surgical Supply Corporation, Parke Davis & Company, Philips-Roxane Laboratories, Purepac Pharmaceuticals, Rexall Drug Company, Spencer-Mead, Inc., Theda Corporation, *Thrift Drug Company*, United Research Laboratories, Walgreens, Wyeth Laboratories, Zenith Laboratories;
 - (m) Tetracycline: Pfizer Laboratories; and
 - (n) V-Tet: Vanguard Laboratories.
- (2) Tetracycline Hydrochloride 500 mg. Capsule Form:
 - (a) Achromycin V: Lederle Laboratories, Inc.;
 - (b) Bristacycline: Bristol Laboratories;
 - (c) Kesso-Tetra: McKesson Laboratories;
 - (d) Panmycin: Upjohn Company;
 - (e) OID-Tet: Mallinckrodt Chemical;
 - (f) Retet-500: Reid-Provident;
 - (g) Robitet: A. H. Robins Company;
 - (h) SK-Tetracycline: Smith, Kline & French;
 - (i) Sumycin: E. R. Squibb & Sons;
 - (j) Tetrachel: Rachele Laboratories;
 - (k) Tetracycline Hydrochloride: Alliance Laboratories, Bell Pharmacal Company, Bocan Drug Company, Columbia Medical Company, Cooper Drug Company, Geneva Drugs, Ltd., International Laboratories, H. L. Moore Drug Exchange, Murray Drug Corporation, Mylan Pharmaceuticals, Paramount Surgical Supply Corp., Parke-Davis & Company, Philips-Roxane Laboratories, Purepac Pharmaceuticals, Rexall Drugs, Spencer-Mead, Inc., Theda Corporation, *Thrift Drug Company*, United Research Laboratories, Walgreens, Zenith Laboratories;
 - (l) Tetracycline: Pfizer Laboratories; and
 - (m) V-Tet: Vanguard Laboratories.

Section 3. Tetracycline Hydrochloride Syrups and Pediatric Drops. The following Tetracycline Hydrochloride 125 mg/5 ml and 100 mg/ml pediatric drops are determined to be therapeutically equivalent, in each respective dosage:

- (1) Tetracycline Hydrochloride 125 mg/5 ml Syrups:
 - (a) Achromycin: Lederle Laboratories;
 - (b) Biocycline: National Pharmaceuticals;
 - (c) Kesso-Tetra: McKesson Laboratories;
 - (d) Panmycin: Upjohn Company;
 - (e) Retet-S: Reid-Provident;
 - (f) Robitet: A. H. Robins Company;
 - (g) SK-Tetracycline: Smith, Kline & French;
 - (h) Sumycin: E. R. Squibb & Sons;
 - (i) Tetrachel: Rachele Laboratories;

- (j) Tetracycline Hydrochloride: Bell Pharmacal, H. L. Moore Drug Exchange, *Henry Schein, Inc.*, Purepac Pharmaceuticals, Rexall Drug Company, Richie Pharmacal, *Rugby Laboratories*, Spencer-Mead, Inc., United Research Laboratories; and

- (k) V-Tet: Vanguard Laboratories.
- (2) Tetracycline Hydrochloride 100 mg/ ml Pediatric Drops:

- (a) Achromycin V: Lederle Laboratories;
- (b) Panmycin: Upjohn Company; and
- (c) Tetrachel: Rachele Laboratories.

THOMAS S. FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

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

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)
PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Chloral Hydrate pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Chloral Hydrate Capsule Pharmaceutical Products. The following Chloral Hydrate capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

- (1) Chloral Hydrate 500 mg. Capsule Form:
 - (a) Chloral Hydrate: Bell Pharmacal Company, Columbia Medical Company, Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Kasar Laboratories, Lederle Laboratories, Midway Medical Company, Murray Drug Corporation, National Pharmaceuticals, Pace-Bond Drug Company, Paramount Surgical Supply Corporation, Parke Davis & Company, *Parmed Pharmaceuticals*, *Pharmecon, Inc.*, Philips-Roxane Laboratories, Purepac Pharmaceuticals, Rexall Drug Company, Richie Pharmacal, Rogers Wholesalers, Theda Corporation, Three P Products Corporation, United Research Laboratories, Walgreens, Zenith Laboratories;
 - (b) Kessodrate: McKesson Laboratories;
 - (c) Noctec: E. R. Squibb & Sons;
 - (d) *Sk-Chloral Hydrate*;

- (e) [(d)] Somnos: Merck, Sharp & Dohme; and
 (f) [(e)] V-Clor: Vangard Laboratories.

Section 2. Chloral Hydrate Syrup Pharmaceutical Products. The following Chloral Hydrate syrup pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: (Cautionary Note: Sugar Content not determined.)

(1) Chloral Hydrate Syrup 500 mg/5 ml Form:

(a) Chloral Hydrate Syrup: *Henry Schein, Inc.*, Lederle Laboratories, Midway Medical Company, Murray Drug Corporation, National Pharmaceuticals, *Pharmecon, Inc.*, Richie Pharmacal, Spencer-Mead, Inc., Theda Corporation;

(b) Kessodrate: McKesson Laboratories;

(c) Noctec Syrup: E. R. Squibb & Sons;

(d) V-Clor Syrup: Vangard Laboratories.

THOMAS S. FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

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SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council
(Proposed Amendment)

902 KAR 1:300. Diocetyl Sodium Sulfosuccinate Capsule.

RELATES TO: KRS 217.814, to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Diocetyl Sodium Sulfosuccinate pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Diocetyl Sodium Sulfosuccinate Capsule Pharmaceutical Products. The following Diocetyl Sodium Sulfosuccinate capsule 50 mg. Capsule Form: to be therapeutically equivalent, in each respective dosage:

(1) Diocetyl Sodium Sulfosuccinate 50 mg. Capsule Form:

(a) Colace: Mead Johnson Labs.;

(b) Diocetyl Sodium Sulfosuccinate: Philips-Roxane Labs., Inc.;

(c) D-S-S: Parke, Davis and Company.

(2) Diocetyl Sodium Sulfosuccinate 100 mg. Capsule Form:

(a) *Aqua-Lax: Parmed Pharmaceuticals;*

(b) [(a)] Colace: Mead Johnson Labs., Inc.;

(c) [(b)] Comfolax: Searle Laboratories;

(d) [(c)] Diocetyl Sodium Sulfosuccinate: *Bell Pharmacal*, Cooper Drug Company, Geneva Generics, *H. L. Moore Drug Exchange*, Kasar Laboratories, Lederle Laboratories, Midway Medical Corporation, *Pharmecon, Inc.*, Philips-Roxane Laboratories, Purepac Pharmaceutical Co., Richie Pharmacal, *Rogers Wholesalers*, *Theda Corporation*, *Three P Products*;

(e) [(d)] D-S-S: Parke, Davis & Company;

(f) [(e)] Pro-Sof: Vangard Laboratories;

(g) [(f)] Provilax: Reid-Provident Labs., Inc.;

(h) [(g)] Regul-Aids: Columbia Medical Company.

(3) Diocetyl Sodium Sulfosuccinate 250 mg. Capsule Form:

(a) *Aqua-Lax: Parmed Pharmaceuticals;*

(b) [(a)] Diocetyl Sodium Sulfosuccinate: Cooper Drug Company, Geneva Generics, Kasar Laboratories, Midway Medical Corp., Purepac Pharmaceutical Co.;

(c) [(b)] Pro-Sof: Vangard Laboratories.

Section 2. Diocetyl Sodium Sulfosuccinate Liquid Pharmaceutical Products. The following Diocetyl Sodium sulfosuccinate liquid pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Diocetyl Sodium Sulfosuccinate Liquid 20 mg/5ml:

(1) Diocto Syrup: National Pharmaceuticals;

(2) Diocetyl Sodium Sulfosuccinate: *Bay Laboratories*, *H. L. Moore Drug Exchange*, *Henry Schein, Inc.*, Lederle Laboratories, Mead-Johnson Laboratories, Inc., Midway Medical Corporation, *Murray Drug Corporation*, *Pharmecon, Inc.*, Richie Pharmacal, *Rugby Laboratories*, *Spencer-Mead, Inc.*;

(3) Pro-Sof: Vangard Laboratories;

(4) Regul-Aid: Columbia Medical Company.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council
(Proposed Amendment)

902 KAR 1:322. Triprolidine and Pseudoephedrine Hydrochloride Syrups.

RELATES TO: KRS 217.814 to 217.826, 217.990(9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Triprolidine Hydrochloride and Pseudoephedrine Hydrochloride

pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Triprolidine Hydrochloride and Pseudoephedrine Hydrochloride Syrup Pharmaceutical Products. The following Triprolidine Hydrochloride and Pseudoephedrine Hydrochloride syrup pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Triprolidine Hydrochloride 1.25 mg. and Pseudoephedrine Hydrochloride 30 mg. Syrup Form:

- (1) Actifed: Burroughs Wellcome;
- (2) Pseudoline: Bay Laboratories;
- (3) [(2)] Suda-Prol: Columbia Medical Company;
- (4) [(3)] Triacin: Richie Pharmacal Company, National Pharmaceutical Mfg. Co.

THOMAS FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

DEPARTMENT FOR HUMAN RESOURCES Kentucky Drug Formulary Council (Proposed Amendment)

902 KAR 1:328. Chlordiazepoxide Hydrochloride Capsule.

RELATES TO: KRS 217.814 to 217.826, 217.990 (9)(10)

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 217.819 directs the Kentucky Drug Formulary Council to prepare a formulary of drugs and pharmaceuticals with their generic or chemical names that are determined by the council to be therapeutically equivalent to specified brand name drugs and pharmaceuticals. This regulation lists Chlordiazepoxide Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

Section 1. Chlordiazepoxide Hydrochloride Capsule Pharmaceutical Products. The following Chlordiazepoxide Hydrochloride capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:

(1) Chlordiazepoxide Hydrochloride 5 mg. Capsule Form:

- (a) Chlordiazepoxide Hydrochloride: Bell Pharmacal, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, Murray Drug Corporation, Parmed Pharmaceuticals, Philips-Roxane, Rachelle Laboratories, Rexall Drug Company, Richie Pharmacal Company, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Vanguard Laboratories; and
- (b) Librium: Roche Laboratories.

(2) Chlordiazepoxide Hydrochloride 10 mg. Capsule Form:

(a) Chlordiazepoxide Hydrochloride: Bell Pharmacal, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, Murray Drug Corporation, Parmed Pharmaceuticals, Philips-Roxane, Rachelle Laboratories, Rexall Drug Company, Richie Pharmacal Company, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Vanguard Laboratories; and

(b) Librium: Roche Laboratories.

(3) Chlordiazepoxide Hydrochloride 25 mg. Capsule Form:

(a) Chlordiazepoxide Hydrochloride: Bell Pharmacal, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, Murray Drug Corporation, Parmed Pharmaceuticals, Philips-Roxane, Rachelle Laboratories, Rexall Drug Company, Richie Pharmacal Company, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, United Research Laboratories, Vanguard Laboratories; and

(b) Librium: Roche Laboratories.

THOMAS S. FOSTER, Chairperson

ADOPTED: May 11, 1977

APPROVED: PETER D. CONN, Secretary

RECEIVED BY LRC: May 24, 1977 at 3:20 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

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

902 KAR 2:060. Immunization schedules.

RELATES TO: KRS 158.035, 211.180, 214.032, 214.034, 214.036

PURSUANT TO: KRS 13.082, 194.050, 211.090

NECESSITY AND FUNCTION: KRS 211.180 mandates the Department for Human Resources to implement a statewide program for the detection, prevention and control of communicable diseases. KRS 214.034 requires the establishment of immunization schedules by the Department for Human Resources. This regulation specifies the *recommended* [ideal] schedule for mandatory immunization and is in keeping with the latest scientific information on the topic.

Section 1. Schedule for Required Immunizations. *The recommended schedule for active immunization of normal infants and children against diphtheria, tetanus, pertussis, poliomyelitis, rubeolla (measles) and rubella is as follows:* [Vaccines against diphtheria (D), tetanus (T), pertussis (P), poliomyelitis (Trivalent OPV), rubeola and rubella shall be administered according to the following schedule:]

(1) Initial series:

(a) Two (2) months of age: DTP, [DPT] TOPV [Trivalent OPV];

(b) Four (4) months of age: [Eight (8) weeks later] DTP, [DPT] TOPV [Trivalent OPV];

(c) *Six (6) months of age: [Eight (8) weeks later] DTP, [DPT] [Trivalent OPV];*

(d) *Fifteen (15) [Twelve (12)] months of age: Measles, [Rubeola] Rubella; and*

(e), *Eighteen (18) months of age: DTP, [DPT] TOPV. [Trivalent OPV].*

(2) *Booster Doses:*

(a) *Shortly before starting school: DTP, [DPT] TOPV; [Trivalent OPV]; and*

(b) *Fourteen (14) to sixteen (16) [Twelve (12) to fourteen (14)] years of age: Td. [(Td., combined tetanus and diphtheria toxoids, adult type).]*

Section 2. Definitions. As used in this regulation:

(1) *"DTP" means diphtheria and tetanus toxoids combined with pertussis vaccine;*

(2) *"TOPV" means trivalent oral poliovirus vaccine;*

(3) *"Td" means combined tetanus and diphtheria toxoids (adult type);*

(4) *"Measles vaccine" and "rubella vaccine" may be given as measles-rubella combined vaccine.*

Section 3. [2.] Variance from immunization Schedule. The individual physician or local health department shall have the authority to alter the recommended immunization schedule when indicated for any individual vaccinee or to suit any unusual local conditions.

BERNICE RANDELL, Deputy Commissioner
PETER D. CONN, Secretary

ADOPTED: June 14, 1977

RECEIVED BY LRC: June 15, 1977 at 9:05 a.m.

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

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

902 KAR 6:020. Personnel rules of local board.

RELATES TO: KRS 210.120, 210.370, 210.450

PURSUANT TO: KRS 210.450

NECESSITY AND FUNCTION: KRS 210.450 gives the Department for Human Resources the authority to set the standards and regulations for the Community Mental Health Center personnel files.

Section 1. Personnel Files. A personnel file shall be initiated and maintained at the center for each employe of the district board. The minimum contents of a personnel file shall be:

(1) *Application for employment completed by employe. Center may design its own form or may use state personnel application form which will be supplied upon request.*

(2) *Professional credentials to reflect training and experience adequate for qualification for the position to which the applicant aspires. These should include any licensing certificate or other pertinent documents as applicable.*

(3) *Advice of appointment or such suitable document or memorandum from the appropriate center official appointing said applicant to the position. This document shall contain conditions or terms of employment with signatures of employer and employe accepting said conditions.*

(4) *All forms used for participation in Kentucky's Employees' Retirement System or other retirement system.*

(5) *Personnel action report of all change in status of employe (salary change, transfer, promotion, leave, leave without pay, reclassification, change in position title, etc.).*

(6) *Personnel action report reflecting termination of employment, e.g., resignation, dismissal, etc., shall appear in each terminated personnel file.*

(7) *There shall be for each position or class of positions (professional, administrative and clerical) a position description setting forth:*

(a) *The title of the position,*

(b) *The duties of the position,*

(c) *Requirements of training and experience necessary to qualify for the position, and*

(d) *A brief description of additional skills or special knowledge desirable which the applicant should possess.*

(8) *There shall be for each position or class of positions (professional, administrative and clerical) an established salary level.*

(9) *These documents shall be subject to state and federal audit.*

[Section 2. Of the foregoing items, copies of the following shall be forwarded to the Secretary of the Department for Human Resources:]

[(1) Job specifications,]

[(2) Salary or rate of pay and pay level,]

[(3) Application for employment,]

[(4) Credentials and license certificate or other pertinent data,]

[(5) Advice of appointment or contractual agreement,]

[(6) Copies of necessary retirement documents,]

[(7) Copy of any change in status while occupant is in position (promotion, salary change, suspension, maternity leave, extended sick leave, or leave of absence),]

[(8) Copy of termination document.]

Section 2. [3.] Personnel Policies. Each district board shall initiate and maintain a set of personnel policies for the governance of all center staff members. A copy of such policies shall be filed with the Department for Human Resources together with subsequent revisions as they might occur. Such personnel policies shall include the following areas of personnel administration:

(1) *Leave policies,*

(2) *Salary policy; Wage and Price Administration,*

(3) *Conditions of termination,*

(4) *Outside employment; outside practice for professionals,*

(5) *Staff development and continuing education provisions,*

(6) *Fringe benefits,*

(7) *Reimbursable expenses,*

(8) *Employe grievance procedures,*

(9) *Employe performance evaluations,*

(10) *Method of salary increments,*

(11) *Indicate compliance with appropriate federal and state regulations.*

Section 3. [4.] Additional Statements. (1) Applicants for center position already working for the Department for Human Resources may not accept additional employment without the express written consent of the Secretary of the Department for Human Resources. This permission must be secured by the applicant (employee) in writing. District boards must have this written consent in hand before tendering offers of employment.

(2) Copies of state statutes relevant to mental health-mental retardation boards may be obtained from the Secretary of the Department for Human Resources and kept on file by the mental health-mental retardation board.

(3) Copies of regulations promulgated by the secretary under provisions of the above statutes shall be obtained from the Secretary of the Department for Human Resources and kept on file by the mental health-mental retardation board.

(4) Time and attendance records: Adequate records shall be maintained by each center certifying days or hours worked and leave taken for each and all employees of the center. These records will be subject to state and federal audit.

(5) An organization's chart(s) shall be filed by each district center indicating administrative authority and clinical authority.

(6) Any employee shall be provided access to any reasonable document pertaining to the corporation or to his rights as an employee.

(7) The center shall comply with all current federal regulations pertaining thereto, for example, Fair Labor Standards Act, Occupational Safety and Health Act, Workmen's Compensation, etc., except where state regulations supersede these.

(8) Centers shall take into consideration current Health, Education and Welfare regulations relevant to personnel in community mental health centers.

BERNICE RANDELL, Deputy Commissioner
PETER D. CONN, Secretary

ADOPTED: June 14, 1977

RECEIVED BY LRC: June 15, 1977 at 9:05 a.m.

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

Proposed Regulations

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

200 KAR 6:030. Real property leases and rentals.

RELATES TO: KRS Chapters 45 and 56

PURSUANT TO: KRS 13.082, 45.360(3), (8)

NECESSITY AND FUNCTION: Except as provided by KRS Chapters 175, 176, 177, and 180, the Executive Department for Finance and Administration is responsible for the acquisition of all real property needed by the state. This regulation establishes the procedures for the acquisition by lease of all real property rentals required for use by all agencies of the state government.

Section 1. General: The Bureau of Public Properties in the Executive Department for Finance and Administration shall be responsible, except as otherwise provided by law, for the lease of all real property rentals required for use by all branches, departments and agencies of the state government and no lease of real property shall be binding against the Commonwealth of Kentucky or any agency thereof unless made and entered into as provided in this regulation.

Section 2. Agency Space Request: When an agency determines that it will need office or other space, it shall submit a request for the acquisition to the Bureau of Public Properties on a form prescribed by the bureau and containing such information descriptive of the type of space desired as the bureau may require. The agency shall, except as enumerated in Section 5, submit its space request to the Bureau of Public Properties at least ninety (90) calendar days before the space requested will be needed by the agency.

Section 3. Review of Space Request and Advertising: The Bureau of Public Properties shall review each agency space request to determine whether space suitable to meet the agency's reasonable needs may be available in a state-owned or occupied building. If it is determined that there is no suitable space available in a state-owned or occupied building, the bureau will send the space request to the Office for Policy and Management in the Executive Department for Finance and Administration for approval as to the availability to the requesting agency of funds for the payment of rent for the space desired. When the Office for Policy and Management has approved the space requested for funding, the bureau shall, except as provided in Section 5, cause an advertisement to be placed in a newspaper having general circulation in each county where space is sought, soliciting sealed written proposals for the negotiation of a lease to the Commonwealth of space meeting the agency's general requirements. The advertisement shall be published two (2) times during any seven (7) day period in daily newspapers and one (1) time in weekly newspapers. The advertisement shall contain such general information concerning the agency requirements for the space sought as will reasonably inform persons having property to let in the county of the type of space wanted, i.e., office, storage, etc., the general location and number of square feet of space desired, and shall state the time, date and place that proposals will be received. At the time, date and place stated in the advertisement, all proposals received shall be opened and publicly read; proposals not made in writing and all proposals received after the time fixed for opening and reading of the proposals shall not be considered unless no other proposal had been received as of the time fixed in the advertisement.

Section 4. Inspection of Premises and Award of Lease: Following the opening of the proposals, each person submitting a proposal shall be informed that at a time during normal business hours to be selected by the Bureau of Public Properties, an inspection team composed of a representative of the bureau and a representative of the agency for whose use the leased space is being sought, will inspect the space proposed to be leased to determine the suitability of the property to the agency's reasonable needs and its conformity to the requirements of the advertisement. The owner or other person submitting the proposal shall provide access to the property for such inspection. The inspection team shall report its findings about each property inspected to the Commissioner of the Bureau of Public Properties who shall, in consultation with the head of the agency for whose use the space is sought, or his designee, determine which of the proposals received is the best proposal in the interest of the Commonwealth. In making his determination, the commissioner shall take into account factors including, but not limited to, the location and accessibility to the public of the property; its condition and state of repair; its conformity with the requirements of occupational health and safety regulations, regulations of the State Fire Marshal and health and sanitation regulations, as well as its conformity to the advertised requirements and the proposed rental rate. The lease of the space shall be awarded in the sound discretion of the Commissioner of the Bureau of Public Properties, to the person whose proposal most closely conforms to the general requirements of the advertisements and meets the requesting agency's reasonable space needs. The bureau shall notify in writing all persons submitting a lease proposal of its action of awarding the lease.

Section 5. When Advertisement Not Required: Newspaper advertisements soliciting written proposals for the lease of space by the Commonwealth shall not be required if space suitable to the needs of agencies for whose use space is sought is determined to be available for lease in a building owned or maintained by a political subdivision or municipality; is required for the use of the court of justice; or the space is required as the result of a bona fide emergency.

Section 6. Emergency Leases: (1) A bona fide emergency authorizing dispensation of newspaper advertisement for leased space, shall be deemed to exist only in cases where the head of an agency already occupying leased premises certifies in writing to the Secretary of the Executive Department for Finance and Administration that:

(a) The leased premises have been damaged or destroyed by fire, windstorm or other casualty; or

(b) The leased premises are found to be in violation of regulations of the Kentucky Occupational Health and Safety Commission and such violations are not remedied within thirty (30) days after the issuance of a citation to the lessor of the premises; or

(c) The leased premises are found to be unsafe or unfit for occupancy due to any condition constituting a violation or infraction of fire or health laws and regulations and cannot be made safe within a reasonable time; or

(d) The necessity for leased premises arises from the enactment or adoption of federal legislation or regulations or state legislation, the effective date of which does not

allow a sufficient time for space to be acquired by advertisement; and

(e) The agency's functions will be impaired or have to be discontinued unless other quarters to house the agency's operations are immediately located and occupied by the agency.

(2) Upon receipt of such certification, the Executive Department for Finance and Administration through the Bureau of Public Properties shall take such action as appears appropriate under the circumstances to locate and negotiate for the lease of suitable replacement quarters. Except as provided in this section, the lease by the Commonwealth of any real property under conditions deemed of an emergency nature by the heads of the several departments and agencies of the state government shall be undertaken only with the express written approval of the Governor of the Commonwealth of Kentucky.

Section 7. The Lease: Mere notice of award of a lease shall not constitute a contract binding against the Commonwealth of Kentucky. Unless some other form of lease is specifically approved by the Secretary of the Executive Department for Finance and Administration in an exceptional case, all leases by the Commonwealth of office and other space shall be made and entered into on the basis of the State Standard Lease Agreement, Form B217-5, and all persons to whom a lease to the Commonwealth of Kentucky has been awarded shall be deemed to have assented in advance to the terms and conditions thereof.

Section 8. Lease Terms and Renewal of Expired Leases: Except when another lease term is approved by the Secretary of the Executive Department for Finance and Administration, the terms of all leases made under this regulation shall, as provided in the State Standard Lease Agreement, provide for an initial lease term beginning on a date certain and ending on or before the 30th day of June in each year, subject to automatic extension for additional periods of twelve (12) months each, not to exceed five (5) such extension periods, provided that the Commonwealth, within the time specified in the lease (thirty (30), sixty (60), or ninety (90) days), does not give written notice that the lease will not be extended beyond the end of the then current term. Subject to the agreement of the lessor, an expired lease, i.e., a lease in which the final automatic extension period has expired or will expire as of the end of the then current term, may be renewed upon substantially the same terms and conditions without newspaper advertisement for space. In case of expired leases which have been in effect for at least five (5) years, an equitable adjustment may be made in the rent not to exceed the average prevailing rate for similar property in the community in which the leased space is located.

Section 9. Modifications in Leases: (1) When a lease of space has been made and entered into after advertisement as provided in Section 3, or as provided in Section 5, and the agency determines that it has a need for space in the same location in addition to that provided for in the lease, and space is available in the same building, the lease may be modified with the agreement of the lessor to increase the square footage of the leased space provided that the rental rate paid for such additional space shall in no case exceed the per square foot rental rate fixed by the original lease. Conversely, when an agency determines that the amount of space called for by the lease exceeds the area actually

needed for its use, it may with the agreement of the lessor modify the lease to decrease the number of square feet covered by the lease to conform to its space needs and the rent shall be reduced accordingly. An existing lease may also be modified to provide for an increase in the rental rate when the lessor has made improvements in the leased premises at the request of and for the benefit and convenience of the state agency occupying the leased premises; provided, however, that the Commonwealth of Kentucky shall not be bound by nor have any liability for any improvements made in leased premises unless such agency request for the improvement of the premises has been approved in advance by the Executive Department for Finance and Administration.

(2) Appropriate modification shall be made in all leases to reflect changes in ownership in the leased premises or when the lessor has given notice of a change in the lessor's name or address. When there has been a change in ownership in the leased premises the new owner shall furnish to the Bureau of Public Properties a copy of the deed or other instrument of conveyance by which the new owner acquired title to the property or the right to payment of the rent under the lease, and such other evidence in support of his claim to payment of the rent as the bureau may request. When information is received by either the agency occupying leased premises or the Executive Department for Finance and Administration that there may have been a change in ownership of the leased premises, payment of the rent shall be suspended and shall not be resumed until the ownership of the premises and the identity of the party entitled to payment of the rent has been determined.

Section 10. Commonwealth not Bound by Unauthorized Acts or Representations: No officer or employee of any state agency shall engage in any act or make any representation or commitment to any person relative to the lease of any real property by the Commonwealth of Kentucky without specific written authorization from and approval by the Executive Department for Finance and Administration and neither the Commonwealth nor the Executive Department for Finance and Administration shall be bound by any such act, representation or commitment unless so authorized and approved.

JAMES S. BIRD, Commissioner

ADOPTED: June 15, 1977

APPROVED: RUSSELL R. McCLURE, Secretary

RECEIVED BY LRC: June 15, 1977 at 4:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: James S. Bird, Commissioner, Bureau of Public Properties, Executive Department for Finance and Administration, Frankfort, Kentucky 40601.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Real Estate Commission

201 KAR 11:147. Procedure for license retention when salesman released by broker.

RELATES TO: KRS 324.310, 324.330

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: The function of this regulation is to expand KRS 324.310 and 324.330 to avoid misinterpretations of administrative procedures.

Section 1. Upon receipt, by regular mail, of a letter from the responsible broker releasing a salesperson, the commission shall notify the salesperson by regular mail at his last resident address on file at the commission office that, within thirty (30) days of the date of the release letter he shall reaffiliate with another broker, or request by letter that his license be placed in escrow. Failure to comply will result in cancellation of license and retaking the regular examination in order to become reinstated.

CHARLES R. BROWN, Chairman

ADOPTED: May 12, 1977

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 20, 1977 at 2:45 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: General Counselor, Kentucky Real Estate Commission, 100 East Liberty Street, Suite 204, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Board of Hairdressers and Cosmetologists

201 KAR 12:155. Post-graduate school standards.

RELATES TO: KRS 317A.050(8)

PURSUANT TO: KRS 317A.050, 317A.060

NECESSITY AND FUNCTION: All applicants to operate a post-graduate school of cosmetology must submit an application to the board and meet all city, county, and state zoning, building, and plumbing codes and sanitation standards.

Section 1. Each person, firm or corporation applying for a license to operate a post-graduate school of cosmetology must submit an application provided by the board.

Section 2. Each person as an individual owner or all members of the firm or corporation must submit proof of financial responsibility. A surety bond in the amount of \$25,000 or a financial statement including liabilities and assets, will be acceptable for the board's consideration.

Section 3. Persons having an interest in operating a post-graduate school must submit a minimum of two (2) character references, proposed copy of student contract indicating all financial charges to enrollees, and term of lease for location if applicable.

Section 4. Application for license to operate a post-graduate school of cosmetology must be accompanied by an architect's or draftsman's plan of proposed premises drawn to scale, showing the arrangements of the classroom, clinic area, mannequin area, dispensary, reception area, shampoo area, office and any other area of the school, entrance and exits, placements of equipment, and location of gas and electric outlets.

Section 5. A license to operate a post-graduate school carries the approval of this board and is valid only for the location and person, firm, or corporation named on application and license issued by this board. A post-graduate school of cosmetology license is never transferable from one location to another or from one person, firm, or corporation to another.

Section 6. The owners, firm or corporation operating a post-graduate school must notify the board in writing twenty (20) days prior to selling, transferring, or changing of ownership and management of a school. Prospective ownership must meet all qualifications of owning a school and have the approval of the board.

Section 7. Following approval of the application to operate a school of cosmetology by the board, the site shall be inspected by a quorum of the board or by at least one (1) member of the board and the board administrator. A final inspection of the premises shall be conducted by the members of the board prior to issuing of license. All schools must comply with city, county, and state zoning laws, plumbing and building codes.

Section 8. Any post-graduate school owner, manager, or instructor who misrepresents facts to the board, to the students, or to the general public concerning any information regarding the school or any student enrolled therein, or in any way violates regulations adopted by this board, will be served notice to show cause before this board, why the school's license and the instructor's license should not be revoked.

Section 9. Any person, establishment, firm or corporation which accepts, directly or indirectly, compensation for teaching persons any branch or subjects of cosmetology as defined in KRS 317.010 shall be classified as a school and will be required to comply with all the provisions of law and the rules and regulations of this board.

Section 10. Any post-graduate school desiring night classes must, by proper application, be granted permission from the board to operate such classes. Under no condition shall the school operate past 10 p.m. local time.

Section 11. The license to operate a post-graduate school shall be non-renewable at the next renewal period following the school's closing of business.

Section 12. The location of the post-graduate school of cosmetology shall be entirely separate from any cosmetology school or beauty salon.

Section 13. The sanitation standards set forth in 201 KAR 12:100 shall be applicable to a post-graduate school of cosmetology.

Section 14. No post-graduate school shall be permitted to operate as a beauty salon. Prices for services rendered the public shall cover the cost of materials and supplies. The price list must be submitted to the board for approval.

Section 15. A post-graduate school of cosmetology shall not advertise professional services available to the public.

CARROLL ROBERTS, Administrator

ADOPTED: May 2, 1977

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 25, 1977 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Carroll Roberts, Administrator, Kentucky State Board of Hairdressers and Cosmetologists, 304 West Liberty, Suite 300, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION Board of Hairdressers and Cosmetologists

201 KAR 12:157. Instructors and employees of post-graduate schools.

RELATES TO: KRS 317A.020, 317A.050

PURSUANT TO: KRS 317A.050(8)

NECESSITY AND FUNCTION: Persons teaching in a post-graduate school of cosmetology must be a licensed instructor and provide adequate supervision and instruction.

Section 1. Any person employed by a post-graduate school for the purpose of managing, teaching and instruction, must be licensed as a cosmetologist instructor. Each licensed instructor or apprentice instructor must keep their photograph posted with their license.

Section 2. All enrollees must be under the immediate supervision of a licensed instructor during all classes and practical work.

Section 3. Instructors shall render services only incidental to and for the purpose of instruction.

Section 4. Every instructor employed in a post-graduate school of cosmetology shall devote their entire time during school hours to that of instructing the enrollees and shall not apply his or her time to that of private or public practice for compensation during school hours or permit enrollees to instruct or teach other enrollees in the absence of an instructor.

Section 5. Teaching by demonstrators is prohibited.

Section 6. All services rendered in a school on patrons must be done by enrollees only. Instructors shall be allowed to teach and aid in performing the various services.

Section 7. Instructors in attendance must, at all times, wear a clean, washable uniform, and an insignia or badge indicating they are an instructor.

Section 8. Apprentice instructors will not be allowed to complete the apprentice instructor curriculum in a post-graduate school of cosmetology.

Section 9. Each post-graduate school shall, within five (5) days after the termination, employment or other change in faculty personnel, notify the board of such change.

CARROLL ROBERTS, Administrator,

ADOPTED: May 2, 1977

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 25, 1977 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Carroll Roberts, Administrator, Kentucky State Board of Hairdressers and Cosmetologists, 304 West Liberty, Suite 300, Louisville, Kentucky 40202.

EXECUTIVE DEPARTMENT FOR FINANCE AND ADMINISTRATION

Board of Hairdressers and Cosmetologists

201 KAR 12:160. Students of post-graduate schools.

RELATES TO: KRS 317A.050

PURSUANT TO: KRS 13.082, 317A.062

NECESSITY AND FUNCTION: To protect the student enrolling in a post-graduate school of cosmetology and the general public against misrepresentation, deceit, or fraud while receiving services.

Section 1. Enrollees must complete an application for enrollment provided by the board and submit same to the office of the board prior to beginning enrollment.

Section 2. No student enrolled in a post-graduate school of cosmetology is permitted to receive a salary or commission while enrolled in said school other than in the course of normal employment.

Section 3. Students shall not be permitted to smoke while providing services to patrons.

Section 4. No student shall be allowed to remain in the school to work on patrons upon completion of the hours specified to the board.

Section 5. Enrollment permits of all students, with pictures attached, must be posted in a centralized conspicuous place.

Section 6. Post-graduate schools of cosmetology must require students to, at all times, wear a clean, washable uniform, coat, or smock.

Section 7. Post-graduate schools of cosmetology must require students to wear some kind of insignia or badge, to indicate that he or she is a student in the school.

Section 8. No person shall be enrolled in a post-graduate school unless the applicant is currently licensed as an

apprentice or regular cosmetologist. Copy of current license must be submitted with enrollment.

CARROLL ROBERTS, Administrator,

APPROVED: RUSSELL McCLURE, Secretary

RECEIVED BY LRC: May 25, 1977 at 11:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Carroll Roberts, Administrator, Kentucky State Board of Hairdressers and Cosmetologists, 304 West Liberty, Suite 300, Louisville, Kentucky 40202.

DEPARTMENT OF JUSTICE Office of the Secretary

500 KAR 1:015. Open records of Department of Justice.

RELATES TO: KRS Chapter 61

PURSUANT TO: KRS 15A.160, 61.876(1)

NECESSITY AND FUNCTION: KRS 61.872(1)

provides that all public records shall be open for inspection except as otherwise provided by federal or state law or federal or state regulation. KRS 61.876(1) provides that each public agency shall adopt rules and regulations to provide full access to public records maintained by that public agency. These regulations are adopted by the Department of Justice to establish procedures for the inspection of public records which the department maintains.

Section 1. General. (1) These regulations are applicable to all agencies in the Department of Justice to include the Office of the Secretary, the Bureau of Corrections, Bureau of State Police, Bureau of Training, and Office of Public Defender.

(2) All public records maintained by the Department of Justice shall be open for inspection by any person except for those records or parts thereof set forth in KRS 61.878 and this regulation.

Section 2. Closed Records. Specifically excluded from public inspection are:

(1) Intelligence and investigative reports maintained by criminal justice agencies are subject to public inspection providing prosecution is completed or a determination not to prosecute has been made. However, portions of such records may be withheld from inspection if such inspection would disclose:

(a) The name or identity of any confidential informant or information which may lead to the identity of any confidential informant;

(b) Information of a personal nature, the disclosure of which will not tend to advance a wholesome public interest or a legitimate private interest;

(c) Information which may endanger the life or physical safety of law enforcement personnel; or

(d) Information contained in such records to be used in a prospective law enforcement action.

(2) Centralized criminal history records as set forth in KRS 17.140(4).

(3) Information contained in reports prepared by any probation, parole or conditional release officer in the discharge of official duty as set forth in KRS 439.150.

(4) Confidential information contained in presentence reports prepared by probation officers as set forth in KRS 532.050.

Section 3. Principal Offices and Regular Office Hours.

(1) The principal offices of the Department of Justice are the Office of the Secretary of Justice, 5th Floor, State Office Building, Frankfort, Kentucky; Bureau of Corrections, 5th Floor, State Office Building, Frankfort, Kentucky; Bureau of State Police, 3rd Floor, State Office Building, Frankfort, Kentucky; Bureau of Training, Henry D. Stratton Building, Eastern Kentucky University, Richmond, Kentucky; and the Office of Public Defender, 625 Leawood Drive, Frankfort, Kentucky.

(2) The regular office hours of agencies of the Department of Justice are 8:00 a.m. to 4:30 p.m., Monday through Friday, each week, except holidays.

Section 4. Official Custodian. The official custodians of records of the Department of Justice are as follows:

(1) Office of the Secretary: Deputy Secretary of Justice.

(2) Bureau of Corrections:

(a) Central Office:

1. Inmate, parole and probationer records: Supervisor of offender records;

2. Administrative records: Deputy Commissioner for Support Services.

(b) Correctional institutions and facilities:

1. Inmate records: Superintendent;

2. Administrative records: Associate Superintendent for Administration or Business Manager.

(c) Probation and parole districts: District Supervisor.

(3) Bureau of State Police:

(a) Central Office:

1. Traffic records: Traffic records officer;

2. Criminal records: Criminal records officer.

(b) State Police posts: Post Commander.

(4) Bureau of Training: Executive Assistant to the Commissioner.

(5) Office of Public Defender: Deputy Public Defender.

Section 5. Fees. (1) Any person may, on written application to the official custodian describing the records, inspect and make abstracts and memoranda of the contents of any public records maintained by the Department of Justice. Copies of any written material shall be furnished, on request, to any person requesting them, on payment of a fee of ten (10) cents a page for each record copied; copies of photographs, maps and other non-written material, and records stored in computer files or libraries, shall be furnished to any persons requesting them on payment of a fee equal to the actual cost to the agency of producing the copies. Persons requesting copies of records shall be advised of the total actual cost of copies of written material, and the actual, if known, or approximate cost, of producing copies of non-written material or of records stored in computer files or libraries before the copies are prepared. The fee shall be collected before the copies are handed or sent to the person requesting them. The fees established herein shall not be collected for copies of records requested in the course of their employment by employees of state administrative agencies, and shall be inapplicable in cases of documents printed for sale for which a fee is fixed by or pursuant to law or which are customarily distributed without charge.

(2) The inspection of public records of the Department of Justice shall in all cases be made in the presence of an employee of the department, on premises occupied by the office having custody of the records, during the usual office hours of the particular office or other organizational unit having physical possession of the records. The official custodian of the records shall be responsible for the assignment of agency employees, as a duty in addition to his usual duties, to assist persons applying to inspect the public records of the agency and to insure protection of the records against damage and disorganization.

Section 6. Application for Inspection of Public Records. Persons requesting to inspect public records of the Department of Justice shall file a written application describing the records requested to be inspected on a form prescribed by the Executive Department for Finance and Administration, with the official custodian of the records of the office having physical custody of the records. Agency employees shall assist, on request of the applicant, in completing the form. The applicant shall sign the application form. The application form shall include a receipt to be completed and signed by the custodian of the records for payment received for copies of records requested by applicants and one (1) copy of the receipt shall be furnished to the applicant.

JOHN L. SMITH, Secretary

ADOPTED: May 23, 1977

RECEIVED BY LRC: June 6, 1977 at 9:15 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary of Justice, State Office Building, Frankfort,
Kentucky 40601.

EDUCATION AND ARTS CABINET Department of Education Bureau of Instruction

704 KAR 20:212. Foreign teachers serving under the teacher exchange program.

RELATES TO: KRS 161.020, 161.025, 161.030

PURSUANT TO: KRS 13.082, 156.070, 156.130, 156.160

NECESSITY AND FUNCTION: KRS 161.020, 161.025, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Kentucky Council on Teacher Education and Certification and approved by the State Board of Education. This regulation authorizes the Superintendent of Public Instruction to issue appropriate certification to foreign teachers serving in the Kentucky schools under the teacher exchange program.

Section 1. The Superintendent of Public Instruction shall issue appropriate certification for a one (1) year period to foreign teachers serving in the Kentucky schools under the teacher exchange program as authorized by the federal statutes enacted by the Congress of the United States provided such teachers hold the credentials or other

legal authorization for teaching in their native countries and have had at least one (1) year of teaching experience.

JAMES B. GRAHAM,
Superintendent of Public Instruction

ADOPTED: May 25, 1977

RECEIVED BY LRC: June 3, 1977 at 10:45 a.m.

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

PUBLIC PROTECTION AND REGULATION CABINET
Department of Labor
Occupational Safety and Health

803 KAR 2:015. General industry standards.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations, and standards. Consistent with this authority the following regulations contain those standards to be enforced by the Division of Occupational Safety and Health Compliance. The Occupational Safety and Health Standards Board hereby adopts the following regulations applicable to general industry.

Section 1. Batteries. (1) A safety tire rack, cage, or equivalent protection shall be provided and used when inflating, mounting, or dismounting tires installed on split rims or rims equipped with locking rings or similar devices.

(2) Changing and charging storage batteries (for automotive-type battery charging installations and in-vehicle charging of batteries):

(a) Battery charging installations shall be located in areas designated for that purpose.

(b) In-vehicle charging shall be done in areas designated for that purpose.

(c) Facilities shall be provided for flushing electrolyte from the eyes and skin with water. An adequate water supply shall be within twenty-five (25) feet of any part of the area designated above.

(d) No battery shall be charged or discharged within a closed or unvented container. The batteries shall be charged:

1. In the open; or
2. In a mechanically ventilated space; or
3. In a space providing at least twenty (20) cubic feet per ampere of charging capacity.

(e) A face shield shall be provided and available at each charging unit. The use of the face shield shall be required for connection and disconnection of vehicle or charger leads to the battery terminals and for the addition or pouring of electrolyte.

(f) Tools and other metallic objects not in actual use shall be kept away from the top terminal section of the battery.

(g) The following instructions shall be posted at each charging installation and on each battery charger: "Wear Face Shield" (Batteries may explode). "Turn Off Charger to Connect or Disconnect Battery." "Wash Acid Spills Immediately." "First Aid For Acid in Eyes or on Skin Quickly Flush With Water For Ten (10) Minutes."

Section 2. Confined Spaces. Definitions: A confined space is a space having limited means of ingress and/or egress and so enclosed that adequate dilution ventilation cannot be obtained by natural air movement, or mechanically induced movement. In order to be a confined space for purposes of this standard, a space must be subject to the accumulation of toxic, combustible, or corrosive agents, or to a deficiency of oxygen. Any of the following, among others, may be a confined space if it meets the criteria set forth in the definition above.

(1) Storage tanks, tank cars, process vessels, bins, trailers and other tank-like compartments usually with one more manholes for entry.

(2) Open-topped spaces of more than four (4) feet in depth such as bins, silos, pits, vats, tubs, vaults, vessels or floating roof storage tanks.

(3) Ventilation or exhaust ducts, manholes, sewers, underground utility tunnels, pipelines and similar structures.

(4) Ovens, furnaces, kilns and similar structures.

Section 3. Confined Space Entry; Non-Utility Operations: Except as provided in Section 4, entry into a confined space shall not be made unless the following procedures have been accomplished.

(1) Insure that all lines containing harmful agents, e.g., supply, discharge, overflow, vent, drain or similar connections entering the space are physically separated or blocked by means of blinds or other devices, capable of insuring complete closure.

(2) Fixed mechanical devices and/or equipment which utilize electric, air or hydraulic power shall be placed in zero mechanical state by disconnecting. Electrical service equipment, excluding lighting, shall be padlocked or tagged.

(3) The internal atmosphere shall be tested for combustible gas, toxics and corrosives where there is reason to suspect their presence and, except when adequate natural air movement or adequate continuous forced ventilation is provided, the atmosphere shall also be tested for oxygen deficiency.

(4) Ventilation:

(a) If the tests made in accordance with subsection (3) above indicate that the atmosphere is unsafe, before any employee is permitted to enter the confined space, the space shall be ventilated until the concentration of hazardous substance is reduced to a safe level or removed, and ventilation shall be continued as long as recurrence of the hazard is probable.

(b) As an alternative to ventilation or if ventilation does not adequately reduce or remove the hazardous substance, an employee may enter a confined space only if that employee wears a supplied air respirator, approved by NIOSH for that purpose. If the employee utilizes a self-contained respirator, sufficient primary air capacity shall be available as well as reserve capacity to perform the task inside the confined space. Under no circumstances shall the wearer of the respirator be permitted to remain in the confined space when the primary air system is depleted or is being replaced. The reserve air supply shall be used only in the event of an emergency.

(5) No employee shall enter a confined space unless:

(a) Provisions have been made for constant communication with an employee in the immediate vicinity not in the confined space; and

(b) Provision has been made for adequate rescue procedure including rescue equipment specifically designed for rescue from the confined space in which work is being performed; and

(c) The employees working inside and outside the confined space have been adequately trained in rescue procedures; the training having been renewed at least yearly.

(6) An employee entering a confined space for rescue shall wear a respirator that meets NIOSH certification and shall have sufficient capacity to effect the rescue from the confined space.

(7) Lighting:

(a) Temporary lights shall be equipped with guards to prevent accidental contact with the bulb, except that guards are not required when the construction of the reflector is such that the bulb is deeply recessed.

(b) Temporary lights shall be equipped with heavy duty electric cords with connections and insulation maintained in safe condition. Temporary lights shall not be suspended by their electric cords unless cords and lights are designed for this means of suspension. Splices shall have insulation equal to that of the electric cord.

(c) Working spaces, walkways, and similar locations shall be kept clear of cords so as not to create a hazard to employees.

(d) Portable electric lighting used in moist and/or other hazardous locations, as, for example, drums, tanks, and vessels, shall be operated at a maximum of twelve (12) volts.

Section 4. Emergency Confined Space Entry: (1) Definition. "Emergency" is a sudden and unexpected condition requiring immediate action.

(2) The employer shall establish a written procedure covering confined space entry under emergency conditions. The emergency may exclude Section 3(1), (3) and (4)(a).

Section 5. Confined Space Entry; Utility Operations Including Gas, Water and Sewage: (For Electric Utility Operations See 1926.956(b). For Tele-Communication Utility Operations See 1910.268(o).)

(1) When work by a gas, water, or sewage utility is performed in a manhole, unvented vault, tunnel, pit, pipe or pipeline, the following steps shall be taken before an employee enters:

(a) The internal atmosphere shall be tested for combustible gas, toxics and corrosives where there is reason to suspect their presence and, except when adequate natural air movement or adequate continuous forced ventilation is provided, the atmosphere shall also be tested for oxygen deficiency.

(b) When unsafe conditions are detected by testing or other means, the work area shall be adequately ventilated and otherwise made safe before entry.

(2) An adequate continuous supply of air shall be provided while work is performed under any of the following conditions:

(a) Where combustible or explosive gas vapors have been initially detected and subsequently reduced to a safe level by ventilation;

(b) Where organic solvents are used in the work procedures;

(c) Where open flame torches are used in the work procedure;

(d) Where the manhole is located in that portion of a public right of way open to vehicular traffic and/or exposed to a seepage of gas or gases; or

(e) Where a toxic gas or oxygen deficiency is found.

(3) An employee with basic first-aid and rescue training shall be available in the immediate vicinity to render emergency assistance as may be required. The employee whose presence is required in the immediate vicinity for the purposes of rendering emergency assistance is not to be precluded from occasionally entering to provide assistance other than in an emergency. The requirement of this paragraph does not preclude a qualified employee, working alone, from entering for brief periods of time for the purpose of inspection, housekeeping, taking readings, or similar work if testing for oxygen deficiency, combustible gas and suspected toxic substances has been performed.

(4) Ladders or other safe means shall be used to enter and exit manholes exceeding four (4) feet in depth.

(5) When open flames are used, the following precautions shall be taken to protect against the accumulation of combustible gas:

(a) A test for combustible gas shall be made immediately before using the open flame device, and at least once per hour while using the device; and

(b) A fuel tank (e.g. acetylene) may not be in the manhole unless in actual use.

Section 6. This regulation shall not pre-empt any specific applicable standard; and shall not preclude any specific applicable standard now in effect.

JAMES R. YOCOM, Commissioner

ADOPTED: May 26, 1977

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: June 15, 1977 at 8:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Executive Director, Occupational Safety and Health Program, Department of Labor, 151 Elkhorn Court, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Labor
Occupational Safety and Health

803 KAR 2:016. Construction industry standards.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations, and standards. Consistent with this authority, the following regulation contains those standards to be enforced by the Division of Occupational Safety and Health Compliance. The Occupational Safety and Health Standards Board hereby adopts the following regulation applicable to the construction industry.

Section 1. Confined Spaces. Definitions: A confined space is a space having limited means of ingress and/or egress and so enclosed that adequate dilution ventilation cannot be obtained by natural air movement, or mechanically induced movement. In order to be a confined space for purposes of this standard, a space must be subject to the accumulation of toxic, combustible, or corrosive agents, or to a deficiency of oxygen. Any of the following, among others, may be a confined space if it meets the criteria set forth in the definition above.

(1) Storage tanks, tank cars, process vessels, bins, trailers and other tank-like compartments usually with one or more manholes for entry.

(2) Open-topped spaces of more than four (4) feet in depth such as bins, silos, pits, vats, tubs, vaults, vessels or floating roof storage tanks.

(3) Ventilation or exhaust ducts, manholes, sewers, underground utility tunnels, pipelines and similar structures.

(4) Ovens, furnaces, kilns and similar structures.

Section 2. Confined Space Entry; Non-utility Operations: Except as provided in Section 3, entry into a confined space shall not be made unless the following procedures have been accomplished:

(1) Insure that all lines containing harmful agents, e.g., supply, discharge, overflow, vent, drain or similar connections entering the space are physically separated or blocked by means of blinds or other devices, capable of insuring complete closure.

(2) Fixed mechanical devices and/or equipment which utilize electric, air or hydraulic power shall be placed in zero mechanical state by disconnecting. Electrical service equipment, excluding lighting, shall be padlocked or tagged.

(3) The internal atmosphere shall be tested for combustible gas, toxics and corrosives where there is reason to suspect their presence and, except when adequate natural air movement or adequate continuous forced ventilation is provided, the atmosphere shall also be tested for oxygen deficiency.

(4) Ventilation:

(a) If the tests made in accordance with subsection (3) above indicate that the atmosphere is unsafe, before any employee is permitted to enter the confined space, the space shall be ventilated until the concentration of hazardous substance is reduced to a safe level or removed, and ventilation shall be continued as long as recurrence of the hazard is probable.

(b) As an alternative to ventilation or if ventilation does not adequately reduce or remove the hazardous substance, an employee may enter a confined space only if that employee wears a supplied air respirator, approved by NIOSH for that purpose. If the employee utilizes a self-contained respirator, sufficient primary air capacity shall be available as well as reserve capacity to perform the task inside the confined space. Under no circumstances shall the wearer of the respirator be permitted to remain in the confined space when the primary air system is depleted or is being replaced. The reserve air supply shall be used only in the event of an emergency.

(5) No employee shall enter a confined space unless:

(a) Provisions have been made for constant communication with an employee in the immediate vicinity not in the confined space; and

(b) Provision has been made for adequate rescue procedure including rescue equipment specifically designed

for rescue from the confined space in which work is being performed; and

(c) The employees working inside and outside the confined space have been adequately trained in rescue procedures; the training having been renewed at least yearly.

(6) An employee entering a confined space for rescue shall wear a respirator that meets NIOSH certification and shall have sufficient capacity to effect the rescue from the confined space.

(7) Lighting:

(a) Temporary lights shall be equipped with guards to prevent accidental contact with the bulb, except that guards are not required when the construction of the reflector is such that the bulb is deeply recessed.

(b) Temporary lights shall be equipped with heavy duty electric cords with connections and insulation maintained in safe condition. Temporary lights shall not be suspended by their electric cords unless cords and lights are designed for this means of suspension. Splices shall have insulation equal to that of the electrical cord.

(c) Working spaces, walkways, and similar locations shall be kept clear of cords so as not to create a hazard to employees.

(d) Portable electric lighting used in moist and/or other hazardous locations, as, for example, drums, tanks, and vessels, shall be operated at a maximum of twelve (12) volts.

Section 3. Emergency Confined Space Entry: (1) Definition. "Emergency" is a sudden unexpected condition requiring immediate action.

(2) The employer shall establish a written procedure covering confined space entry under emergency conditions. The emergency may exclude Section 2(1), (3) and (4)(a).

Section 4. Confined Space Entry; Utility Operations Including Gas, Water and Sewage: (For Electric Utility Operations See 1926.956(b). For Tele-Communication Utility Operations See 1910.268(o).)

(1) When work by a gas, water, or sewage utility is performed in a manhole, unvented vault, tunnel, pit, pipe or pipeline, the following steps shall be taken before an employee enters:

(a) The internal atmosphere shall be tested for combustible gas, toxics and corrosives where there is reason to suspect their presence and, except when adequate natural air movement or adequate continuous forced ventilation is provided, the atmosphere shall also be tested for oxygen deficiency.

(b) When unsafe conditions are detected by testing or other means, the work area shall be adequately ventilated and otherwise made safe before entry.

(2) An adequate continuous supply of air shall be provided while work is performed under any of the following conditions:

(a) Where combustible or explosive gas vapors have been initially detected and subsequently reduced to a safe level by ventilation;

(b) Where organic solvents are used in the work procedures;

(c) Where open flame torches are used in the work procedure;

(d) Where the manhole is located in that portion of a public right of way open to vehicular traffic and/or exposed to a seepage of gas or gases; or

(e) Where a toxic gas or oxygen deficiency is found.

(3) An employee with basic first-aid and rescue training shall be available in the immediate vicinity to render emergency assistance as may be required. The employee whose presence is required in the immediate vicinity for the purposes of rendering emergency assistance is not to be precluded from occasionally entering to provide assistance other than in an emergency. The requirement of this paragraph does not preclude a qualified employee, working alone, from entering for brief periods of time for the purpose of inspection, housekeeping, taking readings, or similar work if testing for oxygen deficiency, combustible gas and suspected toxic substances has been performed.

(4) Ladders or other safe means shall be used to enter and exit manholes exceeding four (4) feet in depth.

(5) When open flames are used, the following precautions shall be taken to protect against the accumulation of combustible gas:

(a) A test for combustible gas shall be made immediately before using the open flame device, and at least once per hour while using the device; and

(b) A fuel tank (a.g. acetylene) may not be in the manhole unless in actual use.

Section 5. This regulation shall not pre-empt any specific applicable standard; and shall not preclude any specific applicable standard now in effect.

JAMES R. YOCOM, Commissioner

ADOPTED: May 26, 1977

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: June 15, 1977 at 8:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Executive Director, Occupational Safety and Health
Program, Department of Labor, 151 Elkhorn Court,
Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Miner Training,
Education and Certification

805 KAR 7:010. Definitions.

RELATES TO: KRS 351.102, 351.103, 351.104, 351.105, 351.106

PURSUANT TO: KRS 13.082, 351.106

NECESSITY AND FUNCTION: KRS 351.106 empowers the Commissioner of the Department of Mines and Minerals to promulgate such reasonable regulations as are necessary to establish a program for miner training and examination according to the criteria and standards established by the Board of Miner Training, Education and Certification. This regulation effects the provisions of that law.

Section 1. Definitions. For purposes of regulations 805 KAR 7:010 through 805 KAR 7:050, the following terms shall have the following meanings unless the context demands otherwise:

(1) "Board" means the Board of Miner Training, Education and Certification.

(2) "Certified person" means any person certified by the commissioner to perform particular work duties in and around an underground coal mine.

(3) "Commissioner" means the Commissioner of the Department of Mines and Minerals.

(4) "Department" means the Department of Mines and Minerals.

(5) "Experienced miner" means any person having worked a minimum of ninety (90) working days in an underground coal mine prior to the date when the miner training program goes into effect as determined by the board pursuant to KRS 351.104(1).

(6) "Inexperienced miner" means any person not having worked a minimum of ninety (90) working days in an underground coal mine prior to the date when the miner training program goes into effect as determined by the board pursuant to KRS 351.104(1).

(7) "Newly hired miner" means any miner, experienced or inexperienced who is hired by an operator to work in an underground coal mine after the date when the miner training program goes into effect as determined by the board pursuant to KRS 351.104(1).

(8) "New work assignment" means any delegation of work duties in mobile equipment operations, blasting and drilling operations, rail haulage and conveyor system operations, or roof control for which a miner is not qualified to perform pursuant to the provisions of 805 KAR 7:010 through 805 KAR 7:050.

(9) "Operator" means an individual, firm or corporation operating a coal mine or any part thereof.

JOHN C. ROBERTS, Secretary

ADOPTED: June 10, 1977

APPROVED: H. N. KIRKPATRICK, Commissioner

RECEIVED BY LRC: June 13, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: H. N. Kirkpatrick, Department of Mines and
Minerals, P. O. Box 680, Lexington, Kentucky 40501.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Miner Training
Education and Certification

805 KAR 7:020. Training and certification of inexperienced miners.

RELATES TO: KRS 351.102, 351.105

PURSUANT TO: KRS 13.082, 351.106

NECESSITY AND FUNCTION: KRS 351.106 empowers the Commissioner of the Department of Mines and Minerals to promulgate such reasonable regulations as are necessary to establish a program for miner training and examination according to the criteria and standards established by the Board of Miner Training, Education and Certification. This regulation effects the provisions of that law.

Section 1. Training and Certification of Inexperienced Miners. (1) A permit as trainee miner shall be issued by the

commissioner to any person who has completed a program of education and training that meets all the requirements of this regulation and consists of a minimum of forty-eight (48) hours or who is enrolled in a certified mine technology program.

(2) This training may be received through the Bureau of Vocational Education, mine company programs, private or public institutions of education or any program certified by the board as meeting the requirements of this regulation.

(3) Upon proof that an inexperienced miner has received the course of instruction set forth in this regulation within twelve (12) months preceding initial employment at a mine, such miner need not repeat the training specified in this regulation.

Section 2. Training Program. The training program for inexperienced miners shall include, but not be limited to the following courses:

(1) Self-rescue devices: the course shall include instruction in the use, care and maintenance of self-rescue devices. This course shall be given before the inexperienced miner visits, tours or goes underground.

(2) Introduction to mining: the introduction to mining course should include a visit and tour of a mine or portions of a mine which are representative of the entire mine. The method of mining utilized at the mine (that is conventional, continuous, longwall or other) should be observed and explained.

(3) Authority and responsibility of supervisors: the course shall include review and description of the line of authority of supervisors and the responsibilities of such supervisors, and an introduction to rules and proper procedures for reporting safety hazards.

(4) Entering and leaving mines; transportation, communication: the course shall include instruction in the procedures in effect for entering and leaving mines, the check-in and check-out systems in effect at mines, the procedures for riding on and in mine conveyances, the controls in effect for transportation of miners and materials, and the use of mine communication systems, warning signals and directional signs.

(5) Mine map, escapeways, emergency evacuations, barricading: the course shall include a review of mine maps, the escapeway systems, the escapes, fire-fighting and emergency evacuation plans in effect at mines, the location of abandoned and dangerous areas, and an introduction to methods of barricading and the locations of barricading materials.

(6) Roof control and ventilation plans: the course shall include an introduction to and instruction on the roof control plans in effect within the mining industry, and procedures for roof and rib control, and introduction to and instruction on the ventilation plans in effect within the mining industry, and the procedures for maintaining and controlling ventilation.

(7) Rock dusting: the course shall include instruction on the purpose of rock dusting and the rock dusting programs in effect within the mining industry.

(8) First-aid: the course and instruction shall consist of a course in first-aid methods.

(9) Electrical hazards; moving equipment: the course shall include instruction on recognition and avoidance of electrical hazards, and the procedures for working on and near moving equipment at all locations in mines.

(10) Prevention of accidents: the course shall include instruction on the prevention of all types of accidents including electrical and mechanical.

(11) Explosives: the course shall include review and instruction on the hazards related to explosives and the danger involved when working with and around such explosives.

(12) Health and safety standards: the course shall include the health and safety standards contained in KRS Chapters 351 and 352 and Part 75 of the Federal Coal Mine Health and Safety Act of 1969.

(13) The training program shall include all other substantive law not covered in the above courses that deals with the underground miner, including review and instruction of miners' and operators' statutory rights and obligations.

H. N. KIRKPATRICK, Commissioner

ADOPTED: June 10, 1977

APPROVED: JOHN C. ROBERTS, P. E., Secretary

RECEIVED BY LRC: June 13, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: H. N. Kirkpatrick, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Miner Training,
Education and Certification

805 KAR 7:030. Annual retraining program.

RELATES TO: KRS 351.105

PURSUANT TO: KRS 13.082, 351.106

NECESSITY AND FUNCTION: KRS 351.106 empowers the Commissioner of the Department of Mines and Minerals to promulgate such reasonable regulations as are necessary to establish a program for miner training and examination according to the criteria and standards established by the Board of Miner Training, Education and Certification. This regulation effects the provisions of that law.

Section 1. Annual Retraining Program. (1) All certified persons shall receive a minimum of sixteen (16) hours of annual retraining.

(2) The annual retraining program set forth in this regulation shall be administered to each certified person during the first full calendar year subsequent to the date on which the certified person received his certification and during every calendar year thereafter.

(3) The annual retraining program shall include but not be limited to the following courses of instructions:

(a) Transportation controls and communications systems: the course shall include instruction in procedures for riding on and in mine conveyances, the controls in effect for the transportation of miners and material, and the use of the mine communication system, warning signals and directional signs.

(b) Barricading: the course shall include instruction and review of the methods of barricading and locations of barricading materials.

(c) Roof control and ventilation plans: the course shall include instruction and review of the roof control plan in effect at the mine and the procedures for roof and rib control, and instruction and review of the ventilation plan in effect at the mine and the procedures for maintaining ventilation and control of ventilation.

(d) First-aid: the course shall include instruction and review of first-aid methods.

(e) Electrical hazards, moving equipment: the course shall include instruction on recognition and avoidance of electrical hazard and procedures for working on and near moving equipment throughout the mine.

(f) Accident prevention: the course shall include instruction and review of the prevention of accidents, both electrical and mechanical.

(g) Self-rescue devices: the course shall include instruction in the use, care and maintenance of self-rescue devices.

(h) Explosives: the course shall include review and instruction on the hazards related to explosives and instruction in procedures for the safe handling and use of explosives.

(i) Health and safety standards: instruction shall be given on health and safety standard requirements contained in KRS Chapters 351 and 352 and Part 75 of the Federal Coal Mine Health and Safety Act of 1969 which are related to the tasks and work assignments of each miner.

Section 2. Annual retraining programs for certified persons may be conducted at various times throughout the calendar year, but no session shall be less than thirty (30) minutes of actual instruction time and the persons to be instructed shall be notified that the session is part of the annual retraining.

Section 3. The operator shall annually verify in the form of an affidavit to the department that each certified person in his employ has received the minimum sixteen (16) hours of annual retraining as required by this regulation. Such affidavit shall state the dates on which the annual training sessions were conducted and the names and corresponding social security numbers of those persons receiving the annual retraining; provided, however, that no person shall be required to disclose his social security number for purposes of this affidavit. In the event that a person who has received the annual retraining refuses to disclose his social security number, the operator shall make a notation to that effect in the affidavit in lieu of stating that person's social security number.

Section 4. Willful failure of a certified person to attend a minimum of sixteen (16) hours of annual retraining shall constitute grounds for revocation, suspension, or probation of the certificate.

JOHN C. ROBERTS, Secretary

ADOPTED: June 10, 1977

APPROVED: H. N. KIRKPATRICK, Commissioner

RECEIVED BY LRC: June 13, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: H. N. Kirkpatrick, Department of Mines and Minerals, P. O. Box 680, Lexington, Kentucky 40501.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Miner Training,
Education and Certification

805 KAR 7:040. Training of newly hired miners.

RELATES TO: KRS 351.105

PURSUANT TO: KRS 13.082, 351.106

NECESSITY AND FUNCTION: KRS 351.106 provides that the Commissioner of the Department of Mines and Minerals shall promulgate such reasonable regulations as are necessary to establish and implement a program of miner training and examination according to the criteria and standards established by the Board of Miner Training, Education and Certification pursuant to KRS Chapter 351. This regulation effects the provisions of that law.

Section 1. Training of Newly Hired Miners. (1) Each newly hired miner, whether experienced or inexperienced, shall receive a minimum of eight (8) hours training provided by the mine operator in mine specifics as applied to the particular mine wherein the miner is to be employed.

(2) Such training shall include instruction in the courses set forth in 807 KAR 7:020, Section 2, subsections (2), (3), (4), (5), (6), (7), and (9), and shall be completed before the newly hired miner can be assigned any work duties.

(3) The operator shall verify in the form of an affidavit to the department that the newly hired miner has received the eight (8) hours training in mine specifics required by this regulation.

(4) Upon proof by an operator that a re-hired experienced miner has received the training set forth in this regulation within twelve (12) months preceding re-employment at the mine, such miner need not repeat the training set forth in this regulation.

H. N. KIRKPATRICK, Commissioner

ADOPTED: June 10, 1977

APPROVED: JOHN C. ROBERTS, P. E., Secretary

RECEIVED BY LRC: June 13, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: H. N. Kirkpatrick, Department of Mines and Minerals,
P. O. Box 680, Lexington, Kentucky 40501.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Mines and Minerals
Division of Miner Training,
Education and Certification

805 KAR 7:050. Training of miners for new work assignments.

RELATES TO: KRS 351.105

PURSUANT TO: KRS 13.082, 351.106

NECESSITY AND FUNCTION: KRS 351.106 empowers the Commissioner of the Department of Mines and Minerals to promulgate such reasonable regulations as are necessary to establish a program for miner training and examination according to the criteria and standards

established by the Board of Miner Training, Education and Certification. This regulation effects the provisions of that law.

Section 1. Training of Miners for New Work Assignments. (1) Each miner receiving new work assignments in mobile equipment operations, blasting and drilling operations, rail haulage and conveyor system operations, and roof control shall not perform such work duties until they have completed a program of training as provided in this regulation of a minimum of twenty (20) hours as specified in KRS 351.105.

(2) This minimum total of twenty (20) hours training shall be distributed into a minimum of eight (8) hours of observing the operation, eight (8) hours of a combination of instruction and practice, and four (4) hours in production under supervision.

(3) The training program shall include, but not be limited to the following:

(a) Safe operation procedures for existing, modified, or new equipment or machines: this training shall include instruction in the safe operating procedures related to the equipment or machine. Instruction shall be given by the immediate supervisor or experienced person in an on-the-job environment, and shall be taught from a safe operating procedure checklist developed specifically for the equipment or machine. A copy of the checklist shall be given to each equipment or machine operator at the time of instruction.

(b) Supervised practice during non-production: this training shall include supervised practice in operating equipment or a machine and performing work duties at mines or places where production is not the primary objective. The equipment or machine operator shall practice the operation of the equipment or machine under direct supervision of the immediate supervisor or experienced person until such time as sufficient practice has taken place to ensure the operation of the equipment or machine in a safe manner.

(c) Supervised practice during production: this training shall include supervised operation of the machine or equipment and performing work duties under the direct and immediate supervision of an experienced foreman or experienced equipment or machine operator while production is in progress. An equipment or machine operator shall not operate equipment or a machine without direction and immediate supervision until such operator has demonstrated knowledge of the safe operating procedures for the equipment or machine to the operator of the mine or to the mine foreman.

(d) Any person who controls or directs rail haulage operations at a mine shall before assignment to such duties receive and complete training in safe haulage procedures related to the haulage system, ventilation system, fire-fighting procedures, and the emergency evacuation procedures in effect at the mine. This training may be received as part of the training program provided for in paragraphs (a), (b), (c) of this subsection.

Section 2. A miner shall not be required to undergo training for a new work assignment for the job to which he is regularly assigned on the effective date of the miner training program as determined by the board pursuant to KRS 351.104(1).

Section 3. A miner qualified for any work assignment on the effective date of the miner training program as determined by the board pursuant to KRS 351.104(1) shall remain so qualified for the duration of the calendar year wherein the miner training program became effective, and shall continue to be so qualified during any calendar year thereafter wherein the miner performed the job assignment for five (5) shifts under production during the preceding calendar year.

Section 4. Any miner who has acquired a total of six (6) months experience in performance of particular work duties shall not be required to undergo training for a new assignment to perform those duties; provided, however, that this exemption from training shall not apply to work experience acquired on or before June 1, 1975.

Section 5. Each operator shall annually submit to the department, in the form of an affidavit, a current list of the miners in his employ, the job assignments for which each miner is qualified and the basis for such qualification. This list shall be submitted to the department within thirty (30) days of the effective date of the miner training program as established by the board pursuant to KRS 351.104(1) and shall thereafter be submitted to the department during the month of January in each succeeding calendar year. A copy of said list shall be posted in a conspicuous place upon the premises of the mine and shall be updated to reflect changes as they occur. Upon completion of a miner's training for a new work assignment, the operator shall verify in the form of an affidavit to the department the name of the miner and his new qualification.

H. N. KIRKPATRICK, Commissioner

ADOPTED: June 10, 1977

APPROVED: JOHN C. ROBERTS, P. E., Secretary

RECEIVED BY LRC: June 13, 1977 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: H. N. Kirkpatrick, Department of Mines and Minerals,
P. O. Box 680, Lexington, Kentucky 40501.

PUBLIC PROTECTION AND REGULATION CABINET Department of Insurance

806 KAR 11:010. Industrial insured.

RELATES TO: KRS 304.11-020

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 provision of the Kentucky Insurance Code. This regulation provides the means by which the Commissioner may determine whether a proposed insured meets the definition of an "Industrial insured."

Section 1. Prior to being recognized as an "industrial insured" as defined in KRS 304.11-020(1), a proposed insured shall make affidavit to the Commissioner of Insurance, stating the following: (1) The name and address of the full-time employee acting as insurance manager or

buyer or the name and address of the regularly and continuously retained qualified insurance consultant.

(2) The estimated aggregate premiums for insurance on all risks, and an explanation of the computation of the estimate.

(3) The number of full-time employees.

(4) Other information as the Commissioner of Insurance may reasonably require.

Section 2. The Commissioner of Insurance may, at his discretion, cause an investigation into the facts set forth in the proposed insured affidavit.

Section 3. After designating an insured an "industrial insured," the Commissioner of Insurance may, from time to time, cause an investigation or unannounced audit to ascertain that the requirements for an "industrial insured" continue to be met.

HAROLD B. MCGUFFY, Commissioner

ADOPTED: May 16, 1977

APPROVED: JOHN C. ROBERTS, Secretary

RECEIVED BY LRC: May 17, 1977 at 10:30 a.m.

PUBLIC HEARING: A public hearing on this proposed regulation will be held at 9 a.m. EDT July 11, 1977 at the Department of Insurance, Capital Plaza Tower, 2nd floor, Frankfort, Kentucky 40601.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of June 1, 1977 Meeting

(Subject to Subcommittee approval at its next meeting on July 6, 1977.)

The Administrative Regulation Review Subcommittee held its regularly scheduled meeting on Wednesday, June 1, 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: Senator Frank Miller; Carl E. Kays, Department of Fish and Wildlife; Maurice P. Carpenter, Department of Revenue; Judy Hagler and Don Chasteen, Kentucky Medical Association; Art Curtis, Jr., Department for Natural Resources and Environmental Protection; Wayne J. Carroll and Bruce M. Pearce, Bourbon Stock Yard Company; Andrew Cammack, Environmental Quality Commission; Mack Morgan, Jr., Kentucky Retail Federation; Dr. Tom S. Maddox, J. D. Wolfe, William E. Johnson and William H. Mohr, Department of Agriculture; Ed Ruggles, Anderson County Cattleman's Association; Jenny Pulliam, Dan Adkins and Byron Brewer, Department of Public Information; Richard Nolan, Jr. and Rebecca Williams, Division of Occupations and Professions; Lois Adams, Billie Downing, Lawrence M. Stamper, Verlin Dossett, Jr. and Bill Criscillis, Department of Education; W. O. Hubbard and Robert W. Riley, Department for Human Resources; William T. Burkett, Board of Licensure for Nursing Home Administrators; Prentiss Lefler, Nancy Hileunger, J. Russell Doumas and Kristi Arnquist, Bluegrass Association for Mental Retardation; Edward G. Brown, Ed Brown Realty; Neal Turner, Neal Turner Homes.

LRC Staff: William H. Raines, Mabel D. Robertson, Ollie Fint, Garnett Evins, Mike Greer and Mark Watson.

Press: Richard L. Walker, U.P.I.

The minutes of the May 4 meeting were approved.

The following regulation was rejected and returned to the issuing agency:

401 KAR 1:105, Department for Natural Resources and Environmental Protection, Bureau of Environmental Protection, Division of Plumbing, Subsurface sewerage disposal systems, was rejected on motion of Senator Johnson, seconded by Representative Mason, for the reason it does not conform to statutory authority and legislative intent. Senator Johnson added he felt it was tantamount to taking property without compensation and perhaps the 1978 Regular Session of the General Assembly should handle this problem.

The following regulations were deferred on motion of Senator Johnson and seconded by Representative Mason:

103 KAR 30:235, Secretary of the Cabinet, Department of Revenue, Sales and Use Tax; General Exemptions, Sales of utility services to the federal government. Chairman Brinkley directed the Compiler to request an opinion from the Attorney General's Office on the legality of the exemption of sales to the federal government.

200 KAR 1:011, Executive Department for Finance and Administration, Public Records, Repeal of 200 KAR 1:010. Senator Johnson requested that the subcommittee be presented with a copy of the regulation being repealed.

401 KAR 1:130, Department for Natural Resources and Environmental Protection, Bureau of Environmental Protection, Division of Plumbing, Mobile home park waste systems and connections. Senator Johnson requested that he be given more time to study the regulation.

808 KAR 2:016, Public Protection and Regulation Cabinet, Department of Banking and Securities, Cemeteries, Care, maintenance and embellishment defined and 808 KAR 2:026, Separate registration for each cemetery. Representative Mason requested a representative from the department be present at the next meeting to speak to the regulations.

The following regulations, on motion of Senator Johnson, seconded by Representative Mason, were approved and ordered filed with the exception of 201 KAR 6:010, Executive Department for Finance and Administration, Division of Occupations and Professions, Board of Licensure for Nursing Home Administrators, Licensure, on which Representative Mason voted "No."

SECRETARY OF THE CABINET**Kentucky Employees' Retirement System****General Rules**

105 KAR 1:010. contributions and interest rates.

Crime Victims Compensation Board**Claims and Awards**

107 KAR 1:025. Attorney's fees.

CABINET FOR DEVELOPMENT**Department of Fish and Wildlife Resources****Game**

301 KAR 2:011. Raccoon and opossum; training and shake-out seasons.

DEPARTMENT OF AGRICULTURE**Livestock Sanitation**

302 KAR 20:070. Stockyards.

DEPARTMENT OF EDUCATION**Planning**

701 KAR 1:010. State plan for career education.

701 KAR 1:020. State plan for the administration of ESEA, Title IV.

Bureau of Administration and Finance**General Administration**

702 KAR 1:031. Repeals 702 KAR 1:030.

Bureau of Education for Exceptional Children**Exceptional and Handicapped Programs**

707 KAR 1:021. Repeals 707 KAR 1:020.

707 KAR 1:045. State plan for promotion of the education of the blind.

DEPARTMENT FOR HUMAN RESOURCES**Bureau for Health Services****Drug Formulary**

902 KAR 1:020. Ampicillin.

902 KAR 1:035. Chlorpheniramine Maleate.

902 KAR 1:110. Diphenhydramine.

902 KAR 1:116. Repeals 902 KAR 1:115.

902 KAR 1:160. Oxytetracycline Hydrochloride Capsule.

902 KAR 1:170. Propoxyphene Hydrochloride Capsule.
902 KAR 1:175. Propoxyphene Hydrochloride with APC.

902 KAR 1:180. Tetracycline Hydrochloride.

902 KAR 1:220. Propantheline Bromide Tablet.

902 KAR 1:230. Dimenhydrinate Tablet.

902 KAR 1:250. Dextroamphetamine Sulfate Tablet.

902 KAR 1:260. Isoniazid Tablet.

902 KAR 1:290. Ferrous Sulfate Tablets.

902 KAR 1:320. Imipramine Hydrochloride Tablet.

902 KAR 1:324. Hyoscyamine and Atropine Sulfates, Hyoscine Hydrobromide, and Phenobarbital Tablets and Elixirs.

902 KAR 1:328. Chlordiazepoxide Hydrochloride Capsule.

Regional Mental Health-Mental Retardation Boards

902 KAR 6:040. Hospital district assignments.

Hospitalization of Mentally Ill and Mentally Retarded

902 KAR 12:010. Due process for patients.

902 KAR 12:020. Patients' rights.

902 KAR 12:030. Care and treatment of inmates of penal institutions.

902 KAR 12:040. Convalescent patient status.

902 KAR 12:050. Transfer of patients to other facilities.

Certificate of Need and Licensure Board

902 KAR 20:059. Primary care center services.

Hazardous Substances

902 KAR 47:010. Definitions.

902 KAR 47:020. Labeling and identification standards.

902 KAR 47:030. Exemptions.

The meeting adjourned at 12:10 p.m., to meet again on Wednesday, July 6, 1977, at 10 a.m., EDT, in Room 327 of the Capitol.

Administrative Register ^{of} kentucky

Cumulative Supplement

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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

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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
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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	101 KAR 1:050		
Expired		3-9-77	Expired		10-16-76	Amended	370	10-6-76
107 KAR 1:025E	436	11-9-76	805 KAR 4:100E	135	6-18-76	Amended	533	3-2-77
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Expired		10-28-76	Expired		12-4-76	Amended	377	12-1-76
503 KAR 5:070E	128	6-30-76	807 KAR 1:011E	744	5-6-77	102 KAR 1:110		
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103 KAR 16:060			Amended	584	2-2-77	301 KAR 2:070		
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103 KAR 16:070			Repealed	461	1-5-77	301 KAR 2:071		
Amended	385	12-1-76	201 KAR 1:086	461	1-5-77	301 KAR 2:100		
103 KAR 17:020			201 KAR 1:090			Amended	652	5-4-77
Amended	147	9-1-76	Amended	443		301 KAR 2:105		
103 KAR 17:030			Amended	584	2-2-77	Amended	289	8-4-76
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103 KAR 17:040			Amended	444	1-5-77	301 KAR 2:110		
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103 KAR 17:050			Amended	703	6-1-77	301 KAR 3:010		
Repealed	173	9-1-76	201 KAR 8:185			Amended	153	9-1-76
103 KAR 17:051	173	9-1-76	Amended	600	4-6-77	301 KAR 3:052	525	2-2-77
103 KAR 17:070			201 KAR 8:277			Expired	525	5-8-77
Amended	149	9-1-76	Amended	600	4-6-77	301 KAR 3:070		
103 KAR 17:080			201 KAR 9:075	180		Amended	602	4-6-77
Amended	150	9-1-76	Withdrawn		6-13-77	302 KAR 1:020	182	9-1-76
103 KAR 18:050			201 KAR 11:030			302 KAR 1:030	183	9-1-76
Amended	150	9-1-76	Amended	771		302 KAR 15:010		
103 KAR 18:100			201 KAR 11:033	676	5-4-77	Amended	354	9-1-76
Amended	151	9-1-76	201 KAR 11:052	620	4-6-77	302 KAR 20:060		
103 KAR 18:110			201 KAR 11:062	182	9-1-76	Amended	325	11-3-76
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103 KAR 27:090			201 KAR 12:031	417	12-1-76	Amended	153	11-3-76
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103 KAR 30:170			Amended	388	12-1-76	305 KAR 1:010	267	10-6-76
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103 KAR 31:140			201 KAR 12:125	419	12-1-76	Amended	357	9-1-76
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105 KAR 1:050	566	3-2-77	Amended	634	3-2-77	Amended	445	1-5-77
106 KAR 1:010	261	10-6-76	201 KAR 16:050	337	11-3-76	401 KAR 1:040		
107 KAR 1:005	460	1-5-77	201 KAR 18:040			Amended	447	1-5-77
107 KAR 1:015	460	1-5-77	Amended	584	2-2-77	401 KAR 1:060		
107 KAR 1:025	461	1-5-77	201 KAR 19:095			Amended	772	
Amended	702	6-1-77	Amended	751		401 KAR 1:070		
108 KAR 1:010	674	5-4-77	201 KAR 20:011	620		Amended	448	1-5-77
200 KAR 1:010			Amended	686	4-6-77	401 KAR 1:090		
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Amended	438	1-5-77	201 KAR 23:060	264	10-6-76	500 KAR 1:015	791	
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601 KAR 9:012	186	9-1-76	Amended	542	3-2-77	Amended	295	8-4-76
601 KAR 9:013	567	3-2-77	704 KAR 20:085			Amended	452	1-5-77
601 KAR 9:025			Amended	543	3-2-77	707 KAR 1:060	569	4-6-77
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702 KAR 1:090	269	10-6-76	705 KAR 10:020			Amended	690	4-6-77
702 KAR 1:100	462		Repealed	275	11-3-76	803 KAR 4:020	187	
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704 KAR 3:055	269	11-3-76	Repealed	275	11-3-76	Amended	302	8-4-76
704 KAR 3:175	270		705 KAR 10:090			805 KAR 3:050		
704 KAR 3:180			Repealed	275	11-3-76	Repealed	527	3-2-77
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704 KAR 6:010	270	11-3-76	Repealed	275	11-3-76	Amended	317	9-1-76
704 KAR 10:022	271	11-3-76	705 KAR 10:120			805 KAR 4:070	318	9-1-76
704 KAR 10:023	463	1-5-77	Repealed	275	11-3-76	805 KAR 4:075	319	9-1-76
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805 KAR 4:095	320	9-1-76	Amended	662	5-4-77	Amended	669	5-4-77
805 KAR 4:100	321	9-1-76	Amended	707	6-1-77	Amended	712	6-1-77
805 KAR 4:105	364	9-1-76	902 KAR 1:040			902 KAR 1:322	309	8-4-76
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805 KAR 4:115	322	9-1-76	902 KAR 1:050			902 KAR 1:324	309	8-4-76
805 KAR 4:120	364	9-1-76	Amended	663	5-4-77	Amended	412	12-1-76
805 KAR 4:125	364	9-1-76	Amended	779		Amended	713	6-1-77
805 KAR 4:130	364	9-1-76	902 KAR 1:055			902 KAR 1:326	429	12-1-76
805 KAR 4:135	323	9-1-76	Amended	664	5-4-77	902 KAR 1:328	429	12-1-76
805 KAR 4:140	364	9-1-76	Amended	780		Amended	669	5-4-77
805 KAR 4:145	323	9-1-76	902 KAR 1:080			Amended	714	6-1-77
805 KAR 4:150	364	9-1-76	Amended	408	12-1-76	Amended	785	
805 KAR 5:010	187	9-1-76	Amended	665	5-4-77	902 KAR 2:060		
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Amended	437	11-3-76	Amended	666	5-4-77	Amended	785	
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805 KAR 7:030	797		Amended	409	12-1-76	902 KAR 6:020		
805 KAR 7:040	798		902 KAR 1:100			Amended	786	
805 KAR 7:050	798		Amended	304	8-4-76	902 KAR 6:030		
806 KAR 3:010	768		Amended	781		Amended	595	2-2-77
806 KAR 3:025	187	10-6-76	902 KAR 1:110			902 KAR 6:040		
806 KAR 11:010	799		Amended	666	5-4-77	Amended	163	9-1-76
806 KAR 12:050			Amended	707	6-1-77	Amended	714	6-1-77
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806 KAR 12:060	277	10-6-76	Repealed	731	6-1-77	902 KAR 11:010	197	
806 KAR 17:040	676		902 KAR 1:116	731	6-1-77	Amended	747	5-4-77
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806 KAR 21:010	676		Amended	781		Amended	748	5-4-77
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806 KAR 40:010	188	10-6-76	Amended	305	8-4-76	902 KAR 11:035	201	5-4-77
806 KAR 50:010			902 KAR 1:140			902 KAR 11:040	202	5-4-77
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Amended	489	12-1-76	Amended	667	5-4-77	902 KAR 11:050	204	5-4-77
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806 KAR 50:015	479		902 KAR 1:150			902 KAR 12:020	732	6-1-77
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806 KAR 50:200			902 KAR 1:160			902 KAR 12:040	735	6-1-77
Amended	210	8-4-76	Amended	306	8-4-76	902 KAR 12:050	736	6-1-77
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806 KAR 50:205	341		Amended	708	6-1-77	Amended	607	6-1-77
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807 KAR 2:060			Amended	708	6-1-77	Amended	329	11-3-76
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807 KAR 2:061	192		902 KAR 1:175			Amended	518	3-2-77
Amended	593	2-2-77	Amended	709	6-1-77	Amended	611	4-6-77
808 KAR 1:070	481	1-5-77	902 KAR 1:180			902 KAR 47:010	736	6-1-77
808 KAR 2:015			Amended	709	6-1-77	902 KAR 47:020	737	6-1-77
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808 KAR 2:025			Amended	306	8-4-76	Amended	164	9-1-76
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808 KAR 2:026	730		Amended	667	5-4-77	Amended	760	
810 KAR 1:002			Amended	710	6-1-77	902 KAR 100:040		
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811 KAR 1:090			Amended	711	6-1-77	Amended	762	
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811 KAR 1:125			Amended	712	6-1-77	902 KAR 100:100		
Amended	402	12-1-76	902 KAR 1:270			Amended	167	9-1-76
811 KAR 1:200	428	12-1-76	Amended	411	12-1-76	902 KAR 100:105		
900 KAR 1:010	194		Amended	668	5-4-77	Amended	550	3-2-77
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12.211	10 KAR 1:010	Ch. 121	801 KAR 2:010		301 KAR 2:105
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15.410-15.510	503 KAR 5:060	131.130	103 KAR 17:020	150.180	301 KAR 2:071
15.420	503 KAR 5:010	131.180	103 KAR 31:140	150.280	301 KAR 2:071
15.440	503 KAR 5:030	131.182	103 KAR 31:140	150.300	301 KAR 2:045
15.460	503 KAR 5:040	131.190	600 KAR 1:010		301 KAR 2:100
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15.470	503 KAR 5:050	131.345	103 KAR 1:010	150.305	301 KAR 2:045
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15.510	503 KAR 5:070	131.360	103 KAR 1:010		301 KAR 2:105
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16.505-16.652	105 KAR 1:010	131.370	103 KAR 1:010	150.310	301 KAR 3:052
	105 KAR 1:040	131.990	103 KAR 31:140	150.330	301 KAR 2:045
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18.110	101 KAR 1:090	138.685	600 KAR 1:010		301 KAR 2:100
	101 KAR 1:100	139.050	103 KAR 27:090		301 KAR 2:105
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18.140	101 KAR 1:090	139.150	103 KAR 30:170		301 KAR 2:100
18.170	101 KAR 1:050	139.260	103 KAR 30:090		301 KAR 2:105
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18.190	101 KAR 1:050		103 KAR 30:090		301 KAR 2:110
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18.210	101 KAR 1:050	139.650	103 KAR 31:140	150.370	301 KAR 2:045
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	101 KAR 1:110		103 KAR 31:140	150.390	301 KAR 2:045
	101 KAR 1:120	139.990	103 KAR 31:140		301 KAR 2:100
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18.220	101 KAR 1:110	141.020	103 KAR 17:030		301 KAR 2:110
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18.240	101 KAR 1:050	141.021	103 KAR 17:080	150.399	301 KAR 2:110
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	101 KAR 1:120	141.050	103 KAR 17:020		301 KAR 2:105
18.250	101 KAR 1:090	141.081	103 KAR 17:051		301 KAR 2:110
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18.270	101 KAR 1:110	141.120	103 KAR 16:060	150.445	301 KAR 1:150
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18.272	101 KAR 1:130		103 KAR 17:030	150.600	301 KAR 2:055
18.290	600 KAR 1:010	141.210	103 KAR 15:040		301 KAR 3:070
18.350	703 KAR 2:020	141.215	103 KAR 17:040	150.620	301 KAR 1:015
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38.500	106 KAR 1:010	141.300	103 KAR 15:060	150.625	301 KAR 1:015
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43.070	45 KAR 1:010	141.335	103 KAR 18:050		902 KAR 100:030
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44.070	108 KAR 1:010	141.990	103 KAR 15:060		902 KAR 100:065
44.080	108 KAR 1:010	146.240	400 KAR 1:010		902 KAR 100:075
44.086	108 KAR 1:010	146.250	400 KAR 1:010		902 KAR 100:077
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61.552	102 KAR 1:185	150.170	301 KAR 1:150		902 KAR 100:015
61.680	102 KAR 1:185		301 KAR 2:047		902 KAR 100:030
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	707 KAR 1:045	704 KAR 20:085	186.572		601 KAR 1:010
156.130	707 KAR 1:045	704 KAR 20:090	189.222		603 KAR 5:066
156.160	702 KAR 1:090	704 KAR 20:100			603 KAR 5:096
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	707 KAR 1:050	704 KAR 20:235		902 KAR 12:050	
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158.515	704 KAR 20:005	706 KAR 1:010	208.460	905 KAR 1:015	
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WATER ENFORCEMENT

(See Vehicle Regulation)

WATER RESOURCES

Permit procedure, exemption; 401 KAR 4:020

WILDLIFE

(See Fish and Wildlife)

WILD RIVERS

Boundaries; 400 KAR 1:010; 400 KAR 1:010E

WORKMEN'S COMPENSATION

Hearing officers; 803 KAR 25:060; 803 KAR 25:060E

