Administrative Register of Kentucky

LEGISLATIVE RESEARCH COMMISSION
FRANKFORT, KENTUCKY

VOLUME 4, NUMBER 10

MONDAY, MAY 1, 1978

IN THIS ISSUE

SECTION ONE—WHITE PAGES

SECTION TWO—GREEN PAGES

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

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

The *Administrative Register of Kentucky* is the monthly advance sheets service for the 1978 Edition of KENTUCKY ADMINISTRATIVE REGULATIONS SERVICE.

HOW TO CITE: Cite all material in the *Administrative Register of Kentucky* by Volume number and Page number. Example: Volume 2, Kentucky Register, page 318 (short form: 2 Ky.R. 318).

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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VOLUME 4, NUMBER 10 MAY 1, 1978 PUBLICATION NUMBER 044310

Administrative Register of Kentucky

The Administrative Register of Kentucky is published monthly by the Legislative Research Commission, Room 300, State Capitol, Frankfort, Kentucky 40601. Subscription rate, postpaid in the United States: $24 per volume of 12 issues, beginning in August and ending with the July issue of the subsequent year.

Second class postage paid at Frankfort, Kentucky.

Public Hearings Scheduled

DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

A public hearing will be held at 9 a.m. EDT May 4, 1978, in the auditorium of Capital Plaza Tower, Frankfort, Kentucky 40601 on the following proposed regulation:

400 KAR 1:020. Selective timber cutting. [4 Ky.R. 338]

PUBLIC PROTECTION AND REGULATION CABINET
Department of Housing, Building and Construction
Office of the State Fire Marshal

A public hearing will be held at 10 a.m. EDT May 10, 1978, in the Office of the State Fire Marshal, Highway 127 South (located next door to Day's Inn Motel), Frankfort, Kentucky 40601 on the following proposed regulation, published in this issue:

806 KAR 50:200. Mobile homes. [4 Ky.R. 351]

Emergency Regulations Now In Effect

JULIAN M. CARROLL, GOVERNOR
Executive Order 78-2
April 4, 1978

EMERGENCY REGULATION
Development Cabinet Cabinet
Department of Agriculture
Control of Equine Disease

WHEREAS, the Department of Agriculture is charged with responsibility for the control of communicable diseases among animals; and

WHEREAS, a foreign disease, Contagious Equine Metritis, has been diagnosed in the thoroughbred population of the Commonwealth; and

WHEREAS, the Department had previously issued a regulation mandating the use of artificial insemination among infected, exposed, or suspicious thoroughbreds in order to control Contagious Equine Metritis; and

WHEREAS, it has now been determined that offspring resulting from such artificial insemination will not be recognized as thoroughbreds; and

WHEREAS, a more effective means of controlling Contagious Equine Metritis has been recommended; and

WHEREAS, the Department and the State Board of Agriculture have determined and found that an emergency exists and that there is an immediate necessity to begin enforcement of a new regulatioin on the above-referenced subject; and

WHEREAS, the State Board of Agriculture, pursuant to KRS Chapter 257 and KRS 13.082, has promulgated a new regulation:

NOW, THEREFORE I, JOSEPH W. PRATHER, Acting Governor of the Commonwealth of Kentucky, by the authority vested in me by Section 13.085(2) of the Kentucky Revised Statutes, hereby acknowledge the finding of the Department of Agriculture that an emergency exists and direct that the attached regulation become effective immediately upon being filed in the Office of the Legislative Research Commission.

JOSEPH W. PRATHER, Acting Governor
DREXELL R. DAVIS, Secretary of State

CABINET FOR DEVELOPMENT
Department of Agriculture

302 KAR 20:042E. Breeding restrictions.

RELATES TO: KRS Chapter 257
PURSUANT TO: KRS 13.082, Chapter 257
EFFECTIVE: April 4, 1978
EXPIRES: August 2, 1978
NECESSITY AND FUNCTION: To protect the equine industry from the spread of Contagious Equine Metritis both within and without the borders of the Commonwealth of Kentucky and to help prevent other states from enacting unreasonable quarantines against Kentucky's horse population.

Section 1. Definitions: For the purposes of these regulations the following terms shall have the meanings set forth below: (1) "CEM" shall mean Contagious Equine Metritis.

(2) "Code of practice" shall mean the Kentucky Code of Practice for Contagious Equine Metritis Control.

(3) "Artificcial insemination" shall mean the collection from a stallion of semen and the insemination of a mare with such semen without genital contact between such stallion and such mare.

(4) "Designated official" shall mean an officer, employee, or agent of the Kentucky State Veterinarian's office or the United States Department of Agriculture, APHIS, VS, or any other person designated by the Kentucky State Veterinarian or the United States Department of Agriculture, APHIS, VS, to supervise controlled insemination.

(5) "Exposed" shall mean, with respect to a stallion or a mare, a stallion or mare which has had physical sexual contact with an infected stallion or mare.

(6) "Isolation unit" shall mean each area of a farm which is maintained as a separate area so that equine animals and the personnel handling such animals do not regularly move from one area to another, and if a farm does not maintain such separate areas, "isolation unit" shall mean the entire farm.

(7) "Infected" shall mean, with repsect to a stallion or mare:

(a) A stallion or mare from which bacteria causing CEM has been identified; or

(b) A stallion which has covered mares, more than two (2) of which mares is infected, whether or not a bacteria causing CEM has been identified from cultures taken from such a stallion.

(8) "Unknown status" shall mean, with respect to a stallion or a mare, a stallion or a mare which is not infected or exposed.

Section 2. Restrictions on Breeding Certain Equine Animals. (1) An Infected mare may not be bred.

(2) An exposed mare may not be bred:

(a) Until such mare shall have been treated in accordance with the code of practice; and

(b) Until such mare shall have one (1) negative culture taken early in estrus.

(3) An infected stallion may not be bred:

(a) Until such stallion shal have been treated in accordance with the code of practice; and

(b) Until the cultures from such stallion and a test mare shall be tested negative.

(4) An exposed stallion may not be bred:

(a) Until such stallion shall have been given at least five (5) local treatments in accordance with the code of practice; and

(b) Until the first cultures taken from such stallion in accordance with the code of practice after such treatment shall be tested negative.

Section 3. Restrictions on Breeding at Certain Isolation Units or Farms. (1) If the owner or custodian of any stallion or mare or the owner or manager of any isolation unit shall submit to the Kentucky State Verterinarian information acceptable to him that any of the foregoing breeding restrictions are not necessary with respect to such stallion, mare or isolation unit for the control of CEM, then the Kentucky State Veterinarian may terminate the breeding restrictions as to such stallion, mare or isolation unit.

(2) If additional information shall be developed with respect to the control and eradication of CEM, and the Kentucky State Veterinarian in consultation with the United States Department of Agriculture, shall determine that the foregoing breeding restrictions are unnecessary for the control and eradiction of CEM, then the Kentucky State Veterinarian may terminate all breeding restrictions with prior approval of the Commissioner of Agriculture and the Governor.

Section 4. Quarantine. Until eligible for breeding in accordance with Section 2 of these regulations, all infected, exposed or suspicious mares and stallions must be isolated and held in quarantine.

Section 5. Treatment and Reporting. No mare or stallion suspected of being infected with CEM shall be treated until cultures have been collected for submission to an approved diagnostic laboratory. All suspected cases of CEM must be reported to the Kentucky State Veterinarian.

Section 6. Effectiveness. These regulations are effective immediately and shall continue to be effective throughout, but only throughout the 1978 breeding season.

THOMAS O. HARRIS, Commissioner
ADOPTED: April 4, 1978
APPROVED: WILLIAM L. SHORT, Secretary
RECEIVED BY LRC: April 4, 1978 at 4:12 p.m.

JULIAN M. CARROLL, GOVERNOR
Executive Order 78-5
April 7, 1978

EMERGENCY REGULATION
Public Protection and Regulation Cabinet
Department of Labor
Control of Exposure to Acrylonitrile

WHEREAS, the Kentucky Department of Labor is charged with enforcement of all occupational safety and health standards; and

WHEREAS, federal law requires these standards to be as comprehensive as those adopted by the National Occupational Safety and Health Administration to assure Kentucky's sole authority to enforce these provisions; and

WHEREAS, the Occupational Safety and Health Administration, United States Department of Labor, has adopted a standard concerning occupational exposure to acrylonitrile (vinyl cyanide); and

WHEREAS, Kentucky must immediately adopt an identical standard or face possible federal enforcement of a currently unregulated matter; and

WHEREAS, the Kentucky Department of Labor, pursuant to KRS Chapter 338 and KRS 13.082, has promulgated an emergency regulation:

NOW, THEREFORE, I, JOSEPH W. PRATHER, Acting Governor of the Commonwealth of Kentucky, by the authority vested in me by Section 13.085(2) of the Kentucky Revised Statutes, hereby acknowledge the finding of the Department of Labor that an emergency exists and direct that the attached regulation become effective immediately upon being filed in the Office of the Legislative Research Commission.

JOSEPH W. PRATHER, Acting Governor
DREXELL R. DAVIS, Secretary of State

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

803 KAR 2:020E. Adoption of 29 CFR Part 1910.

RELATES TO: KRS Chapter 338
PURSUANT TO: KRS 13.082
EFFECTIVE: April 7, 1978
EXPIRES: August 5, 1978
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 and regulations, and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the board. The following regulation contains those standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of general industry.

Section 1. The Occupational Safety and Health Standards Board hereby adopts 29 CFR Part 1910, the Occupational Safety and Health Standards, published in the Federal Register June 27, 1974 Edition, Volume 39, Number 125, Government Printing Office, Washington, D.C. 20402. These standards are hereby adopted by reference with the following additions, exceptions, and deletions:

(1) 29 CFR Part 1910.2 shall read as follows: "The provisions of this regulation adopt and extend the applicability of established federal standards contained in 29 CFR Part 1910 to all employers, employees, and places of employment throughout the Commonwealth except those excluded in KRS 338.021."

(2) 29 CFR Part 1910.2 shall read as follows: As used in this part, unless the context clearly requires otherwise:

(a) "Act" means KRS Chapter 338.

(b) "Assistant Secretary of Labor" means the Commissioner of Labor, Commonwealth of Kentucky.

(c) "Employer" means any entity for whom a person is employed except those employers excluded in KRS 338.021.

(d) "Employee" means any person employed except those employees excluded in KRS 338.021.

(e) "Standard" means a standard which requires conditions or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe and healthful employment. "Standard" has the same meaning as and includes the words "regulation" and "rule."

(f) "National consensus standard" means any occupational safety and health standard or modification thereof which has been adopted and promulgated by a nationally recognized standards-producing organization.

(g) "Established federal standard" means any operative occupational safety and health standard established by any agency of the United States Government.

(h) An employer, required under these standards to report information to the U. S. Department of Labor, or any subsidiary thereof, shall, instead report such information to the Kentucky Department of Labor, U.S. 127 South, Frankfort, Kentucky 40601.

(3) 29 CFR 1910.13 through 1910.16 relating to ship repairing, shipbuilding, shipbreaking, and longshoring; and 1910.267a relating to pesticides, as well as paragraph (a)(6) in Section 1910.267 which refers to Section 1910.267a, are excluded and deleted in their entirety.

(4) 29 CFR 1910.141(C)(2)(i) shall read as follows:

"(i) Each water closet shall occupy a separate compartment with walls or partitions between fixtures sufficiently high to assure privacy."

(5) The changes which have been adopted by the U. S. Department of Labor relating to 29 CFR 1910.211, and 1910.217, mechanical power presses, and published in the Federal Register, Volume 39, Number 233, December 3, 1974, a copy of which is attached hereto, are hereby adopted by reference.

(6) The changes and additions which have been adopted by the U. S. Department of Labor relating to Telecommunications which are contained in 29 CFR 1910.67, 1910.70, 1910.183, 1910.189, 1910.190, 1910.268, 1910.274, and 1910.275, published in the Federal Register, Volume 40, Number 59, March 26, 1975, a copy of which is attached hereto, are adopted by reference.

(7) 29 CFR 1910.93q, the Occupational Safety and Health Standard covering Vinyl Chloride which was published in the Federal Register, Volume 39, Number 194, October 4, 1974, a copy of which is attached hereto, is hereby adopted by reference.

(8) 29 CFR 1910.106(d)(2)(iii) of the Federal Register, Volume 39, Number 125, June 27, 1974, shall be amended by adding Table H-12 of the Federal Register, Volume 40, Number 18, page 3982, January 27, 1975, a copy of which is attached hereto, is adopted by reference.

(9) 29 CFR 1910.151 relating to medical services and first aid shall be changed to read as follows:

"(a) The employer shall ensure the ready availability of medical personnel for advice and consultation on matters of occupational health."

"(b) Employers with eight (8) or more employees within the establishment shall have persons adequately trained to render first aid and first-aid supplies approved by a consulting physician, along with a signed list of these supplies, shall be readily available. Outside salesmen, truck drivers, seasonal labor, and others who while performing their duties, are away from the premises more than fifty (50) percent of the time are not to be included in determining the number of employees."

"(c) All other employers shall, in the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, have a person or persons adequately trained to render first aid. First-aid supplies approved by the consulting physician shall be readily available."

"(d) Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities

for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use."

(10) Recodification of 29 CFR 1910.93 through 1910.93q as 1910.1000 through 1910.1017 respectively, as published in the Federal Register, Volume 40, Number 103, May 29, 1975, a copy of which is attached hereto, is hereby adopted by reference.

(11) 29 CFR 1910.141(d)(2)(i) of the Federal Register, Volume 40, Number 82, April 28, 1975, amended by deleting the last half of Table J-2, a copy of which is attached hereto, is hereby adopted by reference.

(12) The new standard, adopted by the U. S. Department of Labor relating to Industrial Slings contained in 29 CFR 1910.184, published in the Federal Register, Volume 40, Number 125, June 27, 1975, a copy of which is attached hereto, is hereby adopted by reference.

(13) 29 CFR 1910.94 which was amended by revoking paragraphs (b)(2)(i) and (b)(2)(ii) and by revising paragraph (b)(2), as published in the Federal Register, Volume 40, Number 111, June 9, 1975, a copy of which is attached hereto is adopted by reference.

(14) 29 CFR 1910.217(b)(7)(xii) relating to machines using part revolution clutches shall be amended by adding the following: "This provision will not prevent the employer from utilizing a reversing means of the drive motor with the clutch-break control in the 'inch' position."

(15) 29 CFR 1910.94(d)(4)(i) Table G-14, Page 23594, published in the Federal Register, Volume 39, Number 125, Thursday, June 27, 1974, as adopted, contains a typographical error and is hereby revoked. The corrected version published in the Federal Register, Volume 37, No. 202, Wednesday, October 18, 1972, Table G-14, Page 22155, a copy of which is attached hereto, is hereby adopted by reference.

(16) 29 CFR 1910.1001(i)(1) which was revised by the U. S. Department of Labor, for retention of records of Asbestos Exposure Monitoring from three (3) years to twenth (20) years, as published in the Federal Register, Volume 41, No. 55, Friday, March 19, 1976, a copy of which is attached hereto, is hereby adopted by reference.

(17) 29 CFR 1910.184(f)(6) which was amended by the U. S. Department of Labor, to delete the paragraph which prohibits the use of knots or wire rope clips to form eyes in wire rope slings, as published in the Federal Register Volume 41, No. 62, Tuesday, March 30, 1976, a copy of which is attached hereto is hereby adopted by reference.

(18) Paragraph 1910.1005(c)(7) of the 29 CFR 1910 General Industry Standards shall read as follows: "Premixed Solutions: Where 4, 4' Methylene bis (2-Chloroaniline) is present only in a single solution at a temperature not exceeding 120 degrees Celsius the establishment of a regulated area is not required; however, (i) only authorized employees shall be permitted to handle such materials."

(19) 29 CFR 1910.101(b) shall be amended by revocation of referenced pamphlet P-1-1965 and the adoption of P-1-1974, herein filed by reference.

(20) 29 CFR 1910.1029 Exposure to Coke Oven Emissions as printed in the Federal Register, Volume 41, Number 206, Friday, October 22, 1976, a copy of which is attached hereto, is adopted by reference.

(21) Corrections and omissions which have been adopted by the U. S. Department of Labor, relating to Coke Oven Emissions Standards, 29 CFR 1910.1029, published in the Federal Register, Volume 42, Number 12, Tuesday, January 18, 1977, a copy of which is attached hereto, is hereby adopted by reference.

(22) 29 CFR 1910.309 is hereby amended by revising paragraph (c) to require either the use of Ground-fault Circuit Interrupters or the implementation of an assured equipment grounding conductor program on construction sites. This amendment as published in the Federal Register, Volume 41, No. 246, Tuesday, December 21, 1976, a copy of which is attached hereto, is hereby adopted by reference with the following modification: "Effective Date: Page 55704, 2nd paragraph is changed to read, 'These amendments of Part 29 CFR 1910 become effective August 22, 1977.' "

(23) The following corrections and omissions which have been adopted by the U. S. Department of Labor, copies of which are attached hereto, are hereby adopted by reference:

(a) Federal Register, Volume 39, No. 233, December 3, 1974, Standard for Exposure to Vinyl Chloride, corrections:

(b) Federal Register, Volume 40, No. 18, January 27, 1975;

1. Mechanical power Presses, corrections;
2. Correct error of omission, Table H-12;

(c) Federal Register, Volume 40, No. 58, March 25, 1975, Standard for Exposure to Vinyl Chloride, effective date;

(d) Federal Register, Volume 40, No. 82, April 28, 1975, National Fire Protection Association mailing address change;

(e) Federal Register, Volume 40, No. 125, June 27, 1975, Overhead and Gantry Cranes, Paragraph 1910.179(j)(2)(iv), corrections; and (v) revoked; Paragraph 1910.190 Standards Organization, amended;

(f) Federal Register, Volume 40, No. 145, July 28, 1975, Industrial Slings, correction.

(24) 29 CFR 1910.401 through 1910.441, Subpart T, the Occupational Safety and Health Commercial Diving Standard, published in the Federal Register, Volume 42, No. 141, Friday, July 22, 1977, a copy of which is attached hereto, is hereby adopted by reference.

(25) 29 CFR 1910.1044 Emergency Temporary Standard, "Occupational Exposure to 1, 2 Dibromo-3-Chloropropane (DBCP)," printed in the Federal Register, Volume 42, No. 175, September 9, 1977, a copy of which is attached hereto, is hereby adopted by reference.

(26) 29 CFR 1910.1028 the permanent standard "Occupational Exposure to Benzene," printed in the Federal Register, Volume 43, No. 29, February 10, 1978, a copy of which is attached hereto, is hereby adopted by reference.

(27) 29 CFR 1910.19(c) Special Provisions, 1910.1000 amended and 1910.1045, the Occupational Safety and Health Emergency Temporary Standard on "Occupational Exposure to Acrylonitrile" (Vinyl Cyanide) which was published in the Federal Register, Volume 43, Number 11, Tuesday, January 17, 1978, a copy of which is attached hereto, is hereby adopted by reference.

JAMES R. YOCOM, Commissioner
ADOPTED: February 23, 1977
APPROVED: JAMES E. GRAY, Secretary
RECEIVED BY LRC: April 7, 1978 at 2 p.m.

Amended Regulations Now In Effect

CABINET FOR DEVELOPMENT
Kentucky State Fair Board
As Amended

303 KAR 1:041. Certain objects and attire prohibited on premises.

RELATES TO: KRS 247.145
PURSUANT TO: KRS 13.082, 247.145
EFFECTIVE: April 5, 1978
NECESSITY AND FUNCTION: KRS 247.145 authorizes the Kentucky State Fair Board to adopt reasonable regulations necessary to maintain decency and good order, to protect the peace or safety of the general public, or to protect the public interest, convenience or necessity. The purposes of this regulation are to protect the peace and safety of the general public by prohibiting the bringing of dangerous weapons and certain objects that can be used as missiles into buildings owned or operated by the Kentucky State Fair Board, and by prohibiting the throwing of such objects in such places; and to maintain decency and good order and protect the public interest, convenience and necessity and safety by requiring proper attire.

Section *1.* [3.] No person not wearing proper attire, *consisting of* [including] upper and lower torso clothing and shoes, shall enter *or remain in* any building or stadium owned or operated by the Kentucky State Fair Board.

Section *2.* [4.] No person, except with authorization or permission of the Kentucky State Fair Board, shall throw or otherwise cause to be propelled through the air, at any place on any grounds or in any building or stadium owned or operated by the Kentucky State Fair Board, any object of any kind.

Section *3.* [1.] No person is licensed to enter or remain in any building or stadium owned or operated by the Kentucky State Fair Board while in possession of a firearm or other deadly weapon (as defined in KRS 500.080(4)), regardless of whether such person would be licensed to enter such building if he did not possess such firearm, provided that this section shall not apply to a peace officer who is permitted by law to carry such weapon concealed or who is carrying such a weapon in the line of duty.

Section 4. No person, except with specific permission from the Kentucky State Fair Board, shall bring any liquid or beverage container, firearm, deadly weapon as defined in KRS 500.080(4), incendiary material, dangerous instrument (meaning any instrument, article or substance which is readily capable of being used to cause death or serious physical injury if thrown, slung, or swung in a public gathering), sound recorder, or professional moving camera into any building or stadium owned or operated by the Kentucky State Fair Board. [Any person entering any such building or stadium consents to and authorizes the Kentucky State Fair Board or its agents to conduct a reasonable search of his person, parcels or handbags to determine whether such person has in his possession any prohibited item. The Kentucky State Fair Board reseves the right to refuse admission to any person refusing or resisting such a search, but will refund to any such person refused admittance the purchase price of any valid admission ticket presented by him. The prohibition against bringing or transporting liquid or beverage containers shall not apply to persons bringing or transporting such for delivery to a lawful concession located in a building or stadium owned or operated by the Kentucky State Fair Board.]

Section 5. Any person entering any building or stadium owned or operated by the Kentucky State Fair Board may be requested to consent to and authorize the Kentucky State Fair Board or its agents to conduct a reasonable search of his person, parcels or handbags to determine whether such person has in his possession any item prohibited under Section 4. The Kentucky State Fair Board reserves the right to refuse admission to any person refusing or resisting such a search, but will refund to any such person refused admittance the purchase price of any valid admission ticket presented by him. The prohibition against bringing or transporting liquid or beverage containers shall not apply to persons bringing or transporting such for delivery to a lawful concession located in a building or stadium owned or operated by the Kentucky State Fair Board. The search authorized by this section will be conducted in a manner consistent with the following policy on inspections:

(1) The entire text of this regulation will be posted at three (3) prominent locations as required by KRS 247.145.

(2) The following statement will be printed on the back of all tickets to events at which inspections will be conducted: "In the interest of public safety, admission is subject to the following:

"(a) No alcoholic beverages, firearm, deadly weapon, liquid or beverage container, incendiary material or dangerous instrument, is allowed in any building or stadium.

"(b) Presenting ticket is consent to reasonable inspection of patron's person, parcels and handbags for prohibited items. Inspection may be refused by patron. Patrons refusing inspection will not be admitted but the initial ticket purchase price paid will be refunded. Prohibited items may be seized and/or destroyed."

(3) At all events at which inspections are to be made, large signs prominently displaying the statements set out in subsection (2) above will be posted in front of or at all entrances in such a manner as to be easily visible to and noticeable and readable by patrons before they reach the controlled entry points, except that on these signs the first sentence of subsection (2)(b) of this section will read: "Movement beyond this point requires consent to reasonable inspection of patron's person, parcels and handbags for prohibited items." (As used in this policy, "controlled entry points" means the places at or near the entrances to the building or stadium where turnstiles and ticket-takers are normally located when tickets are required. Inspectors will be located at these points even if tickets are not required for the event.)

(4) Signs stating the inspection policy set out in subsection (2) will also be placed at the normal ticket offices and

outlets for facilities operated by the Kentucky State Fair Board.

(5) During the time when patrons are being admitted to an event at a facility with a public address system reaching this area, the following statements will be broadcast frequently over the public address system reaching the area in front of the controlled entry points of that facility: "No alcoholic beverage, firearm, deadly weapon, liquid or beverage container, incendiary material or dangerous instrument, is allowed in any building or stadium. Patrons must consent to reasonable inspection for prohibited items in order to be admitted. Patrons exercising their right to refuse inspection will receive a refund of initial ticket price paid. Patrons having large pockets or packages, bags or purses which could conceal a prohibited item should return them to their cars to avoid having them inspected. Prohibited items may be seized and/or destroyed."

(6) All patrons entering the building or stadium will be subjected to inspection by consent in the following manner:

(a) Inspection will be conducted by agents or employees of the lessee and/or the Fair Board and only at controlled entry points.

(b) Inspectors will avoid any physical contact with patrons and will not pat-down or frisk patrons in conducting the inspection.

(c) The inspector will call the attention of each patron carrying or wearing a coat, clothes, handbag, sack, bag or other container or package, which is large enough to contain a beverage bottle to a sign standing right by him which will read in large letters: "You may avoid inspection by not entering this building" and will ask the patron to consent to inspection of his item by the following language: "May I inspect your _____?"

(d) When a patron consents to inspection as requested, he will be asked to open his coat and identify any obvious bulges, to open any handbag or other parcel and to raise any oversized pants leg over the ankle. The inspector will ordinarily concentrate on looking for liquid or beverage containers but will not ignore any prohibited item viewed.

(e) If a patron refuses inspection, the inspector will deny him admission into the building or stadium and, at ticketed events, will call a supervisor or security guard to accompany him to a ticket window where the initial purchase price of the ticket will be refunded.

(7) If a prohibited item is observed on visual observation or consented inspecion:

(a) The inspector will request the patron to dispose of alcoholic beverages and liquid or beverage containers in a nearby trash barrell and to hand over other prohibited items. Inspectors will not forcibly grab items from patrons.

(b) If the patron does not comply with the request, the inspector will refuse admission to him and, at ticketed events, summon a supervisor or security guard to accompany the patron to a ticket window where the initial purchase price of the ticket will be refunded.

(c) Prohibited items received will be handled as follows:

1. The liquid or beverage containers in the trash barrels will be disposed of as garbage by the Fair Board. They will not be returned to the patrons.

2. Other prohibited items will be sent to the office for safe keeping and will be returned to the patron-owner if he stops by the office to pick them up on leaving the facility after the event is over for the day.

(8) Inspectors are reminded that the purpose of the inspection is to safeguard all patrons of the event and not to gather evidence to arrest or prosecute patrons. Inspectors should conduct themselves accordingly.

(9) Inspectors are reminded that the prohibition against the carrying of firearms and other deadly weapons does not apply to a peace officer who is permitted by law to carry such weapon concealed or who is carrying such weapon in the line of duty. Carrying in "line of duty" includes carrying on off-duty time required of an officer by police department regulations. Officers must show some official badge or identification.

WYNDALL SMITH, President
ADOPTED: March 16, 1978
APPROVED: WILLIAM L. SHORT, Secretary
RECEIVED BY LRC: March 21, 1978 at 11:20 a.m.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Certificate of Need and Licensure Board
As Amended

902 KAR 20:007. License and fee schedule.

RELATES TO: KRS 216.405 to 216.990(2)
PURSUANT TO: KRS 13.082, 216.425
EFFECTIVE: April 5, 1978
NECESSITY AND FUNCTION: This regulation, which relates to the operations and services of Licenses and Fee Schedule, is being promulgated pursuant to the mandate of KRS 216.425(3) that the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board regulate health facilities and health services.

Section 1. Licenses. (1) No person shall operate any health facility or health service in this Commonwealth without first obtaining the appropriate license therefor.

(2) All applications for licensure shall be filed with the Kentucky Health Facilities and Health Services Certificate of Need and Licensure Board, 275 East Main Street, Frankfort, Kentucky 40601.

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

(4) All licenses shall expire on December 31 following the date of issuance unless otherwise expressly provided in the license certificate.

(5) Licenses may be renewed upon payment of the prescribed fee provided the particular health facility or health service is in compliance with the applicable provisions of the Certificate of Need and Licensure Board's regulations.

(6) Each license to operate shall be issued only for the person or persons and premises including the number of beds (if applicable) named in the application and shall not be transferable. A new application shall be filed in the event of change of ownership. Change of ownership for licenses shall be defined as follows:

(a) Sole proprietorship: Where a health facility/service is owned by a single individual, a transfer of any part of the title to the facility/service to another person or firm shall constitute a change in ownership.

(b) Partnership: Where a health facility/service is owned by a partnership, the addition, deletion or the substitu-

tion of any individual or transfer of any part of the title to the facility/service to another person or firm shall constitute a change in ownership.

(c) Closely held corporation: Where a health facility/service is owned by a corporation of ten (10) or less stockholders, any change of shares of stock or transfer of any part of the title to the facility/service to another person or firm shall constitute a change in ownership.

(d) Proprietary corporation: Where the health facility/service is owned by a corporation of more than ten (10) stockholders, any transfer of any part of the title to the facility/service to another person or firm as well as any consolidation with another corporation or change of name or transfer of any part of the title to the facility/service shall constitute a change in ownership.

(e) Lease: Where any person or firm leases the health facility/service or any part thereof to another person or firm it shall constitute a change in ownership.

(7) Upon the filing of a new application for a license because of change in ownership, the new license shall be automatically issued for the remainder of the current licensure period. No additional fee will be charged for the remainder of the licensure period.

Section 2. Fee Schedule. Except as otherwise specifically provided in other regulations of this chapter, the annual fee (including renewals) for health facilities and services shall be as follows:

(1) *Family* [Mini personal] care homes: $10;

(2) Hospital facilities and services (including all levels of inpatient care): $1.50 per bed, $10 minimum, $300 maximum;

(3) Free-standing *skilled nursing* [extended care] facilities and services: $1 per bed, $10 minimum, $300 maximum;

(4) Nursing home facilities and services: $1 per bed, $10 minimum, $300 maximum;

(5) Intermediate care facilities and services: $.50 per bed, $10 minimum;

(6) Personal care homes: $.50 per bed, $10 minimum;

(7) Outpatient clinics and ambulatory care facilities: $15;

(8) Home health agencies: $15;

(9) Emergency care-ambulance services: $15;

(10) Community mental health and mental retardation center facilities and services: $300 per catchment area;

(11) Health maintenance organizations (HMO's): $1 per each 100 individuals covered;

(12) Ambulatory surgical center facilities and services: $15;

(13) Medical Alcohol Emergency Detoxification Service (MAEDS): [no charge] *$.50 per bed, $10 minimum.*

(14) Primary care centers: $15;

[(15)Rehabilitation services (not bed based): $15;]

[(16)Homemaker services: $15;]

(15) [(17)] Adult day health care centers: $15;

(16)[(18) Free standing] Renal dialysis facilities [centers]: $.50 per station; $15 minimum;

[(19)Speech and hearing centers: $15;]

(17) [(20)] Group homes: $15.

MASON C. RUDD, Chairman
ADOPTED: September 22, 1977

Proposed Amendments

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

301 KAR 1:090. Bow fishing.

RELATES TO: KRS 150.025, 150.175, 150.360
PURSUANT TO: KRS 13.082
NECESSITY AND FUNCTION: The purpose of this regulation is to define and limit bow fishing. It is necesary to protect the *sport* fish population *of the state.* The Commissioner, with the concurrence of the Commission, finds it necessary to amend this regulation to *include the use of cross bows* [extend the bow fishing season to year around on all waters].

Section 1. Definition. The words "bow and arrow" as used in this regulation means any long bow *or cross bow with an arrow or bolt with one or more barbs* [with a barbed arrow of one or more points, but does not include cross bows].

Section 2. Permitted conditions and waters. (1) Rough fish may be taken year round during daylight hours by bow and arrow with line attached, from all waters except as specified in subsection (2).

(2) No bow and arrow may be used within one (1) mile below Wolf Creek Dam or within 700 yards below Kentucky Dam or within 200 yards below any other dam in the state. All persons using the bow and arrow for fishing are required to have an appropriate fishing license and may take rough fish from either the bank or from a boat. There is no limit on the number of rough fishes taken.

JAMES C. SALATO, Chairman
Department of Fish and Wildlife Resources
ARNOLD L. MITCHELL, Commissioner
ADOPTED: March 6, 1978
APPROVED: WILLIAM L. SHORT, Secretary
RECEIVED BY LRC: April 13, 1978 at 3 p.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, 595 East Main Street, Frankfort, Kentucky 40601.

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

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

RELATES TO: KRS 150.025, 150.170, 150.176, 150.330, 150.340, 150.360, 150.370
PURSUANT TO: KRS 13.082
NECESSITY AND FUNCTION: This regulation pertains to the hunting seasons, bag and possession limits for upland game birds and animals on specified wildlife management areas and refuges. This regulation is necessary for the continued protection of the species listed herein, and to insure a permanent and continued supply of the wildlife resource for the purpose of furnishing sport and recreation for present and future residents of the state. The function of this regulation is to provide for the prudent taking of upland game birds and animals within reasonable limits based upon an adequate supply. This amendment is necessary because of changes in season dates.

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

Section 2. The following wildlife management areas are closed to all hunting at all times:
(1) Grayson Wildlife Management Area in Carter and Elliott Counties.
(2) Beaver Creek Wildlife Management Area, including all private inholdings, in Pulaski and McCreary Counties.
(3) Cane Creek Wildlife Management Area, including all private inholdings, in Laurel County.
[(3) Pine Mountain Wildlife Management Area in Letcher County.]
(4) Robinson Forest Wildlife Management Area in Breathitt, Perry and Knott Counties.
(5) Red Bird Wildlife Management Area in Leslie and Clay Counties.
(6) Dewey Lake Wildlife Management Area in Floyd County.

Section 3. Exceptions to statewide small game hunting regulations for wildlife management areas and refuges:
(1) West Kentucky Wildlife Management Area located in McCracken County.
(a) Quail: *Third Thursday in* November [17, 1977] through February [28, 1978] on Tracts 2, 3, and 6, and any others designated open at the check station.
(b) Rabbit: *Third Thursday in* November [17, 1977] through *January* [February 28, 1978] on Tracts 2, [and] 3 *and 6* [November 17, 1977 through January 31, 1978 on Tract 6 only]. Other tracts may be opened and will be designated at the check station.
(c) Squirrel: *Third Saturday in* August [20, 1977] through October *14* [31, 1978] on Tracts 1, 2, 3, 4, 5 and 6. *Third Thursday in* November [17, 1977] through December 31 [, 1977] on Tract 6 only.
(d) Raccoon and opossum: During the regular statewide season with gun or dog on Tracts 1, 2, 3, 4, 5 and 6 and night training and shake-out on all tracts.
(e) Rabbit and quail hunters must check in and out at the designated check station.
(f) All tracts designated by number followed by the letter "A" are closed to gun hunting.
(g) Weapon restrictions. No rifles, or ball or slug ammunition of any type shall be permitted for taking small game on this area.
(2) Land Between the Lakes Wildlife Management Area located in Trigg and Lyon Counties. Areas open to hunting for the following species are located north of the state line to Barkley Canal, except that no hunting is allowed in developed public use areas, safety zones and posted areas unless otherwise noted.
(a) Squirrel: *Third Saturday in* August [20, 1977] through October *1* [2, 1977]; *December 1* [November 21, 1977] through December 31 [, 1977].
(b) Quail: *December 1* [November 21, 1977] through February [28, 1978].
(c) Rabbit: *December 1* [November 21, 1977] through January [31, 1978]. Daily bag limit five (5).
(d) Raccoon and opossum: Tuesdays, Fridays and Saturdays during the period December *1* [2, 1977] through January [31, 1978].
(e) Raccoon field trials: February 1 [, 1978] through May [31, 1978]. Scheduled basis only. Written requests must be received by Land Between the Lakes at least ten (10) days prior to the proposed hunt date. Approval must be given by Land Between the Lakes and the Department of Fish and Wildlife Resources District Supervisor. Field trials must be recognized club hunts and each participant must be on a club roster for that hunt and must have a valid score card in his or her possession.
(f) Fox chasing: From sunset to sunrise; August *19* [20, 1978] through October *1* [2, 1977] south of highway 68 to state line.
(g) Fox taking: Gray fox only during daylight hours only; December 1 [, 1977] through February [28, 1978].
(h) Woodchuck: Hunting during daylight hours only. March *7* [8, 1978] through March *18* [19, 1978]. No hunting in the Environmental Education Center Area including a one-quarter (1/4) mile safety zone around the outside boundary. No hunting within one-quarter (1/4) mile of The Trace, U.S. Highway 68, Energy Lake Road and Shaw Branch Road. A special Land Between the Lakes woodchuck permit required. All woodchucks harvested must be removed from the area. Legal firearms and archery equipment include center-fire rifles .17 caliber or larger, .22 magnum rifles, muzzle-loading rifles of *.31* [.36] caliber or larger, and longbows and compound bows according to state regulations. All other weapons are prohibited. Bow hunting only allowed in Hunt Area 8 and in that portion of Hunt Area 9 designated as the ORV Area.
(i) Bird dog and beagle hound training season: *During the entire month of October* [October 1, 1977 through October 31, 1977] on Turkey Creek Area only. A permit is required from Land Between the Lakes.
(j) For Land Between the Lakes hunting rules refer to regulation 301 KAR 2:050.
(k) Permits. All required permits may be obtained by writing the Wildlife Management Section, Land Between the Lakes, Golden Pond, Kentucky 42231, or in person during open hours at the two information stations or the main office.
(3) Reelfoot National Wildlife Refuge located in Fulton County.
(a) Squirrel: August *26* [27, 1977] through *October 15* [September 30, 1977] only in areas designated by signs as open to public hunting.
(b) Raccoon: September *27* [26, 1977] through

September 30 [October 1, 1977] *and October 4 through October 7* with hunting allowed only during the hours of 7:30 p.m. to 12:00 midnight. *No bag or possession limits.*

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

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

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

(f) Dogs are permitted only for raccoon hunting.

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

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

(a) Squirrel: *Third Saturday in* August [20, 1977] through October 14 [, 1977] on the whole management area.

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

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

(a) Squirrel: *Third Saturday in* August [20, 1977] through October 14 [, 1977].

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

(6) Curtis Gates Lloyd Wildlife and Recreation Area located in Grant County. Areas closed to hunting are designated by refuge signs.

(7) Pioneer Weapons Wildlife Management Area located in Bath and Menifee Counties. Hunters on this area are restricted to pioneer weapons only. These include muzzle-loading rifles, muzzle-loading pistols, muzzle-loading shotguns, longbows and crossbows. Muzzle-loading shotguns for taking squirrels, quail, grouse and rabbits must not use shot larger than No. 2 in size.

(8) Fort Campbell Wildlife Management Area located in Christian and Trigg Counties; there will be no hunting on *December 25 and January 1 and* Mondays and Tuesdays except when Monday is a federal holiday, then hunting will be permitted.

(a) Seasons, bag and possession limits:

1. Squirrel: September 1 [, 1977] through October *1,* [2, 1977] November 23 [, 1977] through November *26,* [28, 1977.] November *29* [30, 1977] through December 31 [, 1977] *and January 3 through January 31,* on selected areas.

2. Quail: November 23 [, 1977] through November *26,* [27, 1977] November *29* [30, 1977] through December 31 [, 1977] on selected areas; January *3* [1, 1978] through February [27, 1978].

3. Rabbit: November 23 [, 1977] through November *26,* [27, 1977.] November *29* [30, 1977] through December 31 [, 1977] on selected areas; January *3* [1, 1978] through February [January 29, 1978]; bag limit *six (6)* [five (5)]; possession limit *twelve (12)* [ten (10)].

4. Raccoon and opossum: Taking with gun and/or dogs, November 23 [, 1977] through November *26,* [27, 1977.] November *29* [30, 1977] through December 31 [, 1977] on selected areas. January *3* [1, 1978] through January *31*; [29, 1978] possession limit one (1) per person.

5. Gray Fox and woodchuck: *September 1* [July 13, 1977] through October *1* [2, 1977]. January *3* [1, 1978] through *February* [April 9, 1978].

6. Red fox: November 23 [, 1977] through November *26,* [27, 1977.] November *29* [30, 1977] through December 31 [, 1977] on selected areas. January *3* [1, 1978] through January *31* [29, 1978].

7. *Bobcat: The season is closed on bobcat.*

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

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

(10) Clay Wildlife Management Area located in Nicholas County is closed to the training of all dogs during the period October 1 through November 15.

DR. JAMES C. SALATO, Chairman
Department of Fish and Wildlife Resources
ARNOLD L. MITCHELL, Commissioner
ADOPTED: March 6, 1978
APPROVED: WILLIAM L. SHORT, Secretary
RECEIVED BY LRC: April 13, 1978 at 3 p.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: The Commissioner, Department of Fish and Wildlife Resources, 592 East Main Street, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Department of Housing, Building and Construction
Office of the State Fire Marshal
(Proposed Amendment)

806 KAR 50:200. Mobile homes.

RELATES TO: KRS 227.570
PURSUANT TO: KRS 13.082, 227.590
NECESSITY AND FUNCTION: KRS 227.590 requires the Mobile Home Certification and Licensure Board to establish rules and regulations governing the standards for manufacture, sale, and alteration of mobile homes. These regulations are intended to assure safety for owners and occupiers of mobile homes.

Section 1. Authorization: (1) These rules are authorized by KRS 227.590 and established pursuant to the rule making procedures set forth in KRS Chapter 13, in order to implement, interpret, and carry out the provisions of laws of 1974, as amended in 1976, KRS Chapter 227, relating to mobile homes. In the event that these regulations conflict with the codes promulgated by the National Fire Protection Association NFPA 501 (B) and Title VI of the Federal Housing and Community Development Act of 1974 (Hud Act), the codes or the HUD Act subsequent to the effective enforcement date, shall govern in all cases.

(2) At least thirty (30) days before the adoption or promulgation of any change in or addition to the rules and regulations, the office shall mail to all manufacturers possessing valid certificates of acceptability and dealers possessing valid licenses a notice including a copy of the

proposed changes and additions and the time and place that the board will consider any objections to the proposed changes and additions. After giving the notice required by this section, the board shall afford interested persons an opportunity to participate in the rule making through submission of written data, views or arguments with or without opportunity to present the same orally in any manner.

(3) Every rule or regulation, or modification, amendment or repeal of a rule or regulation adopted by the board shall state the date it shall take effect.

Section 2. Enforcement: Subject to the provisions of applicable law, the Office of the State Fire Marshal shall administer and enforce all the provisions of the mobile home and recreational vehicle Act. Any officer, agent, or employee of the State Fire Marshal's office is authorized to enter any premises in order to inspect any mobile home for which the office has issued a seal of approval, or to inspect such mobile home's equipment and/or its installations to insure compliance with the Act, the code and/or the HUD Act and these regulations. Upon complaint and request, a privately owned mobile home bearing a seal may be entered to determine compliance with these regulations. When it becomes necessary to determine compliance he may require that a portion or portions of such mobile homes be removed or exposed in order that a compliance inspection can be made.

Section 3. Definitions: In addition to the definitions contained herein, the definitions of NFPA 501 (B) by the National Fire Protection Association and/or the HUD Act shall apply:

(1) Act: The Mobile Home and Recreational Vehicle Act, KRS 227.550 to 227.660.

(2) HUD Act: Title VI of the "Housing and Community Development Act of 1974—National Mobile Home Construction and Safety Standards."

(3) Agency, testing: An outside organization which is:

(a) Primarily interested in testing and evaluating equipment and installations;

(b) Qualified and equipped for, or to observe experimental testing to approved standards;

(c) Not under the jurisdiction or control of any manufacturer or supplier of any industry;

(d) Makes available a published report in which specific information is included stating that the equipment and installations listed or labeled have been tested and found safe for use in a specific manner; and

(e) Approved by the board.

(4) Alteration or conversion: The replacement, addition, modification or removal of any equipment or installations which may affect the body and frame design and construction, plumbing, heat-producing or electrical systems or the functioning thereof of mobile homes subject to these rules is an alteration or conversion unless excluded by these rules. The above equipment must be installed in accordance with manufacturer's specifications.

(5) Board: Mobile Home Certification and Licensure Board.

(6) Certificate of acceptablility: The certificate provided to the manufacturer signifying the manufacturer's ability to manufacture, import, or sell mobile homes within the state.

(7) Class "A" seal: A device or insignia issued by the office to indicate compliance with the standards, established by the office, or rules and regulations established by the board for new mobile homes *not covered by the HUD Act and* manufactured after the effective date of the Act.

(8) Class "B" seal: A device or insignia issued by the office to indicate compliance with the standards, established by the office, rules and regulations established by the board for used mobile homes.[without a class "A" seal, or for new mobile homes manufactured prior to the effective date of the Act.]

(9) Dealer: Any person, other than a manufacturer, as defined herein, who sells or offers for sale three (3) or more mobile homes in any consecutive twelve (12) month period.

(10) Established place of business: A fixed and permanent place of business in this state, including an office building and hard surface lot of suitable character and adequate facilities and qualified personnel, for the purpose of performing the functional business and duties of a mobile home dealer, which shall include the books, records, files and equipment necessary to properly conduct such business or a building having sufficient space therein to properly show and display the mobile homes being sold and in which the functional duties of a mobile home dealer may be performed. The place of business shall not consist of residence, tent, temporary stand or open lot. It shall display a suitable sign identifying the dealer and his business.

(11) Hard surfaced lot: An area open to the public during business hours with a surface of concrete, asphalt/macadam, compacted gravel and/or stone, or other material of similar characteristics.

(12) Manufacturer: Any person who manufactures mobile homes and sells to dealers.

(13) Mobile home: For purposes of the scope of the Act and regulations this means a movable or portable unit constructed to be moved from place to place on the public streets or highways and designed to permit the permanent or temporary occupancy therein for the purpose of use as a place of residence, business, profession, or trade by the owner, lessee, or their assigns and which can be connected to electric, water, gas, sewage, and telephone facilities. It may consist of one (1) or more units that can be attached or joined together to comprise an integral unit or condominium structure. It shall include house trailers which are regulated as to length, width and registration by KRS Chapter 186. "Add-a-room" units are not considered an integral part of a mobile home. A *new* mobile home used or intended to be used as a single family dwelling is covered by the HUD Act and is excluded from these regulations.

(14) NFPA 501 (B): That section of the National Fire Code adopted by the National Fire Protection Association that pertains to standards for mobile homes *not covered by the HUD Act.*

(15) Office: The Office of the State Fire Marshal.

(16) Person: This means a person, partnership, corporation or other legal entity.

(17) Suitable sign: A sign with the dealership name and type of dealership in letters of a minimum height of six (6) inches and minimum width of one and one-half (1½) inches.

Section 4. Scope and Purpose of the Act and Regulations: (1) Except to the extent otherwise stated in the Act and these regulations and in other laws of the Commonwealth which are not inconsistent with or superseded by the Act and these regulations, these regulations govern the design, manufacture [, storage] and sale of mobile homes *not covered by the HUD Act,* which are manufactured, sold [,] *or* leased [, or transported] for use within or

outside of the Commonwealth. These regulations apply to mobile homes manufactured in manufacturing facilities located within or outside the Commonwealth. Mobile homes brought into this state for exhibition use only and which will not be sold in this state may be excluded from the coverage of this Act and regulations if inspections reveal no condition hazardous to health or safety.

(2) The state legislature has enacted the mobile home and recreational vehicle Act to protect the health and safety of the owner, occupiers, and all other persons from malmanufactured mobile homes. The office has been given authority to carry out the purpose of the Act. The Act sets out the minimum standards for design and manufacture. Dealers are encouraged to maintain ethical business standards beyond non-fraudulent minimums.

Section 5. Standards for Vehicles in Manufacturers' or Dealers' Possession: (1) The office shall enforce such standards and requirements for the installation of plumbing, heating, and electrical systems in mobile homes *not covered by the HUD Act,* as it determines are reasonably necessary to protect the health and safety of the occupants and the public.

(2) The office shall also enforce such standards and requirements for the body and frame design and construction of mobile homes as are reasonably necessary in order to protect the health and safety of the occupants and the public.

(3) [On] All mobile homes *not covered by the HUD Act,* manufactured *for sale within the Commonwealth of Kentucky* [after July 15, 1975, said standards] shall be *constructed in accordance with NFPA 501 (B), 1977* [NFPA 501 (B), 1974] edition, herein adopted by reference. [and the HUD Act herein adopted by reference.]

(4) On all used mobile homes without a seal, [or any mobile home manufactured prior to July 15, 1975,] said standards shall be that the dealer shall certify that the electric, heating, and plumbing systems have been checked, and repaired if necessary, and found to be in safe working condition and thus be in conformity with the intent of the Act to protect the health and safety of the occupants and general public.

(5) All mobile homes taken in trade must be reinspected and certified. The existing Class "A" or Class "B" seal may be removed or a new seal may be applied over the existing seal. *When a new mobile home purchased under the provision of the HUD Act is resold, it becomes a used mobile home and subject to the provisions of this section.* A seal will not be required if such dealer submits an affidavit that the unit will not be resold for use as such by the public.

(6) All new mobile homes purchased outside the Commonwealth of Kentucky not bearing a Class "A" seal of approval or a HUD label and all used mobile homes purchased outside the Commonwealth of Kentucky, regardless of the type seal or label affixed, shall be inspected by a certified Kentucky dealer and a Class "B" seal of approval affixed prior to registration of the home. This inspection shall consist of the following:

(a) Inspection of the plumbing and waste systems.

(b) Inspection of the heating unit to determine adequacy of systems.

(c) Inspection of the electrical systems including the main circuit box and all outlets/switches to detect any damaged coverings, lost screws, or improper installations.

(7) Any licensed Kentucky mobile home dealer that maintains the capability to perform minor maintenance of plumbing, heating and electrical systems of mobile homes shall be permitted to inspect and certify those mobile homes purchased in another state for use within the Commonwealth of Kentucky. Any dealer desiring to perform this service shall make application to the Office of the State Fire Marshal for appropriate certification.

(8) Any unit found to be in non-compliance with the requirements of Section 5(6) of this regulation shall be corrected prior to the dealer certifying the unit. All units requiring repairs or correction prior to unit certification shall be reported to the office specifying the repairs required to correct the deficiencies. Appropriate reporting forms shall be made available to qualified dealers performing inspection.

(9) The fee for the inspection of mobile homes shall be fifteen dollars ($15) per hour plus mileage as required and a twenty dollar ($20) seal fee.

Section 6. Applicability and Interpretation of Code and Regulation Provisions. Any questions regarding the applicability or interpretation of any provisions or code or regulation adopted shall be submitted in writing by any interested person to the office for resolution. It is the policy of the office that with respect to questions regarding NFPA 501 (B), any such questions shall whenever feasible be submitted to the NFPA in accordance with the established procedures of the organization. The decision of the office shall be in writing.

Section 7. Certificate of acceptability: (1) No manufacturer may manufacture, import, or sell any mobile home *not covered by the HUD Act,* in this state after the effective date of this Act, unless he has procured a certificate of acceptability from the board. Compliance shall be enforced through KRS 227.992. Mobile homes *not covered by the HUD Act,* manufactured in this state and designed for delivery to and for sale in a state that has a code that is inconsistent with NFPA 501 (B) need not comply with this provision.

(2) Requirements for issuance:

(a) The manufacturer must submit and the office must approve inplant quality control systems.

[(b) An affidavit certifying compliance with the applicable standards must be attached to the application.]

(b) [(c)] A $400 fee must accompany the application. The fee shall be paid by check or money order and shall be made payable to: Kentucky State Treasurer. Said fee shall be pro-rated on a calendar year basis if it is a new license.

(c) [(d)] The manufacturer must furnish and maintain with the office proof of general liability insurance to include lot and completed operations insurance in the minimum amount of $100,000 bodily injury or death for each person, $300,000 bodily injury or death for each accident, and $50,000 property damage.

(3) To obtain in-plant quality control approval, a manufacturer shall submit a system for in-plant control pursuant to paragraph (b) of this subsection and submit to inspection by the office for field certification of satisfactory quality control. Applications for approval of in-plant quality control systems shall contain the following:

(a) A certified copy of the plans and specifications of a model or model-group for body frame design and contruction and electrical, heating, and plumbing systems. All plans shall be submitted on sheets, the minimum possible size of which is eight and one-half inches by eleven inches (8½" x 11") and the maximum possible size of which is twenty-four inches by thirty inches (24" x 30"). The manufacturer shall certify that the aforementioned systems comply with NFPA 501 (B).

(b) Also a copy of the procedure which will direct the manufacturer to construct mobile homes in accordance with the plans, specifying:

1. Scope and purpose.
2. Receiving and inspection procedure for basic materials.
3. Material storage and stock rotation procedure.
4. Types and frequency of product inspection
5. Sample of inspection control form used.
6. Responsibility for quality control programs, indicating personnel, their assignments, experience and qualifications.
7. Test equipment.
8. Control of drawings and material specifications.
9. Test procedures.

[(4) A unit certification format certifying compliance with the Act and regulations shall be submitted to the office no later than the end of the first week of each month. The unit certification format shall contain the information in the suggested format of Appendix A.]

(4) [(5)] No manufacturer to which a certificate of acceptability has been issued shall modify in any way its manufacturing specifications without prior written approval of the office.

(5) [(6)] If the manufacturer is also a dealer, he must also comply with dealer licensing provisions.

(6) [(7)] Should the applicant not conform with these regulations, the applicant shall be no notified in writing by the office within ten (10) working days of the date received. Should the applicant fail to submit a corrected application in accordance with the information supplied on the application correction notice, the application will be deemed abandoned and twenty (20) percent of fees due will be forfeited to the office. Any additional submission shall be processed as new application.

(7) [(8)] Manufacturers shall notify the office in writing within thirty (30) days of any of the following occurrences:

(a) The corporate name is changed;
(b) The main address of the company is changed;
(c) There is a change in twenty-five (25) percent or more of the ownership interest of the company within a twelve (12) month period;
(d) The location of any manufacturing facility is changed;
(e) A new manufacturing facility is established; or
(f) There are changes in the principal officers of the firm.

(8) [(9)] Any information relating to building systems or in-plant quality control systems which the manufacturer considers proprietary shall be so designated by him at the time of its submission, and shall be so held by the office, and by the inspection, evaluation, and local enforcement agencies unless the board determines in each case that disclosure is necessary to carry out the purposes of the Act.

(9) [(10)] The office may determine that the standards for mobile homes established by a state or a recognized body or agency of the federal government are at least equal to NFPA 501 (B). If the office finds that such standards are actually enforced then it may issue a certificate of acceptability for such mobile homes.

(10) [(11)] A certificate of acceptability may be denied, suspended, or revoked on the following grounds:

(a) Evidence of insolvency;
(b) Material misstatement in application for certificate of acceptability;
(c) Willful failure to comply with any provisions of the Act or any rule or regulation promulgated by the board under the Act;
(d) Willfully defrauding any buyer;
(e) Willful failure to perform any written agreement with any buyer or dealer;
(f) Failure to furnish or maintain the required liability insurance;
(g) A fradulent sale, transaction, or repossession;
(h) Violation of any law relating to the sale or financing of mobile homes.

(11) [(12)] If a certificate holder is a firm or corporation, it shall be sufficient cause for denial, suspension or revocation of a certificate that any officer, director or trustee of the firm or corporation, or any member in case of a partnership, has been guilty of any act or omission which would be cause for refusing, suspending, or revoking a certificate to such party as an individual. Each certificate holder shall be responsible for any or all of his salesmen while acting as his agent while the agent is acting within the scope of his authority.

(12) [(13)] Procedure for denial, revocation or suspension:

(a) The office may deny the application for a certificate of acceptability by written notice to the applicant, stating the grounds for such denial.
(b) No certificate of acceptability shall be suspended or revoked by the office except after a hearing thereon. The office shall give the certificate holder at least thirty (30) days notice of the time and place of the hearing and of the charges to be heard.
(c) Any manufacturer who violates or fails to comply with this Act or any rules or regulations promulgated thereunder shall be notified in writing setting forth facts describing the alleged violation and instructed to correct the violation within sixty (60) days. Should the manufacturer fail to make the necessary corrections within the specified time, the office may, after notice and hearing, suspend or revoke any certificate of acceptability if it finds that:

1. The manufacturer has failed to pay the fees authorized by the Act; or that
2. The manufacturer, either knowingly or with*out* the exercise of due care to prevent the same, has violated any provision of this Act or any regulation or order lawfully made pursuant to and within the authority of the Act.
3. The manufacturer has shipped or imported into this state a mobile home to any person other than to a duly licensed dealer.

(13) [(14)] Any person aggrieved by any ruling of the office denying a certificate of acceptability within fifteen (15) days after any such ruling of the office may appeal such ruling to the board herein provided for. Such appeal shall be in writing. The board shall state in writing, officially signed by all the members concurring therein, its findings and determination after such hearing and its order in the matter. If the board shall determine and order that any applicant is not qualified to receive a certificate of acceptability, no certificate shall be granted. If the board shall determine that the certificate holder was willfully or through gross negligence been guilty of a violation of any of the provisions of the Act, his certificate may be suspended or revoked.

(14) [(15)] Any person aggrieved by any ruling of the board may appeal to the Franklin Circuit Court and to the Court of Appeals in the manner provided for by KRS 281.780 and 281.785.

(15) [(16)] Under proceedings for the suspension of a certificate of acceptability for any of the violations enumerated in the Act, the holder of a certificate of acceptability may have the alternative subject to the approval of

the board, to pay in lieu of part or all of the days of any suspension the sum of fifty dollars ($50) per day.

Section 8. Serial Numbers, Model Numbers, Date Manufactured: A clearly designated serial number, model number, and date manufactured shall be stamped into the mobile home tongue, or front cross member of the frame at the lower left hand side (while facing the unit), and if there is no such tongue or cross member, then a data plate with this information shall be affixed on the outside in a conspicuous place.

Section 9. Dealer License: (1) No dealer of mobile homes shall engage in business as such in this state without a license issued by the office upon application.

(2) Application must contain the following information:

(a) Name and address of the chief managing officer;

(b) Location of each and every established place of business;

(c) Social security number and date of birth of chief managing officer;

[(d) Previous year's units sold, new and used;]

(d) [(e)] Affidavit certifying compliance with the Act and regulations;

(e) [(f)] Names of offices if dealership in corporate form;

(f) [(g)] Names of partner if dealership in partnership form;

(g) [(h)] Any other information the office deems commensurate with safe-guarding of the public interest in the locality of the proposed business.

(3) All licenses shall be granted or refused within thirty (30) days after application therefor, and shall expire, unless sooner revoked or suspended, on December 31 of the calendar year for which they are granted.

(4) The license fee shall be fifty dollars ($50). The fee shall be paid by check or money order and shall be made payable to Kentucky State Treasurer.

(5) The license must be conspicuously displayed at the established place of business. In case such location be changed, the office shall endorse the change of location on the license wihout charge if it be within the same municipality. A change of location to another municipality shall require a new license.

(6) The dealer must furnish and maintain with the office proof of liability insurance in the minimum amount of $50,000 bodily injury or death for each person, $100,000 bodily injury or death for each accident, and $25,000 property damage.

[(7) Periodic Reports:]

[(a) A unit compliance format certifying compliance with the Act and regulations shall be submitted to the office no later than the end of the first week of each month. The unit certification format shall contain the information in the suggested format.]

[(b) Suggested format: see appendix B.]

(7) [(c)] Notification of a change in the application information must be made within thirty (30) days of any of the following occurrences:

(a) [1.] Dealership name is changed;

(b) [2.] Established place of business is changed;

(c) [3.] There is a change in twenty-five (25) percent or more of the ownership interest of the dealership within a twelve (12) month period; or

(d) [4.] There are changes in the principal officers of the firm.

(8) A license may be denied, suspended or revoked on the following grounds:

(a) A showing of insolvency in a court of competent jurisdiction;

(b) Material misstatement in application;

(c) Willful failure to comply with any provisions of the Act or any rule or regulation promulgated by the board under the Act;

(d) Willful failure to perform any written agreement with the buyer;

(e) Willfully defrauding any buyer;

(f) Failure to have or to maintain an established place of business;

(g) Failure to furnish or maintain the required liability insurance;

(h) Making a fraudulent sale, transaction or repossession;

(i) Employment of fraudulent devices, methods, or practices in connection with the requirements under the statutes of this state with respect to the retaking of goods under retail installment contracts and the redemption and resale of such goods;

(j) Failure of a dealer to put the title to a mobile home in his name after said dealer has acquired ownership of the mobile home by trade or otherwise;

(k) Violation of any law relating to the sale or financing of mobile homes.

(9) If a licensee is a firm or corporation, it shall be sufficient cause for the denial, suspension or revocation of a license that any officer, director or trustee of the firm or corporation, or amy member in case of a partnership, has been guilty of any act or omission which would be cause for refusing, suspending, or revoking a license to such party as an individual. Each licensee shall be responsible for any or all of his salesmen while acting as his agent while said agent is acting within the scope of his authority.

(10) Upon proceedings for the suspension of a license for any of the violations enumerated in the Act, the licensee may have the alternative, subject to the approval of the board, to pay in lieu of part or all of the days of any suspension the usm of fifty dollars ($50) per day.

(11) Procedure for denial, revocation, or suspension:

(a) The office may deny the application for a license within thirty (30) days after receipt thereof by written notice to the applicant, stating the grounds for such denial.

(b) No license shall be suspended or revoked by the office except after a hearing thereon. The office shall give the licensee at least thirty (30) days notice of the time and place of hearing and of the charges to be heard.

(c) Any dealer who violates or fails to comply with the Act or any rules or regulations promulgated thereunder shall be notified in writing setting forth facts describing the alleged violation, and instructed to correct the violation within sixty (60) days. Should the dealer fail to make the necessary corrections within the specified time, the office may, after notice and hearing, suspend or revoke any license if it finds that:

1. The dealer has failed to pay the fees authorized by the Act; or that

2. The dealer either knowlingly or without the exercise of due care to prevent the same, has violated any provision of the Act or any regulation or order lawfully made pursuant to and within the authority of the Act.

(12) Any person aggrieved by any ruling of the office denying, suspending or revoking a license, within fifteen (15) days after such ruling of the office may appeal such ruling to the board herein provided for. Such appeal shall be in

writing. The board shall state in writing, officially signed by all the members concurring therein, its findings and determination after such hearing and its order in the matter. If the board shall determine that the licensee has willfully or through gross negligence been guilty of a violation of any of the provisions of the Act, his license may be suspended or revoked.

(13) Any person aggrieved by any ruling of the board may appeal to the Franklin Circuit Court and to the Court of Appeals in the manner provided for by KRS 281.780 and 281.785.

Section 10. Temporary Licenses. (1) Any dealer other than one duly licensed in Kentucky wishing to show and offer mobile homes within the Commonwealth of Kentucky for the express purpose of retailing said units to the general public, shall be required to purchase from the Office of the State Fire Marshal a temporary license. Said license shall not exceed fifteen (15) days duration and the license fee shall be twelve dollars and fifty cents ($12.50) for each authorized event.

(2) Applicant shall meet the following requirements before a temporary license is granted:

(a) Be a duly licensed dealer in a state other than Kentucky.

(b) Must *certify* [furnish] to the office *that the dealership has proper* [proof of] liability insurance in the minimum amount of $50,000 bodily injury or death for each person, $100,000 bodily injury or death for each accident, and $25,000 property damage.

(c) Provide satisfactory assurance to the office that all new units sold to Kentucky consumers bear the Kentucky Class "A" seal affixed on the unit by the manufacturer.

(d) Provide all other information as may be required by the office.

(3) Temporary licenses shall be prominently displayed at the location where the applicant is transacting business.

(4) Temporary licenses shall not be required for those dealers attending a mobile home show within the Commonwealth of Kentucky provided they do not sell or offer for sale to the general public new or used mobile homes.

Section 11. Seals: (1) No manufacturer who has received a certificate of acceptability from the office shall sell or offer for sale to Kentucky dealers in this state mobile homes *not covered by the HUD Act,* unless they bear a Class "A" seal of approval issued by and purchased from the office. This provision shall not apply to vehicles sold or offered for sale for shipment out of state.

(2) No dealer who has received a license from the office shall sell a mobile home unless it has a seal. Any dealer who has acquired a used mobile home without a seal [or a mobile home manufactured prior to July 15, 1975] shall apply to the office for a Class "B" seal by submitting an affidavit certifying either that all electrical, heating, and plumbing equipment has been checked, and if necessary, repaired, and is now in safe working condition, or that the unit meets the applicable code.

(a) Acquistion of seal:

1. Any manufacturer, except one altering a new mobile home *not covered by the HUD Act,* bearing a seal, may qualify for acquisition of a Class "A" seal by obtaining a certificate of acceptability pursuant to KRS 227.580 and Section 7 of this regulation.

2. Any dealer, except one altering a mobile home bearing a seal, may qualify for acquistion of a Class "B" seal by giving an affidavit certifying either that all electrical, heating, and plumbing equipment has been checked, if necessary, repaired, and is now in safe working condition or that the unit meets the applicable code.

(b) Application for seals:

1. Any person who has met the applicable requirements of Sections 7 or 9 of this regulation shall apply for seals in the form prescribed by the office. The application shall be accompanied by the seal fee of twenty dollars ($20) for each Class "A" seal or twenty dollars ($20) for each Class "B" seal.

2. If the applicant has qualified to apply for seals pursuant to the in-plant quality control approval method, the seal application shall include the certificate of acceptability number.

(c) Alteration or conversion of a unit bearing a seal:

1. Any alteration of the construction, plumbing, heat-producing equipment, electrical equipment or installations or fire safety in a mobile home *not covered by the HUD Act,* which bears a seal, shall void such approval and the seal shall be returned to the office.

2. The following shall not constitute an alteration or conversion[:] *for those mobile homes not covered by the HUD Act:*

a. Repairs with approved component parts.

b. Conversion of listed fuel-burning appliances in accordance with the terms of their listing.

c. Adjustment and maintenance of equipment.

d. Replacement of equipment in kind.

e. Any change that does not affect those areas covered by NFPA 501 (B).

3. Any dealer proposing an alteration to a mobile home *not covered by the HUD Act,* bearing a seal shall make application to the office. Such application shall include:

a. Make and model of mobile home.

b. Serial number.

c. State seal number.

d. A complete description of the work to be performed together with plans and specifications when required.

e. Location of the mobile home where work is to be performed.

f. Name and address of the owner of the mobile home.

4. Upon completion of the alteration, the applicant shall request the office to make an inspection.

5. The applicant may purchase a replacement seal, based on inspection of the alteration for a fee of two dollars ($2).

(d) Denial and repossession of seals: Should inspection reveal that a manufacturer is not costructing mobile homes *not covered by the HUD Act,* according to NFPA 501 (B) and such manufacturer, after having been served with a notice setting forth in what respect the provisions of these rules and the code have been violated, continues to manufacture mobile homes in violation of these rules and the code, applications for new seals shall be denied and the seals previously issued and unused shall be confiscated and credit given. Upon satisfactory proof of compliance, such manufacturer may resubmit an application for seal.

(e) Seal removal: In the event that any mobile home *not covered by the HUD Act,* bearing the seal is found to be in violation of these rules, the office shall attach to the vehicle a notice of non-compliance and furnish the manufacturer or dealer a copy of same. The office, dealer or manufacturer shall not remove the non-compliance tag until corrections have been made, and the owner or his agent has requested an inspection in writing to the office or given an affidavit certifying compliance.

(f) Placement of seals:

1. Each seal shall be assigned and affixed to a specific mobile home[.] *not covered by the HUD Act.* Assigned seals are not transferable and are void when not affixed as assigned, and all such seals shall be returned to or may be confiscated by the office. The seal shall remain the property of the office and may be seized by the office in the event of violation of the Act or regulations.

2. The seal shall be securely affixed by the door on the handle side at approximately handle height.

3. No other seal, stamp, cover, or other marking may be placed within two (2) inches of the seal.

(g) Lost or damaged seals:

1. When a seal becomes lost or damaged, the office shall be notified immediately in writing by the owner. The owner shall specify the manufacturer, the mobile home serial number, and when possible, the seal number.

2. All damaged seals shall be promptly returned. Damaged and lost seals shall be replaced by the office with a replacement seal on payment of the replacement seal fee of two dollars ($2).

BOB ESTEP, Acting Commissioner
ADOPTED: March 28, 1978
APPROVED: JAMES E. GRAY, Secretary
RECEIVED BY LRC: March 31, 1978 at 10:45 a.m.
PUBLIC HEARING: A public hearing on proposed changes in this regulation will be held at 10 a.m. EDT May 10, 1978 in the Office of the State Fire Marshal, Highway 127 South (located next door to the Day's Inn Motel), Frankfort, Kentucky 40601.

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

902 KAR 1:035. Chlorpheniramine Maleate.

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

Section 1. Chlorpheniramine Maleate Pharmaceutical Products. The following chlorpheniramine maleate tablet pharmaceutical products are determined to be therapeutically equivalent: Chlorpheniramine Maleate 4 mg. Tablet Form:

(1) Chlorpheniramine Maleate: Bell Pharmacel, Bolar Pharmaceuticals, Columbia Medical Company, Cooper Drug Company, Division of Chromalloy Pharmaceutical, Geneva Generics, H. L. Moore Drug Exchange, ICN Pharmaceuticals, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Pace-Bond Drug Company, Paramount Surgical Supply Corporation, Parmed Pharmaceuticals, *Pharmecon Inc.,* Philips-Roxane Laboratories, *Purepac Pharmaceuticals,*Richie Laboratories, Rugby Laboratories, *Steri-Med Inc.,* Theda Corporation, *Tutag Pharmaceuticals,* United Research Laboratories, Zenith Laboratories;

(2) Chlorophen: Vangard Laboratories;

(3) Chlor-Trimeton: Schering Corporation.[;]

[(4) C.P.M.: Midway Medical Company.]

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:045. Doxycycline 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 Doxycycline pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

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

(1) Doxycycline 50 mg. Capsule Form:

(a) Doxy II: USV Pharmaceutical Company;

(b) Doxychel: Rachelle Laboratories, Incorporated;

(c) Doxycycline: Purepac Pharmaceuticals;

(d) [(c)] Vibramycin: Pfizer, Incorporated.

(2) Doxycycline 100 mg. Capsule Form:

(a) Doxy II: USV Pharmaceutical Company;

(b) Doxychel: Rachelle Laboratories;

(c) Doxycycline: *Purepac Pharmaceuticals,* Richie Pharmacal, *Theda Corporation;*

(d) Vibramycin: Pfizer, Incorporated.

Section 2. Doxycycline Elixir Pharmaceutical Products. The following Doxycycline Elixir pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Doxycycline 25 mg/5ml Elixir:

(1) Doxy II: USV Pharmaceutical Company;

(2) Doxychel: Rachelle Laboratories, Incorporated;

(3) Vibramycin: Pfizer, Incorporated.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:070. Sodium Secobarbital.

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

Section 1. Sodium Secobarbital Capsule Pharmaceutical Products. The following Sodium Secobarbital capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Sodium Secobarbital 100 mg. Capsule Form:
(1) Sebar: Vangard Laboratories;
(2) Sodium Secobarbital: Parke-Davis and Company, Purepac Pharmaceuticals, Rondex Laboratories, *Rubgy Laboratories,* Wyeth Laboratories;
(3) Seconal: Eli Lilly and Company.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:080. Acetaminophen.

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

Section 1. Acetaminophen Tablet Pharmaceutical Products. The following Acetaminophen tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Acetaminophen 325 mg. Tablet Form:

(1) Acetaminophen: Beecham-Massengill Pharmaceuticals, Bell Pharmacal Company, Geneva Generics, Lederle Laboratories, Murray Drug Corporation, Mylan Pharmaceuticals, Pace-Bond Drug Company, Pharmecon, Inc., Philips-Roxane Laboratories, Rexall Drug Company, *Rugby Laboratories, Steri-Med, Inc.,* Theda Corporation, United Research Laboratories, Vangard Laboratories;
(2) APAP: H. L. Moore Drug Exchange, Paramount Surgical Supply Corporation, Richie Pharmacal, Zenith Laboratories;
(3) Apenol: Purepac Pharmaceutical, Rondex Laboratories;
(4) Atrinol: Cooper Drug Company;
(5) Genebs: Generix Drug Corporation;
(6) Janupap: Tutag Pharmaceuticals;
(7) [(6)] Nebs: Eaton Laboratories;
(8) [(7)] Par "5": Parmed Pharmaceuticals;
(9) [(8)] Phenaphen: A. H. Robins Company (Acetaminophen Formula);
(10) [(9)] SK-APAP: Smith, Kline and French Labs.;
(11) [(10)] Tapar: Parke, Davis and Company;
(12) [(11)] Tempra: Mead Johnson and Company;
(13) [(12)] Tylenol: McNeil Laboratories;
(14) [(13)] Valadol: E. R. Squibb and Sons, Inc.

Section 2. Acetaminophen Drops Pharmaceutical Products. The following Acetaminophen drops pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Acetaminophen 60 mg/0.6 ml Drops:
(1) Tempra: Mead Johnson and Company;
(2) Tylenol: McNeil Laboratories.

Section 3. Acetaminophen Liquid Pharmaceutical Products. The following Acetaminophen pharmaceutical products: liquid suspension 120 mg./5 ml and elixir 120 mg/5 ml are considered to be therapeutically equivalent, with the respective dosage form. Acetaminophen Liquid Suspension and Elixir 120mg/5 ml (Cautionary Note: While all these products have been evaluated as being therapeutically equivalent on the basis of their active drug components, "appropriate dispensing precautions" should be exercised for those individuals who are either diabetic or on contraindicated drugs.):
(1) Acetaminophen: Abbot Laboratories, Barre Drug Company, Beecham Massengill Pharmaceuticals, Bell Pharmacal, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, Murray Drug Corporation, Parmed Pharmaceuticals, Theda Corporation, Vangard Laboratories;
(2) APAP Elixir: Henry Schein, Inc., Richie Pharmacal,Rugby Laboratories;
(3) Cen-Apap: The Central Pharmacal Company;
(4) Nebs: Eaton Laboratories;
(5) SK-APAP: Smith, Kline and French Laboratories;
(6) Tapar: Parke, Davis and Company;
(7) Tempra Syrup: Mead Johnson and Company;
(8) Tylenol: McNeil Laboratories;
(9) Valadol Liquid: E. R. Squibb and Sons, Inc.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:081. Acetaminophen with Codeine.

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

Section 1. Acetaminophen with Codeine Pharmaceutical Products. The following acetaminophen with codeine tablet pharamaceutical products are determined to be therapeutically equivalent, in each respective dosage:
(1) 300 mg. Acetaminophen with 15 mg. Codeine Tablet Form:
(a) Acetaminophen with Codeine: ICN Pharmaceuticals, Halsey Drug Company, Philips-Roxane Labs., *Rugby Laboratories;*
(b) Par "5" with Codeine: Parmed Pharmaceuticals;
(c) Tylenol with Codeine: McNeil Laboratories.
(2) 300 mg. Acetaminophen with 30 mg. Codeine Tablet Form:
(a) Acetaminophen with Codeine: Beecham Laboratories, Geneva Generics, ICN Pharmaceuticals, Halsey Drug Company, Philips-Roxane Labs., Richie Pharmacal Company, *Rugby Laboratories;*
(b) Codap: Tutag Pharmaceuticals;
(c) Empracet with Codeine: Burroughs-Wellcome;
(d) Tylenol with Codeine: McNeil Laboratories.
(3) 300 mg. Acetaminophen with 60 mg. Codeine Tablet Form:
(a) Acetaminophen with Codeine: ICN Pharmaceuticals, Philips-Roxane Labs.;
(b) Empracet with Codeine #4: Burroughs-Wellcome;
(c) Tylenol with Codeine: McNeil Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:090. Trisulfapyrimidine.

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

Section 1. Trisulfapyrimidine Tablet Pharmaceutical Products. The following trisulfapyrimidine tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Trisulfapyrimidine 500 mg. Tablet Form:
(1) Neotrizine: Eli Lilly and Company;
(2) Sulfose: Wyeth Laboratories, Inc.;
(3) Terfonyl: E. R. Squibb and Sons, Inc.;
(4) *Tri-A-Tabs: First Texas Pharmaceuticals, Incorporated;*
(5) [(4)] Triple Sulfa # 2: *H. L. Moore Drug Exchange, Pharmecon, Inc. (Therapeutic equivalence is determined for Pharmecon, Incorporated only if manufactured by Zenith Laboratories.), Rugby Laboratories, Spencer-Mead, Incorporated,* Vangard Laboratories;
(6) Triple Sulfa Tablets: Generix Drug Corporation;
(7) [(5)] Trisem: Beecham-Massengill Pharmaceuticals;
(8) [(6)] Trisulfapyrimidine: Geneva Drugs, Ltd., Lederle Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corp., Richie Pharmacal, Zenith Laboratories;
(9) [(7)] Trisulfazine: The Central Pharmacal Company.

Section 2. Trisulfapyrimidine Liquid Suspension Pharmaceutical Products. The following trisulfapyrimidine liquid suspension pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Trisulfapyrimidine 500 mg/5 ml Liquid Suspension Form:
(1) Neotrizine: Eli Lilly and Company;
(2) Sulfose: Wyeth Laboratories;
(3) Terfonyl: E. R. Squibb and Sons, Inc.;
(4) Triple Sulfa Liquid: Henry Schein, Inc., National Pharmaceutical Company, Richie Pharmacal Company;
(5) Triple Sulfa Suspension: Pharmecon, Inc. *(Therapeutic equivalence is determined for Pharmecon, Incorporated only if manufactured by Zenith Laboratories.)* , Vangard Laboratories;
(6) Trisem: Beecham-Massengill Pharmaceuticals;
(7) Trisulfapyrimidine: Murray Drug Corporation.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: 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: Bell Pharmacal, *Generix Drug Corporation,* 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, *Steri-Med Incorporated,* Zenith Laboratories;

(b) Reserpoid: Upjohn Company;

(c) Serpasil: Ciba Pharmaceutical Company;

(d) V-serp: Vangard Laboratories.

(2) Reserpine 0.25 mg. Tablet Form:

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

(b) Rausingle: Phillips-Roxane Laboratories;

(c) Resercen: The Central Pharmacal Company;

(d) Reserpine: [Alliance Laboratories,] Bell Pharmacal, *Generix Drug Corporation,* Geneva Drugs, Ltd., Geneva Generics, Halsey Drug Company, Lederle Laboratories, Murray Drug Corp., Paramount Surgical Supply Corp., Pharmecon, Inc., *Philips-Roxane Laboratories,* Purepac Pharmaceutical Co., Rexall Drug Company, Richie Pharmacal Company, Rondex Laboratories, Inc., *Rugby Laboratories (Therapeutic equivalence is determined for Rugby Laboratories if manufactured by Chelsa Laboratories.), Steri-Med, Incorporated, Tutag Pharmaceuticals,* Zenith Laboratories;

(e) Reserpoid: Upjohn Company;

(f) Serpasil: Ciba Pharmaceutical Company;

(g) V-serp: Vangard 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.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 12, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: 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 1:125. Trihexyphenidyl 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 Trihexyphenidyl Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

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

(1) Trihexyphenidyl Hydrochloride 2 mg. Tablet Form:

(a) Artane: Lederle Laboratories;

(b) Trihexy-2: Geneva Generics;

(c) [(b)] Trihexyphenidyl Hydrochloride: Bolar Pharmaceuticals, Cooper Drug Company, *Generix Drug Corporation,* H. L. Moore Drug Exchange, McKesson Laboratories, [Midway Medical Company,]Parmed Pharmaceuticals, Pharmecon, Inc., *Richie Pharmacal,* Rugby Laboratories, Vangard Laboratories.

(2) Trihexyphenidyl Hydrochloride 5 mg. Tablet Form:

(a) Artane: Lederle Laboratories;

(b) Trihexy-5: Geneva Generics;

(c) [(b)] Trihexyphenidyl Hydrochloride: Bolar Pharmaceuticals, Cooper Drug Company, *Generix Drug Corporation,* H. L. Moore Drug Exchange, McKesson Laboratories, [Midway Medical Company,] Parmed Pharmaceuticals, Pharmecon, Inc., *Richie Pharmacal,* Rugby Laboratories, Vangard Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: 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 1:130. Chlorpromazine 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 Chlorpromazine Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

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

(1) Chlorpromazine Hydrochloride 10 mg. Tablet Form:
(a) Chlormead: Spencer-Mead, Incorporated;
(b) Chlor-PZ: USV Pharmaceutical Company;
(c) Chlorpromazine Hydrochloride: Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corporation, Pharmecon, Incorporated, Purepac Pharmaceutical Company, *Rexall Drug Company,* Rondex Laboratories, Incorporated, Rugby Laboratories, Theda Corporation, *Western Research Laboratories,* Zenith Laboratories, Incorporated;
(d) Marazine: Geneva Drugs, Ltd.;
(e) Proma: Vangard Laboratories;
(f) Promopar: Parke-Davis and Company; and
(g) Thorazine: Smith, Kline and French Laboratories.

(2) Chlorpromazine Hydrochloride 25 mg. Tablet Form:
(a) Chlormead: Spencer-Mead, Incorporated;
(b) Chlor-PZ: USV Pharmaceutical Company;
(c) Chlorpromazine Hydrochloride: Abbott Laboratories, Bell Pharmacal Company, Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corporation, Pharmecon, Incorporated, Purepac Pharmaceutical Company, Rachelle Laboratories, *Rexall Drug Company,* Rogers Wholesalers, Rondex Laboratories, Incorporated, Rugby Laboratories, Theda Corporation, Three P Products, United Research Laboratories, *Western Research Laboratories,* Zenith Laboratories, Incorporated;
(d) Marazine: Geneva Drugs, Ltd.;
(e) Proma: Vangard Laboratories;
(f) Promopar: Parke-Davis and Company;
(g) Sonazine: Tutag Pharmaceuticals;
(h) Thorazine: Smith, Kline and French Laboratories.

(3) Chlorpromazine Hydrochloride 50 mg. Tablet Form:
(a) Chlormead: Spencer-Mead, Incorporated;
(b) Chlor-PZ: USV Pharmaceuticals Company;
(c) Chlorpromazine Hydrochloride: Abbott Laboratories, Bell Pharmacal Company, Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corporation, Pharmecon, Incorporated, Purepac Pharmaceutical Company, Rachelle Laboratories, *Rexall Drug Company,* Rogers Wholesalers, Rondex Laboratories, Incorporated, Rugby Laboratories, Theda Corporation, Three P Products, United Research Laboratories, *Western Research Laboratories,* Zenith Laboratories, Incorporated;
(d) Marazine: Geneva Drugs, Ltd.;
(e) Proma: Vangard Laboratories;
(f) Promopar: Parke-Davis and Company;
(g) Sonazine: Tutag Pharmaceuticals;
(h) Thorazine: Smith, Kline and French Laboratories.

(4) Chlorpromazine Hydrochloride 100 mg. Tablet Form:
(a) Chlormead: Spencer-Mead, Incorporated;
(b) Chlor-PZ: USV Pharmaceutical Company;
(c) Chlorpromazine Hydrochloride: Abbott Laboratories, Cooper Drug Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corporation, Pharmecon, Incorporated, Purepac Pharmaceutical Company, Rachelle Laboratories, *Rexall Drug Company,* Rogers Wholesalers, Rondex Laboratories, Incorporated, Rugby Laboratories, Theda Corporation, Three P Products, United Research Laboratories, *Western Research Laboratories,* Zenith Laboratories, Incorporated;
(d) Marazine: Geneva Drugs, Ltd.;
(e) Proma: Vangard Laboratories;
(f) Promopar: Parke-Davis and Company;
(g) Thorazine: Smith, Kline and French Laboratories.

(5) Chlorpromazine Hydrochloride 200 mg. Tablet Form:
(a) Chlormead: Spencer-Mead, Incorporated;
(b) Chlor-PZ: USV Pharmaceutical Company;
(c) Chlorpromazine Hydrochloride: Abbott Laboratories, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, Murray Drug Corporation, Paramount Surgical Supply Corporation, Purepac Pharmaceutical Company, Rachelle Laboratories, *Rexall Drug Company,* Rondex Laboratories, Incorporated, Rugby Laboratories, *Western Research Laboratories,* Zenith Laboratories, Incorporated;
(d) Marazine: Geneva Drugs, Ltd.;
(e) Proma: Vangard Laboratories;
(f) Promopar: Parke-Davis and Company;
(g) Thorazine: Smith, Kline and French Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:141. Sulfisoxazole and Phenazopyridine Hydrochloride Tablet.

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

Section 1. Sulfisoxazole and Phenazopyridine Hydrochloride Tablet Pharmaceutical Products. The following Sulfisoxazole and Phenazopyridine Hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respecive dosage: Sulfisoxazole 500 mg. and Phenazopyridine Hydrochloride 50 mg. Tablet Form:

(1) Azo Gantrisin: Roche Laboratories;
(2) Azo Sulfisoxazole: [Midway Medical Company] *Pharmecon, Inc., Rugby Laboratories (Therapeutic equivalence is determined for Rugby Laboratories only if manufactured by Richlyn Laboratories.);*
(3) Azo-V-Sul: Vangard Laboratories;
(4) Sulfisoxazole and Phenazopyridine: Philips-Roxane Laboratories, Richie Pharmacal Company.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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. Proproxyphene 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.;
(d) Propoxyphene Hydrochloride: Abbott Labortories, Bell Pharmacal, Bolar Pharmaceuticals, Columbia Medical Company, Cooper Drug Company, Generix Drug Corporation, Geneva Generics, H. L. Moore Drug Company, Murray Drug Corporation, Mylan Pharmaceuticals, Paramount Surgical Supply Corp., Parmed Pharmaceuticals, Pharmecon, Inc., Purepac Pharmaceuticals, Rachelle Laboratories, Rexall Drug Company, Richie Pharmacal, Rogers Wholesalers, Rugby Laboratories, Spencer-Mead, Inc., Three P Products, Theda Corporation, United Research Laboratories, Zenith Laboratories;
(e) Proxagesic [Compound 65]: Tutag Pharmaceuticals;
(f) SK-65: Smith, Kline and French Labs.;
(g) Theda-PH: Theda Corporation;
(h) [(g)] Vandar: Vangard Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:175. Propoxyphene Hydrochloride with APC.

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

Section 1. Propoxyphene Hydrochloride with APC Pharmaceutical Products. The following propoxyphene hydrochloride with APC pharmaceutical products are determined to be therapeutically equivalent: Propoxyphene Hydrochloride with APC 65 mg. Capsule Form:
(1) Darvon Compound: Eli Lilly and Company;
(2) Dolene Compound-65: Lederle Laboratories;
(3) Propoxyphene Hydrochloride with APC: Bell Pharmacal Company, Cord Laboratories, Geneva Generics, ICN Pharmaceuticals, [Midway Medical Company,] Murray Drug Corporation, Mylan Pharmaceuticals, Parmed Pharmaceuticals, Philips-Roxane Laboratories, Purepac Pharmaceuticals, Rachelle Laboratories, Rexall Drug Company, Richie Pharmacal, Rondex Pharmaceuticals, Theda Corporation, Walgreens;
(4) Proxagesic Compound 65: Tutag Pharmaceuticals;
(5) [(4)] Repro-Compound: Reid-Provident Laboratories;
(6) [(5)] SK-65 Compound: Smith, Kline and French;
(7) [(6)] Vandar Compound: Vangard Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:220. Propantheline Bromide Tablet.

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

Section 1. Propantheline Bromide Tablet Pharmaceutical Products. The following Propantheline Bromide tablet pharmaceutical products re determined to be therapeutically equivalent, in each respective dosage:
(1) Propantheline Bromide 7.5 mg. Tablet Form:
(a) Pro-Banthine: Searle Laboratories;
(b) Propantheline Bromide: Philips-Roxane Laboratories;
(2) Propantheline Bromide 15 mg. Tablet Form:
(a) Panthene: Vangard Laboratories;
(b) Pro-Banthine: Searle Laboratories;
(c) Propantheline Bromide: Bolar Phamaceuticals, Geneva Generics, *Geneva Drugs, Ltd.,* H. L. Moore Drug Exchange, [Midway Medical Company,] Murray Drug Corporation, Pace-Bond Drug Company, Paramount Surgical Supply Corporation, Parmed Pharmaceuticals, Philips-Roxane Laboratories, *Purepac Pharmaceuticals,* Richie Pharmacal, Richlyn Laboratories, Rugby Laboratories, Spencer-Mead, Inc., Theda Corporation, Zenith Laboratories;
(d) Uni-Prob: United Research Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:250. Dextroamphetamine Sulfate Tablet.

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

Section 1. Dextroamphetamine Sulfate Tablet Pharmaceutical Products. The following dextroamphetamine sulfate tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Dextroamphetamine Sulfate 5 mg. Tablet Form:
(1) Dexedrine: Smith, Kline and French Laboratories;
(2) Dextroamphetamine Sulfate: Geneva Drugs, Ltd., Pace-Bond Drug Company, Paramount Surgical Supply Corporation, Purepac Pharmaceuticals, Rondex Laboratories, *Rugby Laboratories, Tutag Pharmaceuticals,* Zenith Laboratories.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:290. Ferrous Sulfate Tablet.

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

Section 1. Ferrous Sulfate Enteric Coated Tablet Pharmaceutical Products. The following ferrous sulfate enteric coated Tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Ferrous Sulfate Enteric Coated Tablets 5 gr.:
(1) Enseals: Eli Lilly and Company;
(2) Feosal: Smith, Kline and French, Labs.;
(3) Ferrous Sulfate: *Generix Drug Corporation,* Parmed Pharmaceuticals.

Section 2. Ferrous Sulfate Sugar Coated Tablet Pharmaceutical Products. The following ferrous sulfate sugar coated pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Ferrous Sulfate Sugar Coated Tablets 5 gr.:
(1) Ferrous Sulfate: Bell Pharmacal Company, Columbia Medical Company, Cooper Drug Company, Geneva Generics, *Generix Drug Corporation,* H. L. Moore Drug Exchange, Lederle Laboratories, Murray Drug Corporation, Mylan Laboratories, Philips-Roxane Laboratories, Purepac Pharmaceuticals, Richie Pharmacal, Rondex Laboratories, Rugby Laboratories, Theda Corporation, *Tutag Pharmaceuticals,* United Research Laboratories, Vangard Laboratories;
(2) Film Seals: Parke-Davis and Company;
(3) Neo-Vadrin: First Texas Pharmaceuticals.

Section 3. Ferrous Sulfate Drops Pharmaceutical Products. The following ferrous sulfate drops pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Ferrous Sulfate 15-16 mg/0.6 ml (Elemental Iron) Drops:
(1) Fer-In-Sol: Meade Johnson Laboratories;
(2) Fer-Iron-Drops: Bay Laboratories.

Section 4. Ferrous Sulfate Elixir Pharamaceutical Products. The following ferrous sulfate elixir pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Ferrous Sulfate 220 mg/5 ml Elixir Form: Ferrous Sulfate: Bay laboratories, Henry Schein, Inc.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:300. Dioctyl Sodium Sulfosuccinate.

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

Section 1. Dioctyl Sodium Sulfosuccinate Capsule Pharmaceutical Products. The following dioctyl sodium sulfosuccinate capsule pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:
(1) Dioctyl Sodium Sulfosuccinate 50 mg. Capsule Form:
(a) Colace: Mead Johnson Labs.;
(b) Dioctyl Sodium Sulfosuccinate: Phillips-Roxane Labs., Inc.;
(c) D-S-S: Parke, Davis and Company.
(2) Dioctyl Sodium Sulfosuccinate 100 mg. Capsule Form:
(a) Aqua-Lax: Parmed Pharmaceuticals;
(b) Colace: Mead Johnson Labs., Inc.;
(c) Comfolax: Searle Laboratories;
(d) Dioctyl Sodium Sulfosuccinate: Bell Pharmacal, Cooper Drug Company, Geneva Generics, *Generix Drug Corporation,* H. L. Moore Drug Exchange, Lederle Laboratories, [Midway Medical Corporation,] Pharmecon, Inc., Philips-Roxane Laboratories, Purepac Pharmaceuticals, Richie Pharmacal, Rogers Wholesalers, Theda Corporation, Three P Products;
(e) D-S-S: Parke, Davis and Company;
(f) Pro-Sof: Vangard Laboratories;
(g) Provilax: Reid-Provident Labs, Inc.;
(h) Regul-Aids: Columbia Medical Company.
(3) Dioctyl Sodium Sulfosuccinate 250 mg. Capsule Form:
(a) Aqua-Lax: Parmed Pharmaceuticals;
(b) Dioctyl Sodium Sulfosucciante: Bell Pharmacal, Cooper Drug Company, Geneva Generics, [Midway Medical Corporation,] Purepac Pharmaceutical Company;
(c) Pro Sof: Vangard Laboratories.

Section 2. Dioctyl Sodium Sulfosuccinnate Liquid Pharmaceutical Products. The following dioctyl sodium sulfosucciante liquid pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage: Dioctyl Sodium Sulfosuccinate Liquid 20 mg/5 ml:
(1) Diocto Syrup: Barre Drug Company;
(2) Dioctyl Sodium Sulfosuccinate: Bay Laboratories, H. L. Moore Drug Exchange, Henry Schein, Incorporated, Lederle Laboratories, Mead-Johnson Laboratories, Incorporated, [Midway Medical Corporation,] Murray Drug Corporation, Pharmecon, Incorporated, Richie Pharmacal, Rugby Laboratories, Spencer-Mead, Incorporated;

(3) Pro Sof: Vangard Laboratories;
(4) Regul-Aid: Columbia Medical Company.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 1:320. Imipramine Hydrochloride Tablet.

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

Section 1. Imipramine Hydrochloride Tablet Pharmaceutical Products. The following Imipramine Hydrochloride tablet pharmaceutical products are determined to be therapeutically equivalent, in each respective dosage:
(1) Imipramine Hydrochloride 10 mg. Tablet Form:
(a) Imavate: A. H. Robins Company;
(b) Imipramine Hydrochloride: Bell Pharmacal, Bioline Laboratories, Bolar Pharmaceuticals, Columbia Medical Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, [Midway Medical Company,] Murray Drug Corporation, Parmed Pharmaceuticals, *Pharmecon, Inc.,* Philips-Roxane Laboratories, Purepac Pharmaceuticals, Richie Pharmacal, Rogers Wholesalers, Rondex Laboratories, Rugby Laboratories, Theda Corporation, Three P Products Corporation, *United Research Laboratories,* Vangard Laboratories;
(c) Janimine: Abbott Laboratories;
(d) Presamine: USV Pharmaceuticals;
(e) SK-Pramine: Smith, Kline and French Laboratories;
(f) Tofranil: Geigy Pharmaceuticals.
(2) Imipramine Hydrochloride 25 mg. Tablet Form:
(a) Imavate: A. H. Robins Company;
(b) Imipramine Hydrochloride: Bell Pharmacal, Bioline Laboratories, Bolar Pharmaceuticals, Columbia Medical Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, [Midway Medical Company,] Murray Drug Corporation, Parmed Pharmaceuticals, *Pharmecon, Inc.,* Philips-Roxane Laboratories, Purepac Pharmaceuticals, Richie Pharmacal, Rogers Wholesalers, Rondex Laboratories, Rugby Laboratories, Theda Corporation, Three P Products Corporation, *United Research Laboratories,* Vangard Laboratories;
(c) Janimine: Abbott Laboratories;
(d) Presamine: USV Pharmaceuticals;
(e) SK-Pramine: Smith, Kline and French Laboratories;
(f) Tofranil: Geigy Pharmaceuticals;
(g) W. D. D.: Tutag Pharmaceuticals.
(3) Imipramine Hydrochloride 50 mg. Tablet Form:
(a) Imavate: A. H. Robins Company;
(b) Imipramine Hydrochloride: Bell Pharmacal, Bioline Laboratories, Bolar Pharmaceuticals, Columbia Medical Company, Geneva Generics, H. L. Moore Drug Exchange, Lederle Laboratories, McKesson Laboratories, [Midway Medical Company], Murray Drug Corporation, Parmed Pharmaceuticals, *Pharmecon, Inc.,* Philips-Roxane Laboratories, Purepac Pharmaceuticals, Richie Pharmacal, Rogers Wholesalers, Rondex Laboratories, Rugby Laboratories, Theda Corporation, Three P Products Corporation, *United Research Laboratories,* Vangard Laboratories;
(c) Janimine: Abbott Laboratories;
(d) Presamine: USV Pharmaceuticals;
(e) SK-Pramine: Smith, Kline and French Laboratories;
(f) Tofranil: Geigy Pharmaceuticals.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.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 and 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) Actacin: Vangard Laboratories;
(2) Actagen: Generix Drug Corporation;
(3) Actamine: H. L. Moore Drug Exchange;
(4) Allerfin: Rugby Laboratories;
(5) Allerphed: Spencer-Mead, Inc.;
(6) Actifed: Burroughs Wellcome;
(7) Actipar: Parmed Pharmaceuticals;
(8) Isocap: Cooper Drug Company;
(9) Pseudodine: Bay Laboratories;
(10) Tagafed: Tutag Pharmaceuticals;
(11) [(10)] Suda-Prol: Columbia Medical Company;
(12) [(11)] Triacin: Murray Drug Corporation, Richie Pharmacal Company, National Pharmaceutical Manufacturing Company;
(13) [(12)] Triafed: Henry Schein, Incorporated;
(14) Trifed: Geneva Generics;
(15) Triprolidine and Pseudoephedrine: Purepac Pharmaceuticals.

R. L. BARNETT, Chairperson
ADOPTED: April 11, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

Proposed Regulations

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky Harness Racing Commission

811 KAR 1:067. Harness racing at county fairs.

RELATES TO: KRS 230.630, 230.640, 230.690, 230.710, 230.770
PURSUANT TO: KRS 13.082, 230.630
NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted at county fairs. The function of this regulation is to regulate eligibility for participation in harness racing at county fairs.

Section 1. Definitions. "Persons domiciled in Kentucky" are those persons that have their true, fixed and permanent home in Kentucky and to which they have an intention of returning whenever they are absent and, those corporations wholly owned by a person domiciled in Kentucky. Factors which indicate domicile and intent include, but are not limited to:
(1) The amount of time spent in Kentucky each year by the person in question as compared to the amount of time spent by him elsewhere;
(2) Whether or not the person or corporation in question owns real estate in Kentucky;
(3) Whether or not the person in question is registered to vote in Kentucky, or whether the corporation in question was organized under Kentucky law;
(4) The "permanent residence" of the person in question as indicated by the records of the U.S.T.A.;
(5) Whether or not the person in question has a Kentucky automobile drivers' license.

Section 2. Fair Committee. (1) Each county fair board shall appoint a committee composed of three (3) persons to determine questions of domicile.
(2) The committee shall weigh all factors in Section 1(1) to (5) in determining questions of domicile.
(3) Any decision of a fair committee may be appealed directly to the U.S.T.A.

Section 3. Eligibility. The following horses are eligible to participate in stake races at county fairs:
(1) Those two (2) and three (3) year olds that were sired by a stallion registered with the Kentucky Harness Racing Commission. (In order that foals of 1975 and 1976 may be eligible to race in the fair program races in 1978, the owner or lessee must register with the commission stallions that stood in Kentucky for the entire season of 1974 and 1975 together with all the names of the mares bred and the date of service. Forms will be provided by the commission.)
(2) Two (2) and three (3) year olds that are wholly owned by a "person domiciled in Kentucky," both at the time of nomination and at the time of the contest of the race.

J. M. ALVERSON, Director
Kentucky Standardbred Development Fund
ADOPTED: February 17, 1978
APPROVED: JAMES E. GRAY, Secretary
RECEIVED BY LRC: March 23, 1978 at 9 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Betty Burton, Acting Executive Secretary, Kentucky Harness Racing Commission, 369 Waller Avenue, Lexington, Kentucky 40504.

DEPARTMENT FOR HUMAN RESOURCES
Kentucky Drug Formulary Council

902 KAR 1:135. Doxepin 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 Doxepin Hydrochloride pharmaceutical products by their generic and brand names that have been determined by the council to be therapeutically equivalent.

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

(1) Doxepin Hydrochloride 10 mg. Capsule Form:
(a) Adapin: Pennwalt Corporation;
(b) Sinequan: Pfizer, Incorporated.
(2) Doxepin Hydrochloride 25 mg. Capsule Form:
(a) Adapin: Pennwalt Corporation;
(b) Sinequan: Pfizer, Incorporated.
(3) Doxepin Hydrochloride 50 mg. Capsule Form:
(a) Adapin: Pennwalt Corporation;
(b) Sinequan: Pfizer, Incorporated.

R. L. BARNETT, JR., Chairperson
ADOPTED: March 14, 1978
APPROVED: PETER D. CONN, Secretary
RECEIVED BY LRC: April 12, 1978 at 11 a.m.
SUBMIT COMMENT OR REQUEST FOR HEARING TO: Mrs. Dorothy Barnes, Kentucky Drug Formulary Council, 275 East Main Street, Frankfort, Kentucky 40601.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of April 5 Meeting

(Subject to Subcommittee approval at its next meeting on May 3, 1978.)

The Administrative Regulation Review Subcommittee held its regularly scheduled meeting on Wednesday, April 5, 1978, at 10 a.m. in Room 327 of the Capitol.

The minutes of the March 3, 1978 meeting were approved. Present were:

Members: Representative William T. Brinkley, Chairman and Representative Albert Robinson.

Guests: Don Johnston, George E. Dudley, Stephen R. Schmidt and Tim Lemon, Kentucky State Fair Board; Charles Henry, Department of Transportation; Alice Towber and Darrell Martin, Department for Human Resources.

LRC Staff: Mabel D. Robertson, Ollie Fint, Garnett Evins, Joe Hood, Al Feldbaum and Grant Winston.

Chairman Brinkley stated that due to the fact that after repeated requests and five deferments the Subcommittee had failed to receive a response from the Department of Education, Bureau of Instruction, Health and Physical Education Programs relating to proposed regulation 704 KAR 4:010 and the possibility that legislation was enacted during the session of the General Assembly just adjourned that would make the regulation obsolete, he requested Mrs. Robertson to contact the department to determine if they wanted to withdraw the regulation.

The following regulation was deferred at the request of the issuing agency:

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
Bureau of Environmental Protection

Division of Plumbing

401 KAR 1:105. Subsurface sewerage disposal systems.

On motion of Representative Robinson the following regulation was deferred until the May 3 meeting, requesting the deferment in order to pose some questions to the department that would clear up some of his objections to the regulation:

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services

Certificate of Need and Licensure Board

902 KAR 20:077. Group home standards; operations and services.

On motion of Representative Robinson the following regulations were approved and ordered filed:

CABINET FOR DEVELOPMENT
Kentucky State Fair Board

Fair Grounds and Exhibition Center

303 KAR 1:041. Certain objects and attire prohibited on premises. (This regulation was amended to comply with the subcommittee's objections during the meeting.)

DEPARTMENT OF TRANSPORTATION
Bureau of Highways

Traffic

603 KAR 5:096. Highway Classifications (Ky. 70).
603 KAR 5:096. Highway Classifications (Ky. 11).

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services

Certificate of Need and Licensure Board

902 KAR 20:007. License and fee schudele.

The meeting adjourned at 11:45 a.m., to meet again at 10 a.m. EDT on Wednesday, May 3, 1978, in Room 327 of the Capitol.

Administrative Register of Kentucky

Cumulative Supplement

Regulation Locator—Effective Dates

Volume 4

Emergency Regulation	4 Ky.R. Page No.	Effective Date
200 KAR 2:050E	251	1-4-78
Expires		5-4-78
201 KAR 8:220E	39	7-26-77
Expired		11-23-77
301 KAR 2:024E	119	8-22-77
Expired		12-18-77
301 KAR 2:026E	143	10-4-77
Expired		2-1-78
302 KAR 20:041E	315	3-15-78
Expired		4-14-78
302 KAR 20:042E		4-4-78
Expires	343	8-2-78
601 KAR 9:014E	223	12-9-77
Expired		4-7-78
702 KAR 3:151E	316	3-8-78
Expires		7-6-78
803 KAR 2:020E		4-7-78
Expires	345	8-5-78
807 KAR 2:053E	316	3-13-78
Expires		7-11-78
904 KAR 2:014E	40	8-1-77
Expired		11-25-77

Regulation	4 Ky.R. Page No.	Effective Date
13 KAR 1:015	1	7-6-77
101 KAR 1:050		
Amended	14	9-7-77
108 KAR 1:010		
Amended	320	
200 KAR 2:050		
Amended	253	3-3-78
200 KAR 6:030	224	12-7-77
201 KAR 1:065		
Amended	254	3-3-78
201 KAR 1:090		
Amended	321	
201 KAR 2:015	218	1-4-78
201 KAR 2:050		
Amended	122	11-2-77
201 KAR 7:010	89	10-5-77
201 KAR 7:020	89	10-5-77
201 KAR 7:030	90	10-5-77
201 KAR 7:040	90	10-5-77
201 KAR 7:050	91	10-5-77
201 KAR 7:060	91	10-5-77
201 KAR 7:070	91	10-5-77
201 KAR 7:080	92	10-5-77
201 KAR 7:090	92	11-2-77
201 KAR 7:100	92	10-5-77
201 KAR 7:110	94	10-5-77
201 KAR 8:220		
Amended	52	
Amended	253	12-27-77
201 KAR 11:030		
Amended	97	8-3-77
201 KAR 11:147	97	8-3-77
201 KAR 12:155	97	8-3-77
201 KAR 12:157	98	8-3-77
201 KAR 12:160	99	8-3-77
201 KAR 19:025		
Amended	180	1-4-78
201 KAR 19:030		
Amended	180	1-4-78
201 KAR 19:040		
Amended	181	
Amended	299	2-1-78
201 KAR 19:045		
Amended	181	1-4-78
201 KAR 19:050		
Amended	183	1-4-78
201 KAR 19:085		
Amended	183	1-4-78
201 KAR 19:095		
Amended	120	9-7-77
201 KAR 20:130		
Amended	122	11-2-77
201 KAR 25:010	292	
Withdrawn		3-2-78
201 KAR 25:020	293	
Withdrawn		3-2-78
201 KAR 25:030	293	
Withdrawn		3-2-78
201 KAR 25:040	294	
Withdrawn		3-2-78
301 KAR 1:055		
Amended	123	11-2-77
301 KAR 1:075		
Amended	123	11-2-77
301 KAR 1:090		
Amended	124	11-2-77
Amended	349	
301 KAR 1:132		
Amended	125	
Amended	227	12-7-77
301 KAR 1:140	136	12-7-77
301 KAR 1:145		
Amended	16	9-7-77
301 KAR 1:150		
Amended	99	8-3-77
301 KAR 2:045		
Amended	321	
301 KAR 2:047		
Amended	350	
301 KAR 2:101	336	
301 KAR 2:105		
Amended	6	7-6-77
301 KAR 3:020		
Amended	126	12-7-77
301 KAR 3:021	337	
301 KAR 3:053	245	2-1-78
301 KAR 3:060		
Repealed	137	11-2-77
301 KAR 3:061	137	11-2-77
302 KAR 20:010		
Amended	52	11-2-77
302 KAR 20:040		
Amended	53	11-2-77
302 KAR 20:060		
Amended	56	11-2-77
302 KAR 20:070		
Amended	58	11-2-77
302 KAR 20:080		
Amended	60	11-2-77
303 KAR 1:041	246	
Amended	347	4-5-78
303 KAR 1:075	247	2-1-78
303 KAR 1:080		
Amended	229	2-1-78
400 KAR 1:020	338	
401 KAR 1:017	95	10-5-77
401 KAR 1:030		
Amended	184	
401 KAR 1:060		
Amended	100	8-3-77
Amended	186	
401 KAR 1:080		
Amended	61	10-5-77
Amended	189	
401 KAR 1:090		
Amended	190	
401 KAR 1:100		
Amended	62	10-5-77
Amended	192	
401 KAR 3:071	339	
401 KAR 6:010		
Repealed	41	8-3-77
401 KAR 6:015	41	8-3-77
402 KAR 1:012	29	
500 KAR 1:015		
Rejected	142	9-7-77
500 KAR 5:005		
Amended	103	8-3-77
503 KAR 1:040		
Amended	104	8-3-77
503 KAR 5:030		
Amended	51	8-3-77
601 KAR 9:014	247	2-1-78
603 KAR 3:020		
Amended	127	11-2-77
603 KAR 5:010		
Amended	17	
Amended	228	12-7-77
603 KAR 5:096		
Amended	18	9-7-77
Amended	141	9-7-77
Amended	131	11-2-77
Amended	194	1-4-78
Amended	231	2-1-78
Amended(Part)	254	3-3-78
Amended	300	4-5-78
702 KAR 2:010		
Amended	255	3-3-78
702 KAR 2:020		
Amended	256	3-3-78
702 KAR 2:030		
Amended	257	3-3-78
702 KAR 2:040		
Amended	258	3-3-78
702 KAR 2:080		
Amended	259	3-3-78
702 KAR 2:090		
Amended	260	3-3-78
702 KAR 2:100		
Amended	261	3-3-78
704 KAR 4:010		
Amended	195	
704 KAR 6:010		
Amended	195	1-4-78
704 KAR 10:022		
Amended	322	
704 KAR 20:005		
Amended	19	9-7-77
704 KAR 20:076	36	9-7-77
704 KAR 20:078	36	9-7-77
704 KAR 20:080		
Amended	19	9-7-77
704 KAR 20:194	36	9-7-77
704 KAR 20:212	104	8-3-77
704 KAR 20:230		
Amended	20	9-7-77
704 KAR 20:235		
Amended	20	9-7-77
704 KAR 20:245		
Amended	21	9-7-77
704 KAR 20:255		
Amended	21	9-7-77
705 KAR 1:010		
Amended	22	9-7-77
705 KAR 1:020	248	2-1-78
Amended	323	
705 KAR 7:050		
Amended	22	9-7-77
706 KAR 1:010		
Amended	149	
Amended	229	12-7-77

Regulation	4 Ky.R. Page No.	Effective Date
707 KAR 1:003		
Amended	23	9-7-77
803 KAR 1:010		
Amended	65	
Amended	177	11-2-77
803 KAR 1:035	219	1-4-78
803 KAR 2:015	105	8-3-77
Amended	231	2-1-78
803 KAR 2:016	106	8-3-77
Amended	234	2-1-78
Amended	323	
803 KAR 2:020		
Amended	11	7-6-77
Amended	23	9-7-77
Amended	132	11-2-77
Amended	236	2-1-78
Amended	326	
803 KAR 2:030		
Amended	13	7-6-77
Amended	134	11-2-77
803 KAR 2:032		
Amended	135	11-2-77
803 KAR 25:025	137	11-2-77
804 KAR 4:190		
Amended	135	
Withdrawn		10-26-77
804 KAR 7:045	95	10-5-77
804 KAR 9:010		
Amended	67	10-5-77
805 KAR 4:010		
Amended	300	
805 KAR 4:030		
Amended	301	
805 KAR 4:070		
Amended	301	
805 KAR 4:075		
Amended	303	
805 KAR 4:087		
Amended	304	
805 KAR 4:095		
Amended	305	
805 KAR 4:100		
Amended	305	
805 KAR 4:110		
Amended	306	
805 KAR 4:115		
Amended	307	
805 KAR 4:125		
Amended	307	
805 KAR 4:140		
Amended	308	
805 KAR 7:010	146	10-5-77
805 KAR 7:020	147	10-5-77
805 KAR 7:030	173	10-5-77
805 KAR 7:040	173	10-5-77
805 KAR 7:050	148	10-5-77
806 KAR 9:012	96	
806 KAR 11:010	108	8-3-77
806 KAR 12:025	294	
806 KAR 50:200	351	
Amended		
806 KAR 50:205		
Amended	196	2-1-78
807 KAR 2:055	339	
808 KAR 2:015		
Repealed	108	8-3-77
808 KAR 2:016	52	8-3-77
808 KAR 2:025		
Repealed	108	8-3-77
808 KAR 2:026	108	8-3-77
808 KAR 3:040	140	
811 KAR 1:005		
Amended	328	
811 KAR 1:035		
Amended	238	2-1-78
811 KAR 1:045		
Amended	330	
811 KAR 1:055		
Amended	331	
811 KAR 1:067	366	
811 KAR 1:125		
Amended	240	2-1-78
811 KAR 1:200		
Amended	202	1-4-78
812 KAR 1:020		
Amended	25	9-7-77
901 KAR 5:040		
Amended	334	
902 KAR 1:015		
Amended	108	8-3-77
Amended	203	1-4-78
902 KAR 1:017	96	10-5-77
Amended	203	1-4-78
Amended	261	3-3-78
902 KAR 1:020		
Amended	204	1-4-78
Amended	262	3-3-78
902 KAR 1:025		
Amended	108	8-3-77
902 KAR 1:030		
Amended	68	10-5-77
Amended	205	1-4-78
902 KAR 1:035		
Amended	206	1-4-78
Amended	357	
902 KAR 1:040		
Amended	206	1-4-78
902 KAR 1:045		
Amended	357	
902 KAR 1:050		
Amended	109	8-3-77
Amended	207	1-4-78
Amended	263	3-3-78
902 KAR 1:055		
Amended	110	8-3-77
902 KAR 1:060		
Amended	208	1-4-78
902 KAR 1:070		
Amended	209	1-4-78
Amended	358	
902 KAR 1:080		
Amended	209	1-4-78
Amended	358	
902 KAR 1:081		
Amended	210	1-4-78
Amended	264	3-3-78
Amended	359	
902 KAR 1:090		
Amended	69	10-5-77
Amended	359	
902 KAR 1:100		
Amended	110	8-3-77
Amended	69	10-5-77
Amended	210	1-4-78
Amended	360	
902 KAR 1:110		
Amended	211	1-4-78
902 KAR 1:120		
Amended	111	8-3-77
Amended	265	3-3-78
902 KAR 1:125		
Amended	70	10-5-77
Amended	360	
902 KAR 1:130		
Amended	211	1-4-78
Amended	265	3-3-78
Amended	361	
902 KAR 1:135	367	
902 KAR 1:140		
Amended	70	10-5-77
Amended	212	1-4-78
Amended	266	3-3-78
902 KAR 1:141		
Amended	362	
902 KAR 1:150		
Amended	212	1-4-78
Amended	266	3-3-78
902 KAR 1:160		
Amended	213	1-4-78
902 KAR 1:170		
Amended	111	8-3-77
Amended	213	1-4-78
Amended	267	3-3-78
Amended	362	
902 KAR 1:175		
Amended	362	
902 KAR 1:180		
Amended	112	8-3-77
Amended	71	10-5-77
Amended	214	1-4-78
Amended	268	3-3-78
902 KAR 1:190		
Amended	72	10-5-77
Amended	215	1-4-78
Amended	269	3-3-78
902 KAR 1:200		
Amended	72	10-5-77
Amended	215	1-4-78
902 KAR 1:220		
Amended	363	
902 KAR 1:230		
Amended	215	1-4-78
902 KAR 1:250		
Amended	216	1-4-78
Amended	363	
902 KAR 1:280		
Amended	113	8-3-77
Amended	72	10-5-77
Amended	216	1-4-78
Amended	269	3-3-78
902 KAR 1:290		
Amended	364	
902 KAR 1:300		
Amended	113	8-3-77
Amended	217	1-4-78
Amended	364	
902 KAR 1:316		
Amended	217	1-4-78
902 KAR 1:320		
Amended	270	3-3-78
Amended	365	
902 KAR 1:322		
Amended	114	8-3-77
Amended	73	10-5-77
Amended	365	
902 KAR 1:324		
Amended	73	10-5-77
902 KAR 1:326		
Amended	74	10-5-77
902 KAR 1:328		
Amended	114	8-3-77
Amended	74	10-5-77
Amended	270	3-3-78
902 KAR 1:330	220	1-4-78
902 KAR 2:060		
Amended	114	8-3-77
902 KAR 2:080		
Amended	334	
902 KAR 6:020		
Amended	115	8-3-77
902 KAR 6:040		
Amended	335	
902 KAR 20:007		
Amended	149	
Amended	348	4-5-78
902 KAR 20:025		
Amended	75	10-5-77
902 KAR 20:030		
Amended	271	3-3-78
902 KAR 20:040		
Amended	275	3-3-78
902 KAR 20:050		
Amended	278	3-3-78
902 KAR 20:077	309	
902 KAR 47:020		
Amended	86	10-5-77
902 KAR 50:070		
Amended	88	10-5-77

Regulation	4 Ky.R. Page No.	Effective Date
902 KAR 105:010 Amended	289	3-3-78
902 KAR 105:040 Amended	290	3-3-78
902 KAR 105:050 Amended	291	3-3-78
902 KAR 105:060 Amended	291	3-3-78
904 KAR 1:061	220	11-2-77
904 KAR 2:012 Repealed	96	10-5-77
904 KAR 2:014	96	10-5-77
905 KAR 1:005	150	
905 KAR 1:065	153	
905 KAR 1:071	158	
905 KAR 1:091	160	
905 KAR 1:110	164	
905 KAR 1:120	167	
905 KAR 1:130	170	

Regulation	4 Ky.R. Page No.	Effective Date

Regulation	4 Ky.R. Page No.	Effective Date

KRS Sections Related to KAR

KRS Section	Regulation
15.330	503 KAR 1:040
15A.040	500 KAR 5:005
15.440	503 KAR 5:030
18.170	101 KAR 1:050
18.190	101 KAR 1:050
18.210	101 KAR 1:050
18.240	101 KAR 1:050
Chapter 42	200 KAR 2:050
Chapter 44	200 KAR 2:050
44.070	108 KAR 1:010
44.080	108 KAR 1:010
44.086	108 KAR 1:010
44.090	108 KAR 1:010
Chapter 45	200 KAR 2:050
146.200 to 146.360	400 KAR 1:020
150.010	301 KAR 1:075
	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
150.025	301 KAR 1:055
	301 KAR 1:075
	301 KAR 1:090
	301 KAR 1:132
	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
	301 KAR 3:020
	301 KAR 3:021
	301 KAR 3:061
150.120	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
150.170	301 KAR 1:075
	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
150.175	301 KAR 1:075
	301 KAR 1:090
	301 KAR 1:132
	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
	301 KAR 2:101
	301 KAR 3:020
	301 KAR 3:021
	301 KAR 3:053
150.176	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
	301 KAR 3:053
150.180	301 KAR 1:132
150.183	301 KAR 3:061
150.190	301 KAR 1:140
150.225	301 KAR 3:020
	301 KAR 3:021
150.235	301 KAR 1:075
150.237	301 KAR 3:020
	301 KAR 3:021
150.280	301 KAR 1:132
150.300	301 KAR 2:045
	301 KAR 2:101
150.305	301 KAR 2:045
	301 KAR 2:101
	301 KAR 2:105
	301 KAR 3:053
150.310	301 KAR 3:053
150.330	301 KAR 2:045
	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
150.340	301 KAR 2:045
	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
150.360	301 KAR 1:075
	301 KAR 1:090
	301 KAR 2:045
	301 KAR 2:047
	301 KAR 2:101
	301 KAR 2:105
	301 KAR 3:053
150.365	301 KAR 2:045
150.370	301 KAR 2:045
	301 KAR 2:047
	301 KAR 2:105
150.390	301 KAR 2:045
	301 KAR 2:101
	301 KAR 2:105
	301 KAR 3:053
150.400	301 KAR 2:045
	301 KAR 2:105
150.440	301 KAR 1:075
150.445	301 KAR 1:075
	301 KAR 1:145
	301 KAR 1:150
150.450	301 KAR 1:132
	301 KAR 1:140
	301 KAR 1:145
	301 KAR 1:150
150.470	301 KAR 1:055
	301 KAR 1:075
150.485	301 KAR 1:132
150.990	301 KAR 1:055
156.022	702 KAR 2:010
	702 KAR 2:020
	702 KAR 2:030
	702 KAR 2:040
	702 KAR 2:080
	702 KAR 2:090
	702 KAR 2:100
156.070	705 KAR 1:020
	705 KAR 7:050
156.100	705 KAR 1:010
	705 KAR 7:050
	707 KAR 1:003
156.160	704 KAR 4:010
	704 KAR 6:010
	704 KAR 10:022
157.200-157.305	707 KAR 1:003
158.035	902 KAR 2:060
159.030	704 KAR 6:010
161.020	704 KAR 20:005
	704 KAR 20:076
	704 KAR 20:078
	704 KAR 20:080
	704 KAR 20:194
	704 KAR 20:212
	704 KAR 20:230
	704 KAR 20:235
	704 KAR 20:245
	704 KAR 20:255
161.025	704 KAR 20:005
	704 KAR 20:076
	704 KAR 20:078
	704 KAR 20:080
	704 KAR 20:194
	704 KAR 20:212
	704 KAR 20:230
	704 KAR 20:235
	704 KAR 20:245
	704 KAR 20:255
161.030	704 KAR 20:005
	704 KAR 20:076
	704 KAR 20:078
	704 KAR 20:080
	704 KAR 20:194
161.030	704 KAR 20:212
	704 KAR 20:230
	704 KAR 20:235
	704 KAR 20:245
	704 KAR 20:255
163.020	705 KAR 1:010
163.020 to 163.470	705 KAR 1:020
163.030	705 KAR 7:050
163.110	706 KAR 1:010
163.120	706 KAR 1:010
163.130	706 KAR 1:010
163.140	706 KAR 1:010
163.170	706 KAR 1:010
163.180	706 KAR 1:010
164.945-164.947	13 KAR 1:015
175.450	603 KAR 5:010
176.050	603 KAR 5:010
177.220	603 KAR 5:010
177.240	603 KAR 5:010
177.310	603 KAR 5:010
177.410	603 KAR 5:010
177.440	603 KAR 5:010
177.830-177.890	603 KAR 3:020
186.170	601 KAR 9:014
186.240	601 KAR 9:014
189.222	606 KAR 5:096
199.011	905 KAR 1:005
	905 KAR 1:065
	905 KAR 1:091
	905 KAR 1:110
	905 KAR 1:120
199.640	905 KAR 1:005
	905 KAR 1:065
	905 KAR 1:091
	905 KAR 1:120
199.640-199.670	905 KAR 1:071
	905 KAR 1:110
199.650	905 KAR 1:005
199.650	905 KAR 1:065
	905 KAR 1:091
199.660	905 KAR 1:005
	905 KAR 1:065
	905 KAR 1:091
199.670	905 KAR 1:005
	905 KAR 1:065
	905 KAR 1:091
Chapter 202A	902 KAR 6:040
205.222	904 KAR 2:014
205.223	904 KAR 2:014
208.130	905 KAR 1:130
208.200	905 KAR 1:120
208.300	905 KAR 1:120
208.430	905 KAR 1:120
210.120	902 KAR 6:020
210.300	902 KAR 6:040
210.370	902 KAR 6:020
210.450	902 KAR 6:020
211.180	902 KAR 2:060
	902 KAR 2:080
211.870	902 KAR 105:010
	902 KAR 105:040
	902 KAR 105:050
	902 KAR 105:060
211.890	902 KAR 105:010
	902 KAR 105:040
	902 KAR 105:050
	902 KAR 105:060
211.993	902 KAR 105:010
	902 KAR 105:040
	902 KAR 105:050
	902 KAR 105:060
Chapter 213	901 KAR 5:040
214.010	902 KAR 2:080
214.032	902 KAR 2:060
214.034	902 KAR 2:060
214.036	902 KAR 2:060

KRS Section	Regulation
214.160	902 KAR 2:080
214.170	902 KAR 2:080
214.185	902 KAR 2:080
216.405-216.485	902 KAR 20:025
	902 KAR 20:030
	902 KAR 20:040
	902 KAR 20:050
	902 KAR 20:077
216.405-216.990	902 KAR 20:007
216.990	902 KAR 20:025
	902 KAR 20:030
	902 KAR 20:040
	902 KAR 20:050
	902 KAR 20:077
217.650-217.710	902 KAR 47:020
217.814-217.826	902 KAR 1:015
	902 KAR 1:017
	902 KAR 1:020
	902 KAR 1:025
	902 KAR 1:030
	902 KAR 1:035
	902 KAR 1:040
	902 KAR 1:045
	902 KAR 1:050
	902 KAR 1:055
	902 KAR 1:060
	902 KAR 1:070
	902 KAR 1:080
	902 KAR 1:081
	902 KAR 1:090
	902 KAR 1:100
	902 KAR 1:110
	902 KAR 1:120
	902 KAR 1:125
	902 KAR 1:130
	902 KAR 1:135
	902 KAR 1:140
	902 KAR 1:141
	902 KAR 1:150
	902 KAR 1:160
	902 KAR 1:170
	902 KAR 1:175
	902 KAR 1:180
	902 KAR 1:190
	902 KAR 1:200
	902 KAR 1:220
	902 KAR 1:230
	902 KAR 1:250
	902 KAR 1:280
	902 KAR 1:290
	902 KAR 1:300
	902 KAR 1:316
	902 KAR 1:320
	902 KAR 1:322
	902 KAR 1:324
	902 KAR 1:326
	902 KAR 1:328
	902 KAR 1:330
217.990	902 KAR 1:015
	902 KAR 1:017
	902 KAR 1:020
	902 KAR 1:025
	902 KAR 1:030
	902 KAR 1:035
	902 KAR 1:040
	902 KAR 1:045
	902 KAR 1:050
	902 KAR 1:055
	902 KAR 1:060
	902 KAR 1:070
	902 KAR 1:080
	902 KAR 1:081
	902 KAR 1:090
	902 KAR 1:100
	902 KAR 1:110
	902 KAR 1:120
	902 KAR 1:125
	902 KAR 1:130
	902 KAR 1:135
	902 KAR 1:140
	902 KAR 1:141
	902 KAR 1:150

KRS Section	Regulation
217.990	902 KAR 1:160
	902 KAR 1:170
	902 KAR 1:175
	902 KAR 1:180
	902 KAR 1:190
	902 KAR 1:200
	902 KAR 1:220
	902 KAR 1:230
	902 KAR 1:250
	902 KAR 1:280
	902 KAR 1:290
	902 KAR 1:300
	902 KAR 1:316
	902 KAR 1:320
	902 KAR 1:322
	902 KAR 1:324
	902 KAR 1:326
	902 KAR 1:328
	902 KAR 1:330
217C.010-217.990	902 KAR 50:070
Chapter 224	401 KAR 3:071
	401 KAR 6:015
227.570	806 KAR 50:200
	806 KAR 50:205
230.410-230.447	812 KAR 1:020
230.630	811 KAR 1:005
	811 KAR 1:035
	811 KAR 1:045
	811 KAR 1:055
	811 KAR 1:067
	811 KAR 1:125
230.640	811 KAR 1:035
	811 KAR 1:045
	811 KAR 1:055
	811 KAR 1:067
	811 KAR 1:125
230.690	811 KAR 1:067
	811 KAR 1:125
230.710	811 KAR 1:067
	811 KAR 1:125
230.770	811 KAR 1:067
	811 KAR 1:200
241.060	804 KAR 9:010
241.065	804 KAR 9:010
241.075	804 KAR 9:010
243.030	804 KAR 7:045
	804 KAR 9:010
243.040	804 KAR 4:190
243.150	804 KAR 4:190
243.400	804 KAR 4:190
Chapter 246	302 KAR 20:010
247.145	303 KAR 1:041
	303 KAR 1:075
	303 KAR 1:080
247.160	303 KAR 1:075
Chapter 257	302 KAR 20:010
	302 KAR 20:040
	302 KAR 20:060
	302 KAR 20:070
	302 KAR 20:080
Chapter 278	807 KAR 2:055
290.070	808 KAR 3:040
290.220	808 KAR 3:040
Chapter 304, Subtitle 12	806 KAR 12.025
304.9-300	806 KAR 9:012
304.11-020	806 KAR 11.010
307.110	808 KAR 2:026
307.130	808 KAR 2:016
	808 KAR 2:026
307.140	808 KAR 2:026
307.150	808 KAR 2:026
311.420	201 KAR 25:010
311.450	201 KAR 25:020
	201 KAR 25:040
311.460	201 KAR 25:030
313.050	201 KAR 8:220
313.060	201 KAR 8:220
313.100	201 KAR 8:220
314.041	201 KAR 20:130
314.051	201 KAR 20:130
Chapter 315	201 KAR 2:015
	201 KAR 2:050

KRS Section	Regulation
317A.020	201 KAR 12:157
317A.050	201 KAR 12:155
	201 KAR 12:157
	201 KAR 12:160
Chapter 318	401 KAR 1:017
	401 KAR 1:060
	401 KAR 1:080
	401 KAR 1:090
	401 KAR 1:100
323.050	201 KAR 19:025
	201 KAR 19:030
	201 KAR 19:040
	201 KAR 19:045
323.080	201 KAR 19:085
323.090	201 KAR 19:050
323.095	201 KAR 19:095
323.110	201 KAR 19:085
323.120	201 KAR 19:095
323.210	201 KAR 19:030
	201 KAR 19:045
	201 KAR 19:050
323.215	201 KAR 19:025
	201 KAR 19:040
	201 KAR 19:045
324.310	201 KAR 11:147
324.330	201 KAR 11.030
	201 KAR 11.147
325.330	201 KAR 1:065
325.390	201 KAR 2:090
334.010	201 KAR 7:010
334.020	201 KAR 7:010
	201 KAR 7:050
	201 KAR 7:060
334.030	201 KAR 7:080
334.040	201 KAR 7:010
334.050	201 KAR 7:010
	201 KAR 7:020
334.060	201 KAR 7:040
334.070	201 KAR 7:040
334.080	201 KAR 7:010
	201 KAR 7:040
334.090	201 KAR 7:020
	201 KAR 7:030
	201 KAR 7:040
334.100	201 KAR 7:010
334.110	201 KAR 7:070
334.120	201 KAR 7:090
	201 KAR 7:100
334.150	201 KAR 7:100
334.160	201 KAR 7:020
	201 KAR 7:110
334.190	201 KAR 7:010
337.275	803 KAR 1:035
337.285	803 KAR 1:035
Chapter 338	803 KAR 2:015
	803 KAR 2:016
	803 KAR 2:020
	803 KAR 2:030
	803 KAR 2:032
342.350	803 KAR 25:025
Chapter 343	803 KAR 1:010
350.151	402 KAR 1:012
351.102	805 KAR 7:010
	805 KAR 7:020
351.103	805 KAR 7:010
351.104	805 KAR 7:010
351.105	805 KAR 7:010
	805 KAR 7:020
	805 KAR 7:030
	805 KAR 7:040
	805 KAR 7:050
351.106	805 KAR 7:010
351.315	805 KAR 4:010
351.325	805 KAR 4:010
351.330	805 KAR 4:030
	805 KAR 4:125
351.350	805 KAR 4:070
	805 KAR 4:075
	805 KAR 4:087
	805 KAR 4:095
	805 KAR 4:100
	805 KAR 4:110

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
351.350	805 KAR 4:115				
	805 KAR 4:125				
	805 KAR 4:140				
351.990	805 KAR 4:070				
	805 KAR 4:075				
	805 KAR 4:087				
	805 KAR 4:095				
	805 KAR 4:100				
	805 KAR 4:110				
	805 KAR 4:115				
	805 KAR 4:125				
	805 KAR 4:140				
402.120 to 402.180	902 KAR 2:080				

Subject Index