

of Kentucky Administrative Register

LEGISLATIVE RESEARCH COMMISSION
FRANKFORT, KENTUCKY

VOLUME 7, NUMBER 11
MONDAY, JUNE 1, 1981



COMPILER'S NOTE: To provide better accord between the 5-volume *Kentucky Administrative Regulations* and the monthly *Administrative Register of Kentucky*, an adjustment is being made in the numbering of the issues for the coming year. Volume 7 of the *Register* will end with issue Number 11 (June). The July issue of the *Register* will begin Volume 8.

IN THIS ISSUE

Public Hearings Scheduled	897
Emergency Regulations Now In Effect:	
Department of Human Resources—Public Assistance	897
Department of Housing, Buildings and Construction—Plumbing	898
Amended Regulations Now In Effect:	
Department of Finance—Social Security	899
Department of Fish and Wildlife Resources	899
Department of Natural Resources—Air Pollution	900
Department of Education	903
Department of Insurance—Health Insurance Contracts	903
Department of Housing, Building and Construction: Kentucky Building Code	908
Amended After Hearing:	
Department of Human Resources—Medical Assistance	910
Proposed Amendments:	
Board of Accountancy	912
Board of Examiners and Registration of Architects	912
Department of Transportation—Traffic	915
Department of Labor—Occupational Safety and Health	917
State Racing Commission	925
Harness Racing Commission	927
Department of Human Resources—Public Assistance	934
Proposed Regulations Received Through May 15:	
Department of Revenue— Enforcement	936
Department of Natural Resources—Air Pollution	937
Department for Human Resources:	
Vital Statistics	940
Certificate of Need and Licensure Board	941
Public Assistance	941
Minutes of Administrative Regulation Review Subcommittee	943
CUMULATIVE SUPPLEMENT	
Locator Table—Effective Dates	L 2
KRS Cross-Reference Table	L 7
Cumulative Index	L 12

NOTE: The June meeting of the Administrative Regulation Review Subcommittee will be a ONE-DAY meeting—Wednesday, June 3, 1981, at 10 a.m., in Room A, Capitol Annex.

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 1980 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

Administrative Register of Kentucky

(ISSN 0096-1493)

© 1981 Legislative Research Commission, All Rights Reserved

The *Administrative Register of Kentucky* is published monthly by the Legislative Research Commission, 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.

POSTMASTER: Send address changes to *Administrative Register of Kentucky*, Room 300, State Capitol, Frankfort, Kentucky 40601.

KENTUCKY LEGISLATIVE RESEARCH COMMISSION

SENATOR JOE PRATHER
Senate President Pro Tem

Chairmen

REPRESENTATIVE WILLIAM G. KENTON
Speaker of the House

Senate Members

JOE WRIGHT
Assistant President Pro Tem

WALTER A. BAKER
Minority Caucus Chairman

JOHN M. BERRY, JR.
Majority Floor Leader

LOWELL T. HUGHES
Majority Whip

EUGENE P. STUART
Minority Floor Leader

CLYDE MIDDLETON
Minority Whip

DAVID K. KAREM
Majority Caucus Chairman

House Members

C. M. "HANK" HANCOCK
Speaker Pro Tem

WILLIAM (BILL) DONNERMEYER
Majority Caucus Chairman

BOBBY H. RICHARDSON
Majority Floor Leader

HERMAN W. RATTLIFF
Minority Caucus Chairman

ARTHUR L. SCHMIDT
Minority Floor Leader

WOODY MAY
Majority Whip

WOODY ALLEN
Minority Whip

VIC HELLARD, JR., Director

SAMUEL L. HENSLEY, Assistant Director for Education and Information

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Members

REPRESENTATIVE WILLIAM T. BRINKLEY, Chairman
SENATOR WILLIAM L. QUINLAN
SENATOR JAMES P. BUNNING
SENATOR HELEN GARRETT
REPRESENTATIVE ALBERT ROBINSON
REPRESENTATIVE JAMES E. BRUCE
REPRESENTATIVE GREGORY D. STUMBO

Staff

SUSAN C. HARDING, Regulations Compiler
CYNTHIA L. DeREAMER, Assistant Regulations Compiler
O. JOSEPH HOOD, Counsel for the Subcommittee

Public Hearing Scheduled

DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

A public hearing will be held at 10 a.m. EDT July 2, 1981, in Room G-2 of the Capitol Plaza Tower, Frankfort, Kentucky on the following regulations:

401 KAR 59:250. New glass manufacturing plants. [7 Ky.R. 937]
401 KAR 59:255. New ammonium sulfate manufacturing units. [7 Ky.R. 939]

Emergency Regulations Now In Effect

JOHN Y. BROWN, JR., GOVERNOR
Executive Order 81-371
April 24, 1981

EMERGENCY REGULATION Department for Human Resources Bureau for Social Insurance

WHEREAS, the Secretary of the Department for Human Resources is responsible for promulgating, by regulation, the policies of the Department with respect to the Emergency Assistance Program; and

WHEREAS, the Secretary has found that the current budgetary crisis of the Department requires the termination of the Emergency Assistance Program; and

WHEREAS, the Secretary has promulgated a regulation providing for the repeal of the implementing regulation for the Emergency Assistance Program; and

WHEREAS, the Secretary has found that an emergency exists with respect to said proposed regulation and that, therefore, such regulation should, pursuant to the provision of law, be effective immediately upon filing with the Legislative Research Commission:

NOW, THEREFORE, I, John Y. Brown, Jr., Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by KRS 13.085(2), do hereby acknowledge the finding of emergency by the Secretary of the Department for Human Resources with respect to the filing of said regulation of the Department (Repeal of 904 KAR 2:008) and direct that said regulation shall be effective upon filing with the Legislative Research Commission.

JOHN Y. BROWN, JR., Governor
FRANCES JONES MILLS, Secretary of State

DEPARTMENT FOR HUMAN RESOURCES Bureau for Social Insurance

904 KAR 2:007E. Repeal of 904 KAR 2:008.

RELATES TO: KRS 205.215
PURSUANT TO: KRS 13.082, 194.050
EFFECTIVE: April 24, 1981

EXPIRES: Sine Die adjournment of 1982 regular session of the General Assembly, or upon being replaced through regular procedure.

NECESSITY AND FUNCTION: The Department for Human Resources was authorized by KRS 205.215 to provide short-term assistance to families with children in crisis situations as provided for in Title IV-A of the Social Security Act. A regulation, 904 KAR 2:008, Program for Emergency Assistance, was promulgated to set forth eligibility criteria and types and amounts of assistance. Due to the shortage of revenues the Commonwealth of Kentucky is facing and under the executive authority the Governor of the state has to alter the Commonwealth's budget to prevent a deficit situation, it is necessary to terminate the Emergency Assistance Program. This regulation acts specifically to repeal the implementing regulation previously referenced.

Section 1. 904 KAR 2:008, Program for emergency assistance, is hereby repealed.

WILLIAM L. HUFFMAN, Commissioner
ADOPTED: April 24, 1981
APPROVED: W. GRADY STUMBO, Secretary
RECEIVED BY LRC: April 27, 1981 at 3:20 p.m.

JOHN Y. BROWN, JR., GOVERNOR
Executive Order 81-380
April 29, 1981

EMERGENCY REGULATION
Department of Housing, Buildings and Construction

WHEREAS, the Commissioner of the Department of Housing, Buildings and Construction is responsible for promulgating, by regulation, the policies of said department regarding the setting of plumbing license fees; and

WHEREAS, said Commissioner, with the concurrence of the Secretary of the Public Protection and Regulation Cabinet as well as both the State Plumbing Code Committee and the Board of Housing, Buildings and Construction, has requested an immediate increase in plumbing license fees to support the Division of Plumbing within the Department of Housing, Buildings and Construction since said Division is totally supported by plumbing inspection fees and said fees have declined significantly based upon the reduction in the level of residential construction; and

WHEREAS, the Commissioner of the Department of Housing, Buildings and Construction has promulgated a regulation setting forth an increase in the annual renewal fee for journeyman plumber licenses from twenty-five dollars (\$25) to thirty dollars (\$30) and for master plumber licenses from fifty dollars (\$50) to one hundred and fifty dollars (\$150); and

WHEREAS, the Secretary of the Public Protection and Regulation Cabinet has found that an emergency exists, and that, therefore, such regulation should, pursuant to the provisions of law, be effective immediately upon filing with the Legislative Research Commission:

NOW, THEREFORE, I, John Y. Brown, Jr., Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by KRS 13.085(2), do hereby acknowledge the finding of emergency by the Secretary of the Public Protection and Regulation Cabinet with respect to the filing of said regulation which increases plumbing license fees within the Division of Plumbing, Department of Housing, Buildings and Construction and direct that said regulation shall be effective immediately upon filing with the Legislative Research Commission as provided in Chapter 13 of the Kentucky Revised Statutes.

JOHN Y. BROWN, JR., Governor
FRANCES JONES MILLS, Secretary of State

PUBLIC PROTECTION AND REGULATION CABINET
Department of Housing, Buildings and Construction

815 KAR 20:030E. License application; examination.

RELATES TO: KRS Chapter 318

PURSUANT TO: KRS 13.082, 318.010, 318.050, 318.054

EFFECTIVE: May 1, 1981

EXPIRES: Sine Die adjournment of 1982 regular session of the General Assembly, or upon being replaced through regular procedure.

NECESSITY AND FUNCTION: KRS 318.040 requires the Department to conduct examinations for master and journeyman plumber applicants. KRS 318.050 was amended by the 1976 General Assembly to eliminate the fixed fees for such examinations as was shown in the previous act. The Department now has the authority to set such fees by regulation.

Section 1. Applications for Master or Journeyman Plumber's Licenses. Applications for master or journeyman plumber's licenses shall be submitted to the Department of Housing, Buildings and Construction on forms furnished by the department. Each application shall be properly notarized and accompanied by a fee of \$100 if for a master plumber's license or twenty-five dollars (\$25) if for a journeyman plumber's license. A signed photograph of the applicant not less than two (2) inches square nor larger than four (4) inches square taken within two (2) years shall accompany each application. Application fees shall be submitted at least two (2) weeks prior to the date of examination and remitted by post office or express money order, bank draft or certified check payable to the Kentucky State Treasurer.

Section 2. Examinations for Master or Journeyman Plumber's Licenses. (1) Examination of applicants. Regular examination of applicants for master or journeyman plumber's licenses shall be conducted during the months of February, May, August and November of each year. Special examinations may be conducted at such times as the Department of Housing, Buildings and Construction may direct.

(2) Time and place of examination. Notice of the time and place of examination shall be given by the United States mail at least one (1) week prior to the date of examination to all persons having applications on file.

(3) Materials required for journeyman plumbers' examinations. Applicants for journeyman plumber's licenses shall furnish the materials required for the practical examination.

Section 3. Renewals of Master and Journeyman Plumber's Licenses. (1) Renewal fees. The annual license renewal fee shall be \$150 [fifty dollars (\$50)] for master plumbers and thirty dollars (\$30) [twenty-five dollars (\$25)] for journeyman plumbers.

(2) Remittance of renewal fees. Renewal fees shall be remitted by post office or express money order, bank draft, or certified check payable to the Kentucky State Treasurer.

JOHN R. GROVES, JR., Commissioner
ADOPTED: April 2, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 1, 1981 at 8 a.m.

Amended Regulations Now In Effect

DEPARTMENT OF FINANCE Office for Social Security As Amended

200 KAR 13:010. Social security reports.

RELATES TO: KRS 61.490

PURSUANT TO: KRS 61.490

NECESSITY AND FUNCTION: The Personnel Security Branch in the Division of Fiscal Services, Office of Administrative Services, Department for Human Resources was abolished, and its functions and duties transferred to the State Office for Social Security established in the Department of Finance by Executive Order Relating to Reorganization No. 80-457, effective June 16, 1980. The State Office for Social Security, Department of Finance finds it necessary, due to federal regulation, to set due dates for social security contributions and reports [and to provide for the recoupment of interest assessed by the Social Security Administration for late payment] of monthly contributions by state agencies and political subdivisions.

Section 1. The due date for social security contributions, to be filed by all state agencies and political subdivisions, shall be on or before the fifth (5th) day of the month next following the close of the month.

Section 2. The due date for the quarterly summary report of wages paid, to be filed by all state agencies and political subdivisions, shall be the tenth (10th) day of the month next following the close of the calendar quarter and the due date for the annual report of wages paid shall be the tenth (10th) day following the close of the calendar year.

[Section 3. In order to recoup, and to pass on to delinquent state agencies and political subdivisions interest assessed by the Social Security Administration for late payment of social security contributions, a late payment charge at the rate of ten dollars (\$10) for the first day, and one dollar (\$1) per day for each day of delinquency thereafter shall be assessed against any state agency or political subdivision failing to remit its monthly deposit of social security contributions within the time specified in Section 1.]

Section 3. [4.] 900 KAR 1:005 is hereby repealed.

GEORGE L. ATKINS, Secretary

ADOPTED: January 30, 1981

RECEIVED BY LRC: January 30, 1981 at 2 p.m.

COMMERCE CABINET Department of Fish and Wildlife Resources As Amended

301 KAR 3:030. Year around season for some birds and animals.

RELATES TO: KRS 150.025, 150.330

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation pertains to the open season for unprotected species of wild birds and wild animals. Since all wildlife is protected unless declared unprotected, this regulation is necessary to establish the species that can be hunted year around, and to insure that only those species declared unprotected may be taken by the use of hand or mouth calling devices or mechanically or electronically operated calling or attracting devices. The function of this regulation is to furnish sport and recreation utilizing wildlife species that sometimes create a nuisance or a health hazard. Past year around hunting for most of these species has had little effect upon their abundance. *This amendment is necessary to combine and clarify the contents of 301 KAR 2:025 with this regulation.*

Section 1. The following species of wild birds and wild animals may be taken, pursued, possessed or transported all year except as stated in Section 3, by any person possessing a valid hunting license: Gray fox, coyote, woodchuck, crow, English sparrow and starling.

Section 2. Unprotected wild animals. Some species of moles, mice, rats, and shrews are unprotected and may be taken without possessing a hunting license. (Refer to 301 KAR 3:061, rare and endangered wildlife, for species of rodents that are protected.) All other wild birds and wild animals are protected except during open season and as specified by other regulations.

Section 3. Closed season. There shall be a closed season on all species of wild birds and wild animals, protected or unprotected, except deer, waterfowl, woodcock, snipe and raccoon from November 1 to midnight on Wednesday preceding the third Thursday in November. This does not prohibit landowners from killing any species of wildlife on their land which is causing damage to persons or property.

Section 4. Except as otherwise provided by regulation, only those birds and animals listed in Section 1 may be taken by the use of hand or mouth calling devices, or mechanically or electronically operated calling or attracting devices during daylight hours only.

Section 5. 301 KAR 2:025, Calling devices, is hereby repealed.

JACK T. BROOKS, Chairman
CARLE E. KAYS, Commissioner

ADOPTED: March 1, 1981

APPROVED: J. MICHAEL MULLINS, Secretary

RECEIVED BY LRC: March 12, 1981 at 3:30 p.m.

DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION
Bureau of Environmental Protection
Division of Air Pollution
As Amended

401 KAR 50:036. Permit and exemption fees.

RELATES TO: KRS Chapter 224

PURSUANT TO: KRS 13.082, 224.033

NECESSITY AND FUNCTION: KRS 224.033 permits the Department for Natural Resources and Environmental Protection to prescribe regulations establishing a schedule of fees for the costs of processing applications for permits authorized by KRS Chapter 224 and for exemptions or partial exemptions. This regulation defines the assessment of fees applicable to stationary air contaminant sources for issuance of permits to construct, permits to operate and exemptions. This regulation also establishes permit requirements in addition to those requirements of 401 KAR 50:035 as are necessary to implement the fee schedule established herein.

Section 1. Applicability. The provisions of this regulation shall apply to the owner or operator of each source required to have a permit by 401 KAR 50:035 except for publicly owned sources.

Section 2. Definitions. As used in this regulation, all terms not defined herein shall have the same meaning given them in 401 KAR 50:010.

(1) "Air pollution control equipment" means any mechanism, device, or contrivance used to control or prevent air pollution.

(2) "Capital cost" means the estimated monetary resources which will have to be expended to make a proposed air contaminant source operational including the cost of installation, real estate, buildings, pollution abatement equipment, and any other equipment necessary for the operation of an air contaminant source.

(3) "Category I source" means any stationary source or modification to which 401 KAR 51:016E [015] applies.

(4) "Category II source" means any source that is not a Category I source but has a *potential to emit* [an uncontrolled emission potential] of 100 tons per year or more of any one (1) pollutant.

(5) "Category III source" means any source that is not a Category I or Category II source.

(6) "*Potential to emit*" means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(7) [(6)] "Publicly owned facility" means any facility owned by the state, or any political subdivision thereof, municipality, or other public entity.

[(7)] "Uncontrolled emission potential" means the capability at maximum capacity to emit a pollutant in the absence of air pollution control equipment. Air pollution control equipment includes control equipment which is not, aside from air pollution control laws and regulations, vital to production of the normal product of the source or

to its normal operation. Annual potential shall be based on the maximum annual rated capacity of the source, unless the source is subject to enforceable permit conditions which limit the annual hours of operation. Enforceable permit conditions on the type or amount of materials combusted or processed may be used in determining the potential emission rate of a source.]

[Section 3. Issuance of Permits. The provisions of this regulation are in addition to the provisions of 401 KAR 50:035.]

[(1)] Operating permits issued by the department prior to the effective date of this regulation to Category I and II sources and sources subject to Title 401, Chapter 57, shall expire as follows:]

[(a)] Operating permits issued on or before December 31, 1971 shall expire on the anniversary of issuance during the year commencing two (2) months after the effective date of this regulation.]

[(b)] Operating permits issued on or before December 31, 1974 but after December 31, 1971 shall expire on the anniversary of issuance during the year commencing one (1) year and two (2) months after the effective date of this regulation.]

[(c)] Operating permits issued before the effective date of this regulation but after December 31, 1974 shall expire on the anniversary of issuance during the year commencing two (2) years and two (2) months from the effective date of this regulation.]

[(d)] Operating permits issued to Category I and II sources and sources subject to Title 401, Chapter 57, and issued on or after the effective date of this regulation shall expire three (3) years from the permit issue date.]

[(2)] All sources required by 401 KAR 50:035 to have compliance schedules or all sources operating under an agreed order containing a compliance schedule shall be required to have an operating permit conditioned to the terms of the compliance schedule or agreed order.]

[(3)] The owner or operator subject to this regulation shall submit an application for a new permit at least sixty (60) days prior to the expiration date of his current permit.]

Section 3. [4.] Filing Fees. (1) Any owner or operator who submits an application for a permit to construct shall include with the application a certified check or money order in the amount of the filing fee, assessed in accordance with the provisions set forth in subsection (2) of this section, payable to the Kentucky State Treasurer.

(2) Filing fee for permit to construct shall be determined by the following schedule:

Capital Cost of Proposed Construction (Millions of Dollars)	Fee
500 or more	\$2,500
100 up to 500	\$1,500
50 up to 100	\$1,000
10 up to 50	\$ 750
1 up to 10	\$ 250
Less than 1	\$ 50

(3) Any owner or operator who submits an application for a permit to operate or an application for an exemption shall include with the application a certified check or money order in the amount of \$250.

(4) Filing fees are not refundable if a permit or exemption is denied or an application is withdrawn.

(5) Filing fees shall be applied toward the permit or exemption fee assessed in Sections 4, 5, and 7 [5, 6, and 8].

Section 4. [5.] Construction Permit Fees.

(1) (a) Every owner or operator who is issued a permit to construct shall be assessed a construction permit fee by the department in accordance with the provisions set forth in subsection (2) of this section.

(b) Upon making the determination that the permit can be issued, the department shall so notify the applicant and send a bill for the permit fee. The permit fee shall be paid within thirty (30) days of the billing date and shall be a certified check or money order for the indicated amount payable to the Kentucky State Treasurer. The permit shall be issued by the department upon receipt of the total amount of the permit fee. Failure by the applicant to pay the assessed permit fee on or before the due date shall result in the forfeiture of the filing fee and denial of the permit.

(2) Fees shall be determined by summing the applicable base fee in paragraph (a) of this subsection with all other applicable component fees listed in paragraph (b) of this subsection.

(a) Base fees. The base fee for each of the following category of sources shall be:

1. Category III source: \$400 [425].
2. Category II source or sources subject to Title 401, Chapter 57: \$1,000 [1,100].
3. Category I source: \$1,650 [1,800].

(b) Component fees. The component fees for each addition necessary to complete the evaluation of the permit shall be:

1. Air quality analysis: \$150 [160] each *application*.
2. Lowest achievable emission rate (LAER) or best available control technology (BACT) determination: \$150 [200] each *application*.
3. Public hearing: \$1,250 [1,425].
4. [4.] Preconstruction monitoring: \$610 [700].

Section 5. [6.] Operating Permit Fees. (1) Every owner or operator issued a permit to operate shall be assessed an operating permit fee by the department in accordance with the provisions set forth in this section. Upon making the determination that the permit will be issued, the department shall so notify the applicant and send a bill for the permit fee payable by certified check or money order to the Kentucky State Treasurer within thirty (30) days of the billing date. Failure by the applicant to pay the assessed permit fee on or before the due date shall result in the forfeiture of the filing fee and denial of the permit. The permit shall be issued by the department upon receipt of the permit fee.

[(2) Operating permits and amendments to operating permits shall be issued to Category III sources as follows:]

[(a) Operating permits; upon the completion of initial construction;]

[(b) Amendments to operating permits; upon completion of reconstruction, a modification, or any alternation of an existing source; and]

[(c) To those sources which do not have a valid operating permit.]

[(3) Operating permits shall be issued to Category I and II sources and sources subject to Title 401, Chapter 57, at three (3) year intervals.]

(2) [(4)] Operating permit fees shall be determined by summing the base fee in paragraph (a) of this subsection with all other applicable component fees listed in paragraph (b) of this subsection.

(a) Base fees. The base fee for each of the following categories [category] of sources shall be:

1. Category III source; [initial] operating permit *not*

preceded by a construction permit or permit following exemption expiration: \$500 [550].

2. Category III source; operating permit following a construction permit for initial construction or an amendment to an operating permit following reconstruction, modification, or alternation: \$330 [375].

3. Category I and II sources and sources subject to Title 401, Chapter 57; [initial] operating permit *not preceded by a construction permit* [required by this section] or permit following exemption expiration: \$1,100 [1,250].

4. Category I and II sources and sources subject to Title 401, Chapter 57; operating permit renewal or operating permit following a construction permit for initial construction or an amendment to an operating permit following reconstruction, modification, or alternation: \$750 [850].

(b) Component fees. The component fee for each addition necessary to complete the evaluation of the permit shall be *as follows, except that no fees shall be charged for tests or monitoring unless such tests or monitoring are a prerequisite for issuance of the permit*:

1. Stack test or equivalent: \$1,300 [1,400] each *test*.

[2. Instack or ambient monitoring reporting: \$1,500 each monitor.]

2. [3.] Air quality analysis: \$150 [160] each *application*.

(3) [(5)] The provisions of this section shall apply with respect to fees for temporary operating permits except that:

(a) The fee as determined by subsection (2) [(4)] (a) of this section shall be multiplied by the ratio of the length of time covered by the temporary operating permit to three (3) years.

(b) Operating permit fees are due in full within thirty (30) days of the billing date by the department.

Section 6. [7.] Duplicate Permit Fee. Upon application for the issuance of a duplicate permit, the duplicate permit shall be issued by the department upon receipt of a fifty dollar (\$50) fee by certified check or money order payable to the Kentucky State Treasurer.

Section 7. [8.] Exemption Fees. (1) Any owner or operator granted an exemption by the department shall be assessed an exemption fee. Upon determining that the exemption can be granted, the department shall so notify the applicant and send a bill for the exemption fee. The exemption fee shall be paid within thirty (30) days of the billing date, and shall be paid by certified check or money order, payable to the Kentucky State Treasurer. Failure by the applicant to pay the exemption fee on or before the due date shall result in the forfeiture of the filing fee and denial of the exemption. The exemption shall be granted by the department upon receipt of the total amount of the exemption fee and any applicable penalties.

(2) Exemption fees shall be determined by summing [the following: A base fee determined by multiplying] the applicable base fee in Section 5(2)(a) [6(4)(a) by the ratio of the length of time covered by the exemption to three (3) years] and all applicable component fees from Section 5(2)(b) [6(4)(b)].

JACKIE SWIGART, Secretary

ADOPTED: December 30, 1980

RECEIVED BY LRC: December 30, 1980 at 1:40 p.m.

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Instruction
As Amended

704 KAR 3:035. Annual in-service education plan.

RELATES TO: KRS 158.070

PURSUANT TO: KRS 13.082, 156.095, 156.160, 158.070

EFFECTIVE: April 23, 1981

NECESSITY AND FUNCTION: KRS 158.070 requires the State Board of Education to adopt regulations setting forth guidelines and procedures to be followed for the approval of the four (4) days of the minimum school term which are mandated to be utilized by each local school district for in-service, professional development and planning activities for the professional staff. This regulation implements this duty by interpreting what in-service education consists of and by requiring each local district to have approved annually a master in-service education plan by which it is to be guided in providing suitable in-service training programs.

Section 1. In-service education shall mean any training of school personnel to prepare them to satisfy a need of the school system. The data, skills, and concepts comprising the substance of the training programs are determined by deficiencies in the instructional, administrative and *other certified personnel* [support services] of the school system.

Section 2. Each local district board of education shall by May 1, beginning in 1981 and annually thereafter, submit to the State Department of Education for approval a master in-service education plan. The plan shall include the following components:

- (1) Name of local school district;
- (2) Name of in-service education coordinator;
- (3) Names of local school district's in-service education committee, which shall be a representative body of all areas or levels of educational personnel within the local school district;
- (4) Description of needs assessment, including a brief description of procedures implemented to determine how the district's in-service education needs were assessed;
- (5) Statement of district's instructional improvement goal(s), which shall be based on identified needs;
- (6) Statement of district's in-service education objectives, which shall provide direction for education personnel in the attainment of the district's instructional improvement goal(s);
- (7) Description of recordkeeping system and procedures, including an indication of the participation of educational personnel in in-service education activities; and
- (8) Description of evaluation, including:
 - (a) A summary of how implemented in-service education programs will be evaluated; and
 - (b) A summary of how the implementation of the master in-service education plan will be evaluated.

Section 3. When implementing in-service education programs under KRS 158.070, each local school district shall adhere to its approved master in-service education plan as developed with technical assistance provided from the Department of Education.

Section 4. 704 KAR 15:050 is hereby repealed.

RAYMOND BARBER
 Superintendent of Public Instruction

EDUCATION AND ARTS CABINET
Department of Education
Bureau of Vocational Education
As Amended

705 KAR 2:030. Foundation program units.

RELATES TO: KRS 156.070, 157.360, 163.020, 163.030

PURSUANT TO: KRS 13.082, 156.035, 156.070, 163.030

EFFECTIVE: April 23, 1981

NECESSITY AND FUNCTION: KRS 156.070 gives the State Board of Education the management and control of the common schools; KRS 157.360 requires the Superintendent of Public Instruction to allot to school districts, as a part of the Foundation Program, classroom units for vocational education; and KRS 163.020 and 163.030 mandate that the state provide for and administer a vocational education program. This regulation establishes methods and procedures to cover the allocation of vocational education units under the Foundation Program.

Section 1. Local school districts shall request vocational education units on form FP-VE-1 provided by the Division of Finance, Bureau of Administration and Finance, by May 15. The request shall be made only for programs which have been included in the required local plan for vocational education. Request for new units shall be based on plans submitted by the local school district which are developed in conjunction with the regional vocational staff and the Program Development Division, Bureau of Vocational Education.

Section 2. Vocational units shall be allocated to local school districts to provide vocational education programs for the secondary school students in that district. The number of vocational units allocated will be based on the relationship of the *existing* number of vocational units in the district and the secondary school enrollment. Only that portion of a teacher's time devoted to vocational education shall be used for calculating vocational units. As a part of the vocational unit, a vocational teacher shall be permitted to perform non-instructional duties assigned to all teachers, not amounting to more than an average of thirty (30) minutes per day. Vocational units shall be allocated only for those programs that have:

- (1) Certified vocational teachers who satisfy the requirements of the Kentucky State Plan for the Administration of Vocational Education.
 - (2) Facilities and equipment which meet established minimum requirements.
 - (3) A curriculum which serves at least one (1) of the objectives of vocational education.
- Failure to meet any one (1) of these criteria shall be cause to withhold the vocational unit.

Section 3. The following activities shall be approvable for vocational units when the teacher is listed as a vocational teacher responsible for a minimum of three (3) vocational periods:

(1) Each vocational teacher shall have a planning period if any part of the unit is to be allocated. Vocational units shall be used to support the planning period only for teachers having at least five-tenths (0.5) unit resulting from vocational teaching and other vocational activities. Teachers who teach two (2) three (3) hour vocational blocks or three (3) two (2) hour vocational blocks shall not be required to have a planning period during the six (6) hour school day.

(2) One (1) class period shall be permitted for supervision of cooperative vocational education or work experience programs when there is a minimum of ten (10) and a maximum of fifteen (15) participating students with training agreements on file. Two (2) class periods shall be permitted for this purpose when the number of students enrolled are a minimum of sixteen (16) and a maximum of twenty-seven (27). When only one (1) supervision period is provided, the supervision and planning periods shall be scheduled consecutively during the time students are on the job.

(3) One (1) class period shall be permitted for one (1) teacher in each vocational program area to work with activities of integrated and approved vocational student organizations.

(4) A high school with five (5) or more full-time vocational teachers shall be permitted to designate one (1) teacher to use one (1) period to serve as a vocational department head.

(5) Agriculture teachers shall be permitted one (1) period for supervision of occupational work experience programs for a minimum of thirty (30) and a maximum of fifty (50) students. Two (2) periods shall be permitted for a teacher with more than fifty (50) students when at least twenty (20) students are juniors and seniors.

(6) Teachers shall qualify solely for supervision of cooperative work experience and agricultural programs supervision without the prerequisite of first teaching at least three (3) vocational periods.

Section 4. Class sizes shall be considered in allocating vocational education units. (1) All vocational classes shall have a minimum membership of ten (10) students.

(2) More than one (1) section of the same class shall have an average of twelve (12) students per class.

(3) The maximum number of students per class shall be based on the class setting. For a classroom setting, the maximum enrollment shall be thirty (30). For a laboratory or shop setting, the maximum enrollment shall be twenty-seven (27) or the number for which the facility is equipped, whichever is less. For a supervised out-of-school setting, the maximum enrollment shall be twenty-seven (27).

(4) Approval by the Superintendent of Public Instruction is required for justification of exceptions. Justifications shall be submitted by the local superintendent concurrent with the professional staff data forms.

Section 5. The class length standard for vocational classes shall be a minimum of sixty (60) minute periods and 300 minutes per week including passing time. If the Bureau of Instruction approves a different pattern of class schedules for the total school program, the Superintendent of Public Instruction shall, on request, approve shorter class periods for non-laboratory, shop, or practical exer-

cise classes. Vocational classes which are laboratory, shop, or practical exercise classes shall require two (2) consecutive class periods if the gross period of time for one (1) class is less than sixty (60) minutes. Programs having exploratory objectives shall be considered on individual requests as exceptions to the minimum length of class period.

Section 6. The Superintendent of Public Instruction shall calculate units for programs offered in local high schools based on the information provided on the professional staff data (PSD) form which is completed on September 15 and amended as of February 1. The PSD shall be used to determine the amounts of time devoted to vocational programs, services, and activities. Additional justification shall be provided as needed to justify periods not devoted to teaching. Units shall be allocated for each vocational period calculated to the nearest tenth of a unit.

Section 7. The allocation of units to local school districts sending students to state vocational-technical schools and area vocational education centers shall be calculated on the basis of the number of students enrolled as of October 1. A vocational education unit shall be allotted for thirty (30) students attending the school three (3) hours per day, five (5) days per week or equivalent to this amount of student time. Units will be calculated to the nearest one-tenth (0.1) unit. The "contract" vocational unit shall be calculated at the value for a Rank III teacher with four (4) to nine (9) years experience and one (1) month extended employment. The unit shall include the foundation program value for salary, capital outlay, and current expenses.

Section 8. The funds calculated from the foundation program for students attending state-operated vocational schools shall be divided. Twenty (20) percent shall be transferred to the local school district owning the facility and eighty (80) percent transferred to the Bureau of Vocational Education for operating the program. If the facility is state-owned, 100 percent of the funds shall be transferred to the Bureau of Vocational Education.

RAYMOND BARBER
Superintendent of Public Instruction

PUBLIC PROTECTION AND REGULATION CABINET
Department of Insurance
As Amended

806 KAR 17:060. Minimum standards for medicare supplement policies.

RELATES TO: KRS 304.17-400

PURSUANT TO: KRS 304.2-110, 304.17-400

NECESSITY AND FUNCTION: This regulation applies to all individual Medicare supplement and accident and sickness insurance policies and Medicare supplement subscriber contracts delivered or issued for delivery in this state on and after the effective date hereof. KRS 304.17-400 provides that the Commissioner of Insurance may make reasonable rules or regulations to establish minimum

standards for Medicare supplement insurance policies delivered or issued for delivery to any person in this state. This regulation establishes the minimum standards for Medicare supplement insurance.

Section 1. Definitions. For purposes of this regulation, the following terms shall have the meanings herein provided. No policy subject to this regulation shall contain definitions or terms which do not conform to the requirements of this section.

(1) "Policy" means an individual Medicare supplement accident and sickness policy or an individual Medicare supplement hospital and medical service plan or contract.

(2) "Medicare supplement coverage" is a policy which is designed primarily to supplement Medicare, or is advertised, marketed, or otherwise purported to be a supplement to Medicare and which meets the requirements of this regulation applicable to any such policy sold to a person eligible for Medicare by reason of age.

(3) "Benefit period" shall not be defined as more restrictive than defined in the Medicare program.

(4) "Hospital" may be defined in relation to its status, facilities and available services or to reflect its accreditation by the Joint Commission on Accreditation of Hospitals.

(a) The definition of the term "hospital" shall not be more restrictive than one requiring that the hospital:

1. Be an institution operated pursuant to law; and
2. Be primarily and continuously engaged in providing or operating, either on its premises or in facilities available to the hospital on a pre-arranged basis and under the supervision of a staff of duly licensed physicians, medical, diagnostic and major surgical facilities for the medical care and treatment of sick or injured persons on an in-patient basis for which a charge is made; and
3. Provide twenty-four (24) hour nursing service by or under the supervision of registered graduate professional nurses (R.N.'s).

(b) The definition of the term "hospital" may exclude:

1. Convalescent homes, convalescent, rest, or nursing facilities; or
2. Facilities primarily affording custodial, educational or rehabilitative care; or
3. Facilities for the aged, drug addicts, or alcoholics; or
4. Any military or veterans' hospital or soldiers' home or any hospital contracted for or operated by any national government or agency thereof for the treatment of members or ex-members of the armed forces, except for services rendered on an emergency basis where a legal liability exists for charges made to the individual for such services.

(5) "Convalescent nursing home," "extended care facility," or "skilled nursing facility" shall be defined in relation to its status, facilities, and available services.

(a) A definition of such home or facility shall not be more restrictive than one requiring that it:

1. Be operated pursuant to law;
2. Be approved for payment of Medicare benefits or be qualified to receive such approval, if so requested;
3. Be primarily engaged in providing, in addition to room and board accommodations, skilled nursing care under the supervision of a duly licensed physician;
4. Provide continuous twenty-four (24) hour nursing service by or under the supervision of a registered graduate professional nurse; and
5. Maintain a daily medical record on each patient.

(b) The definition of such home or facility may exclude:

1. Any home, facility or part thereof used primarily for rest;

2. A home or facility for the aged or for the care of drug addicts or alcoholics; or

3. A home or facility primarily used for the care and treatment of mental diseases, or disorders, or custodial or educational care.

(6) "Accident," "accidental injury," "accidental means," shall be defined to employ "result" language and shall not include words which establish an accidental means test or use words such as "external, violent, visible wounds" or similar words of description or characterization.

(a) The definition shall not be more restrictive than the following: Injury or injuries, for which benefits are provided, means accidental bodily injury sustained by the insured person which is the direct *result of the accident* [cause of the claim], independent of disease or bodily infirmity or any other cause, and occurs while the insurance is in force.

(b) Such definition may provide that injuries shall not include injuries for which benefits are provided under any workers' compensation, employer's liability or similar law, or motor vehicle no-fault plan, unless prohibited by law, or *injuries for which benefits are provided and such benefits are received if the injury occurs while the insured person is engaged in any activity pertaining to any trade, business, employment, or occupation for wage or profit.*

(7) "Sickness" shall not be defined to be more restrictive than the following: Sickness means sickness or disease of an insured person which first manifests itself after the effective date of insurance and while the insurance is in force. The definition may be further modified to exclude sickness or disease for which benefits are provided under any workers' compensation, occupational disease, employer's liability or similar laws.

(8) "Physician" may be defined by including words such as "duly qualified physician" or "duly licensed physician." The use of such terms requires an insurer to recognize and to accept, to the extent of its obligation under the contract, all providers of medical care and treatment when such services are within the scope of the provider's licensed authority and are provided pursuant to applicable laws.

(9) "Nurse" may be defined so that the description of nurse is restricted to a type of nurse, such as a registered graduate professional nurse (R.N.), a licensed practical nurse (L.P.N.), or a licensed vocational nurse (L.V.N.). If the words "nurse," "trained nurse" or "registered nurse" are used without specific instruction, then the use of such terms requires the insurer to recognize the services of any individual who qualifies under such terminology in accordance with the applicable statutes or administrative rules of the licensing or registry board of the state.

(10) "Medicare" shall be defined in the policy. Medicare may be substantially defined as "The Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965 as Then Constituted or Later Amended," or "Title I, Part I of Public Law 89-97, as enacted by the Eighty-Ninth Congress of the United States of America and popularly known as the Health Insurance for the Aged Act," "as then constituted and any later amendments or substitutes thereof," or words of similar import.

(11) "Mental or emotional disorders" shall not be defined more restrictively than a definition including neurosis, psychoneurosis, psychopathy, psychosis, or mental or emotional disease or disorder of any kind.

Section 2. Prohibited Policy Provisions. (1) No policy

or contract shall contain a probationary period.

(2) No policy shall limit or exclude coverage by type of illness, accident, treatment or medical condition, except as follows:

(a) Foot care in connection with corns, calluses, flat feet, fallen arches, weak feet, chronic foot strain, or symptomatic complaints of the feet;

(b) Mental or emotional disorders, alcoholism and drug addiction (except when purchased as an option);

[(c) Pregnancy, except for complications of pregnancy;]

(c) [(d)] Illness, treatment or medical condition arising out of:

1. War or act of war (whether declared or undeclared); participation in a felony, riot or insurrection; service in the armed forces or units auxiliary thereto;

2. Suicide (sane or insane), attempted suicide or intentionally self-inflicted injury;

[3. Inter-scholastic sports with respect to short-term nonrenewable policies.]

(d) [(e)] Cosmetic surgery, except that "cosmetic surgery" shall not include reconstructive surgery when such service is incidental to or follows surgery resulting from trauma, infection or other diseases of the involved part;

(e) [(f)] Care in connection with the detection and correction by manual or mechanical means of structural imbalance, distortion, or subluxation in the human body for purposes of removing nerve interference and the effects thereof, where such interference is the result of or related to distortion, misalignment or subluxation of, or in the vertebral column (insured must be offered this benefit as an option);

(f) [(g)] Treatment provided in a government hospital; benefits provided under Medicare or other governmental program (except Medicare), any state or federal workers' compensation, employer's liability or occupational disease law, or any motor vehicle no-fault law; services rendered by employees of hospitals, laboratories or other institutions, services performed by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance;

(g) [(h)] Dental care or treatment;

(h) [(i)] Eye glasses, hearing aids and examination for the prescription or fitting thereof;

(i) [(j)] Rest cures, custodial care, transportation and routine physical examinations;

(j) [(k)] Territorial limitations; provided, however, policies may not contain, when issued, limitations or exclusions of the type enumerated in paragraphs (a), (e) [(f)], (i) [(j)], or (j) [(k)] above that are more restrictive than those of Medicare. Policies may exclude coverage for any expense to the extent of any benefit available to the insured under Medicare.

Section 3. Minimum Standards. No policy shall be delivered or issued for delivery in this state which does not meet the following minimum standards. These are minimum standards and do not preclude the inclusion of other provisions or benefits which are not inconsistent with these standards.

(1) Policy minimum standards:

(a) Premiums charged for Medicare supplement policies shall be presumed unreasonable in relation to the benefits provided if the anticipated credible loss ratio for the policy is less than sixty-five percent (65%). In determining the credibility of the anticipated loss ratio, due consideration shall be given to all relevant factors, including:

1. Statistical credibility of premiums and benefits;

2. Experience and projected trends;

3. Concentration of experience at early policy duration;

4. Expected claim fluctuations;

5. Refunds, adjustments, or dividends;

6. Renewability features;

7. All appropriate expense factors.

(b) The term "Medicare benefit period" shall mean the unit of time used in the Medicare program to measure use of services and availability of benefits under Part A, Medicare hospital insurance;

(c) The term "Medicare eligible expenses" shall mean health care expenses of the kinds covered by Medicare, to the extent recognized as reasonable by Medicare. Payment of benefits by insurers for Medicare eligible expenses may be conditioned upon the same or less restrictive payment conditions, including determinations of medical necessity as are applicable to Medicare claims;

(d) Coverage, when issued, shall not be subject to any exclusions, limitations, or reductions (other than as permitted in this regulation and other applicable laws and regulations) which are inconsistent with the exclusions, limitations, or reductions permissible under Medicare, other than a provision that coverage is not provided for any expenses to the extent of any benefit available to the insured person under Medicare;

(e) Coverage shall not indemnify against losses resulting from sickness on a different basis than losses resulting from accidents; and

(f) Coverage shall provide that benefits designed to cover cost sharing amounts under Medicare will be changed automatically to coincide with any changes in the applicable Medicare deductible amount and co-payment percentage factors. Premiums may be changed to correspond with such changes.

(g) All policy language and solicitation materials shall be printed on a flesch scale of not less than fifty (50).

(2) Minimum benefit standards. Medicare supplement coverages shall provide at least the following benefits:

(a) Coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare from the sixty-first (61st) day through the ninetieth (90th) day in any Medicare benefit period;

(b) Coverage of Part A Medicare eligible expenses incurred as daily hospital charges during use of Medicare's lifetime hospital in-patient reserve days;

(c) Upon exhaustion of all Medicare hospital in-patient coverage including the lifetime reserve days, coverage of ninety percent (90%) of all Medicare Part A eligible expenses for hospitalization not covered by Medicare, subject to a lifetime maximum benefit of an additional 365 days;

(d) Coverage of twenty percent (20%) of the amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket deductible of \$200 of such expenses and to a maximum benefit of at least \$5,000 per calendar year.

Section 4. Required Disclosure Provisions. (1) General rules:

(a) Each policy shall include a renewal, continuation, or nonrenewal provision. The language or specifications of such provision must be consistent with the type of contract to be issued. Such provision shall be appropriately captioned, shall appear on the first page of the policy, and shall clearly state the duration, where limited, or renewability and the duration of the term of coverage for which the policy is issued and for which it may be renewed.

(b) A policy which provides for the payment of benefits

based on standards described as "usual and customary," "reasonable and customary," or words of similar import, shall include a definition of such terms and an explanation of such terms in its accompanying outline of coverage.

(c) If a policy contains any limitations with respect to preexisting conditions, such limitations must appear as a separate paragraph of the policy and be labeled as "Preexisting Condition Limitations."

(d) Insurers issuing Medicare supplement coverage shall provide to the policyholder a Medicare supplement buyers's guide entitled "Guide to Health Insurance for People with Medicare" developed jointly by the National Association of Insurance Commissioners and the Health Care Financing Administration of the U. S. Department of Health and Human Services, [Education, and Welfare,] Code No. HCFA-02110, December 1979, or as thereafter amended, available from the Health Care Financing Administration of the U. S. Department of Health and Human Services, [Education and Welfare,] Washington, D. C., 20202. Delivery of the buyer's guide shall be made no later than at the time the policy is delivered.

(2) Coverage requirements:

(a) No policy subject to this regulation shall be delivered or issued for delivery in this state unless the outline of coverage is delivered to the applicant at the time application is made and, except for the direct response policy, acknowledgment of receipt or certification of delivery of such outline of coverage is provided to the insurer; and

(b) If an outline of coverage was delivered at the time of application and the policy or contract is issued on a basis which would require revision of the outline, a substitute outline of coverage properly describing the policy or contract must accompany the policy or contract when it is delivered and contain the following statement, in no less than twelve (12) point type, immediately above the company name: "Notice: Read this outline of coverage carefully. It is not identical to the outline of coverage provided upon application and the coverage originally applied for has not been issued."

(3) Outline of coverage. An outline of coverage, in the form prescribed below, shall be issued in connection with policies that meet the standards of Section 3. The items included in the outline of coverage must appear in the sequence prescribed:

(Company Name)
Medicare Supplement Coverage
Outline of Coverage

(a) Read your policy carefully. This outline of coverage provides a very brief description of the important features of your policy. This is not the insurance contract and only the actual policy provisions will control. The policy itself sets forth in detail the rights and obligations of both you and your insurance company. It is, therefore, important that you read your policy carefully!

(b) Medicare supplement coverage. Policies of this category are designed to supplement Medicare by covering some hospital, medical, and surgical services which are partially covered by Medicare. Coverage is provided for hospital in-patient charges and some physician charges, subject to any deductibles and co-payment provisions which may be in addition to those provided by Medicare, and subject to other limitations which may be set forth in the policy. The policy does not provide benefits for custodial care such as help in walking, getting in and out of bed, eating, dressing, bathing and taking medicine (delete if such coverage is provided).

(c) Neither (insert company's name) nor its agents are connected with Medicare.

(d) A brief summary of the major benefit gaps in Medicare Parts A and B with a parallel description of supplemental benefits, including dollar amounts, provided by the Medicare supplement coverage is as follows:

Service	Benefit	Medicare Pays	This Policy Pays	You Pay
Hospitalization: Semi-private room and board, general nursing and miscellaneous hospital services and supplies. Includes meals, special care units, drugs, lab tests, diagnostic x-rays, medical supplies, operating and recovery room, anesthesia and rehabilitation services.	First 60 days	All but \$(160)		
	61st to 90th day	All but \$(40) a day		
	91st to 150th day	All but \$(80) a day		
	Beyond 150 days	Nothing		
Posthospital Skilled Nursing Care: In a facility approved by Medicare, you must have been in a hospital for at least three (3) days and enter the facility within fourteen (14) days after hospital discharge.	First 20 days	100% of costs		
	Additional 80 days	All but \$(20) a day		
	Beyond 100 days	Nothing		
Medical Expense	Physician's services, in-patient and out-patient medical services and supplies at a hospital, physical and speech therapy and ambulance.	80% of reasonable charge (after \$(60) deductible)		

(e) Statement that the policy does or does not cover the following:

1. Private duty nursing.
2. Skilled nursing home care costs (beyond what is covered by Medicare).
3. Custodial nursing home care costs.
4. Intermediate nursing home care costs.
5. Home health care (above number of visits covered by Medicare).
6. Physician charges (above Medicare's reasonable charge).
7. Drugs (other than prescription drugs furnished during a hospital or skilled nursing facility stay).
8. Care received outside of U. S. A.
9. Dental care of dentures, checkups, routine immunizations, cosmetic surgery, routine foot care, examinations for and the cost of eyeglasses or hearing aids.

(f) A description of any policy provision which excludes, eliminates, resists, reduces, limits, delays, or in any other manner operates to qualify payment of the benefits described in paragraph (d) of this subsection, including conspicuous statements:

1. That the chart summarizing Medicare benefits only briefly describes such benefits.
2. That the Health Care Financing Administration or its Medicare publications should be consulted for further details and limitations.

(g) A description of policy provisions respecting renewability or continuation of coverage, including any reservation of right to change premium.

(h) The amount of premium for this policy.

Section 5. Replacement *Involving Medicare Supple-*

ment Policy [of Existing Medicare Supplement or Other Health Care Insurance by a Medicare Supplement Policy]. The [new Medicare supplement insurance] policy issued by the replacing insurer will not be contestable by it in the event of the insured presenting a claim to any greater extent than the existing health insurance policy would have been contestable by the existing insurer had such replacement not taken place.

Section 6. Requirements for Replacement Involving Medicare Supplement Policy. (1) Application forms shall include a question designed to elicit information as to whether the insurance to be issued is intended to replace any other accident and sickness insurance policy(s) presently in force. A supplemental application or other form to be signed by the applicant containing such a question may be used.

(2) Upon determining that a sale will involve replacement, an insurer, other than a direct response insurer, or its agent, shall furnish the applicant, prior to issuance or delivery of the policy, the notice described in subsection (3) of this section. One (1) copy of such notice shall be retained by the applicant and an additional copy signed by the applicant shall be retained by the insurer. A direct response insurer shall deliver to the applicant upon issuance of the policy, the notice described in subsection (4) of this section. In no event, however, will such a notice be required in the solicitation of the following types of policies: accident only and single premium nonrenewable policies.

(3) The notice required by subsection (2) of this section for an insurer, other than a direct response insurer, shall provide, in substantially the following form:

**Notice to Applicant Regarding Replacement of
Accident and Sickness Insurance**

According to (your application) (information you have furnished), you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with a policy to be issued by (Company Name) Insurance Company. You may return your new policy within ten (10) days and have your entire premium refunded. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

(a) Health conditions which you may presently have [(pre-existing conditions)] may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.

(b) The new policy will be issued at a higher age than your present policy; therefore, the cost of the new policy, depending upon the benefits, may be higher than your present policy.

(c) The renewal provisions of the new policy should be examined to determine whether you have the right to periodically renew.

(d) You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.

(e) If you still wish to terminate your present policy and replace it with new coverage, be certain to accurately and completely answer all questions on the application concerning your medical/health history. Failure to include all im-

portant medical information on an application may provide a basis for the company to deny any future claims and to refund your premium as though your policy had never been in force. After the application has been completed and before you sign it, re-read it carefully to be certain that all information has been properly recorded.

The above "Notice to Applicant" was delivered to me on:

(Date)

(Applicant's Signature)

(Agent's Signature)

A copy is to be given to the applicant and a copy retained by the agent and/or company.

(4) The notice required by subsection (2) of this section for a direct response insurer shall be as follows:

**Notice to Applicant Regarding Replacement of
Accident and Sickness Insurance**

According to (your application) (information you have furnished), you intend to lapse or otherwise terminate existing accident and sickness insurance and replace it with the policy delivered herewith issued by (Company Name) Insurance Company. You may return your new policy within ten (10) days and have your entire premium refunded. For your own information and protection, you should be aware of and seriously consider certain factors which may affect the insurance protection available to you under the new policy.

(a) Health conditions which you may presently have [(pre-existing conditions)] may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.

(b) The new policy will be issued at a higher age than your present policy; therefore, the cost of the new policy, depending upon the benefits, may be higher than your present policy.

(c) The renewal provisions of the new policy should be examined to determine whether you have the right to periodically renew.

(d) You may wish to secure the advice of your present insurer or its agent regarding the proposed replacement of your present policy. This is not only your right, but it is also in your best interest to make sure you understand all the relevant factors involved in replacing your present coverage.

(e) (To be included only if the application is attached to the policy.) If you still wish to terminate your present policy and replace it with new coverage, read the copy of the application attached to your new policy and be sure that all questions are answered fully and correctly. Omissions or misstatements in the application could cause an otherwise valid claim to be denied. Carefully check the application and write to (company name and address) within ten (10) days if any information is not correct and complete, or if any past medical history has been left out of the application.

(Company Name)

Section 7. Duplicate Benefits. (1) No insurer or agent thereof may sell a policy to an individual entitled to benefits under federal medicare, or under any other policy with knowledge that such policy substantially duplicates health benefits to which such individual is otherwise entitled other than as a recipient of medical assistance benefits under Title XIX of the Social Security Act. For purposes of this paragraph, benefits which are payable to or on behalf of an individual without regard to other health benefit coverage of such individual, shall not be considered duplicative.

(2) Application forms shall include a question designed to elicit information as to whether the insurance to be issued duplicates other accident and health insurance presently in force.

Section 8. Effective Date. This regulation shall be effective thirty (30) days from the date it is approved pursuant to KRS Chapter 13.

[Section 9. [7.] Severability. If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of such provision to other persons or circumstances shall not be affected thereby.]

DANIEL D. BRISCOE, Commissioner

ADOPTED: January 5, 1981

PUBLIC PROTECTION AND REGULATION CABINET
Department of Housing, Buildings and Construction
As Amended

815 KAR 7:020. Building code.

RELATES TO: KRS Chapter 198B

PURSUANT TO: KRS 198B.040(7), 198B.050

NECESSITY AND FUNCTION: The Kentucky Board of Housing, Buildings and Construction is required by KRS 198B.040(7) to adopt and promulgate a mandatory uniform state building code, which establishes standards for construction of buildings in the state. This regulation establishes the Kentucky Building Code basic provisions relating to new construction, including general building limitations, special use and occupancy, light, ventilation and sound transmission control, means of egress, structural and foundation loads and stresses, acceptable materials and tests, fire resistive construction and fire protection systems, safety during building operations, mechanical systems, energy conservation and electrical systems.

Section 1. The Kentucky Building Code shall include the National Electrical Code, 1981 [1978] Edition, N.F.P.A. #70, published by and copies available from the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210. The National Electrical Code is hereby adopted by reference.

Section 2. The Kentucky Building Code shall include the "BOCA Basic Building Code/1978," Seventh Edition, published by and copies available from Building Officials

and Code Administrators International, 17926 South Halsted Street, Homewood, Illinois 60430. That code, including all standards listed in Appendices A through N are hereby adopted by reference with the following additions, exceptions and deletions:

(1) Delete Article 1 in its entirety.

(2) Change subsection 201.3 to include the following additional definitions:

(a) "Construction: The erection, fabrication, reconstruction, substantial alteration or conversion of a building, or the installation of equipment therein."

(b) "Equipment: Facilities or installations including but not limited to, heating, electrical, ventilating, air-conditioning, and refrigerating facilities or installations."

(c) "Reconstruction: The process of reproducing by new construction the exact form and detail of a vanished building, structure or object or a part thereof as it appeared at a specific period of time."

(d) "Rehabilitation: The process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use of while preserving those portions or features of the property which are significant to historical, architectural and cultural values."

(e) "Restoration: The process of accurately recovering the form and details of the property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work."

(f) "Stabilization: The process of applying measures designed to re-establish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property while maintaining the essential form as it exists."

(3) Change subsection 201.3 definitions to read as follows:

(a) "Basement: That portion of a building the average height of which is at least half below grade, which is ordinarily used for purposes such as storage, laundry facilities, household tool shops, and installation and operation of heating, cooling, ventilating facilities, but which is not ordinarily used for purposes of general household habitation."

(b) "Story: That part of the building comprised between a floor and the floor or roof next above which is not a basement or an attic."

(4) Change subsection 209.5 to read as follows: "209.5 groups R-4 Structures: This use group shall include all detached one (1) or two (2) family dwellings not more than three (3) stories in height, and their accessory structures as indicated in the Appendix B Standard, One- and Two-Family Dwelling Code. All such structures shall be designed and built in accordance with the requirements of this code for use group R-3 structures or shall be designed and built in accordance with all the requirements of the one (1) and two (2) family dwelling code as listed in Appendix B, except that the requirements of the state plumbing code (Article 7) shall supersede those conflicting requirements of the one (1) and two (2) family dwelling code. This choice shall be made by the builder at the time of plans submission."

(5) Change subsection 304.1.1 to read as follows: "304.1.1 Limitations: These provisions shall not be deemed to prohibit alterations within the limitations of Section 6 of 815 KAR 7:010 provided an unlawful change of use is not involved."

(6) Delete Sections 315.1 through 315.11 and substitute the following: "315.1 Requirements for accessibility of the handicapped: Please see 815 KAR 40:010 for construction

requirements providing accessibility to the handicapped in public buildings and public accommodations."

(7) Change subsection 316.1 to read as follows: "316.1 Approval: The provisions of this code relating to the reconstruction, restoration, stabilization, rehabilitation, and moving of buildings or structures shall not be mandatory for existing buildings or structures, identified and classified on the National Register of Historic Places or otherwise classified as historic by the Kentucky Heritage Commission or the department when such buildings or structures are judged by the department to be safe and in the public interest of health, safety and welfare. The department may require submission of architectural and engineering plans and specifications prior to a determination."

(8) Change subsection 403.2 to read as follows: "403.2 Housekeeping: Periodic inspections of existing uses and occupancies shall be made by the appropriate fire officials to insure maintenance of good housekeeping conditions."

(9) Change Section 413.1 to read as follows: "Private garages located beneath a one- and two-family dwelling shall have walls, partitions, floors and ceilings separating the garage space from the dwelling constructed of not less than one (1) hour fire resistance rating. Private garages attached to a one- and two-family dwelling shall be completely separated from the dwelling and its attic area by means of one-half (1/2) inch gypsum board or equivalent applied to the garage side. In lieu of the required one and three quarter (1 3/4) inch solid core door, an approved automatic sprinkler head located directly above the door in the garage and properly connected to the domestic water system or an approved automatic smoke detector located directly above the door in the garage shall be acceptable."

(10) Delete Section 505 and Section 604 in their entirety.

(11) Change Section 700.0 by creating a new subsection which shall read as follows: "700.2 Certificate of Compliance: the provisions of this article may be deemed to have been satisfied when certification of an architect or engineer registered in Kentucky to that effect is placed on drawings submitted to the building official."

(12) Delete subsections 904.3.2, 904.3.3, 904.3.4 in their entirety.

(13) Change subsection 1100.2 to read as follows: "1100.2 Boilers: All boilers and associated pressure piping shall meet the standards for construction, installation and inspection as set forth in Title 815, Chapter 15, Kentucky Administrative Regulations."

(14) Add two new subsections to Section 1100.0 which shall read as follows:

(a) "1100.3 Unfired Pressure Vessels. All unfired pressure vessels shall meet the standards set forth in Section VIII of the 1977 Edition of the ASME Boiler and Pressure Vessel Code, ANSI/ASME BPV-VIII-1."

(b) "1100.4 Mechanical Code: All mechanical equipment and systems not covered by 1100.2 or 1100.3 but which are required by other provisions of this code to be installed in accordance with the mechanical code listed in Appendix B, shall be constructed, installed and maintained in conformity with the BOCA Basic Mechanical Code/1978 including all applicable standards listed within Appendices B through E."

(15) Delete Article Fourteen (14) in its entirety.

(16) Delete subsections 1500.1 through 1506.5 and substitute the following:

(a) "1500.1 Installations and Repairs. All electrical wiring and equipment shall be installed in conformity with the National Electrical Code incorporated by reference in the Kentucky Building Code.

(b) "1500.2 Electrical Inspections. Inspections conducted to determine compliance with the National Electrical Code shall be conducted by a certified electrical inspector in accordance with 815 KAR 35:010.

(c) "1500.3 Certificate of Approval:"

1. After the Kentucky Building Code becomes effective pursuant to KRS 198B.110 and after a certified electrical inspector has been employed, contracted for or with, or otherwise provided for by the local government or the department, no utility shall initiate permanent electrical service to any new building until a final certificate of approval has been issued by a certified electrical inspector. Unless the department shall notify the utility in writing as to which buildings are subject to departmental approval, it shall be presumed by the utility that the building is subject to the jurisdiction of the local government.

2. Nothing in this section shall prohibit the supply or use of necessary electrical services during the construction and testing process.

(d) "Section 1500.4 Temporary use and Permission: The building official may in his discretion give temporary permission for a reasonable time to supply and use current in part of an electrical installation before such installation has been fully completed and the final certificate of approval has been issued; provided, that the part covered by the temporary certificate complies with all the requirements specified for lighting, heat or power in the National Electrical Code."

(17) Delete subsections 1700.1 through 1705.43 in their entirety and substitute the following: "1700.1 Scope: The design and installation of all plumbing systems, including sanitary and storm water sewage disposal in buildings shall comply with the requirements of the Kentucky State Plumbing Code as set out in Title 815, Chapter 20, Kentucky Administrative Regulations."

Section 3. Elevator Installation and Maintenance. The following subsections of Article 16 of the Kentucky Building Code shall be changed to read:

(1) "1601.3 Identification of equipment: In buildings containing more than one (1) elevator or device and where such devices are subject to annual inspections, each such elevator or device shall be identified by a serial number attached to or painted, stenciled or otherwise registered on the crosshead of the elevator car and on the motor or machine; and on devices other than elevators on the motor or machine. After such devices have been so designated, their numbers shall not be changed except by permission of the building official and all correspondence in regard to such device shall refer to said number."

(2) "1602.4.1 Annual inspections. Annual inspections shall hereinafter be made for all passenger elevators, manlifts and moving stairways."

(3) "1603.2 Final certificate of compliance: The building official shall issue a final certificate of compliance for each unit of equipment which has satisfactorily met all the inspections and tests required by this article. Such final certificate shall bear the name of the person who made the inspections, the date of the inspections, the rated load and speed, and the signature of the chief elevator inspector and the Commissioner of Housing, Buildings and Construction."

Section 4. Elevators. Appendix B, on page 483 of the Kentucky Building Code under "Elevators, Escalators and Moving Walks," shall be changed to read as follows:

(1) Change the standard citation for "Practice for the Inspection of" by deleting "ANSI A17.2-73" and

substituting "ANSI A17.2-1979 and 1980 Supplement ANSI A17.2a-1980."

(2) Delete all citations relating to the "Safety Code for" and substitute as follows:

(a) "ANSI 17.1.1978."

(b) "1979 Supplement—ANSI A17.1-1979."

(c) "1980 Supplement—ANSI A17.1-1980."

[Section 5. Fire Ducts. A new subsection of Article 9 of the Kentucky Building Code is hereby added to read as follows: "912.1" Exception: "In R-2 occupancy buildings, non-combustible ducts not exceeding thirty-five (35) square inches each shall be permitted to penetrate up to three (3) floors without the use of fire dampers. These ducts shall not serve more than any one (1) unit and shall not join except above the top level for the purpose of utilizing a single roof penetration. These ducts shall be restricted to the following uses: Provide exhaust for kitchen and bathrooms and combustion supply and relief and flue for gas heating equipment."]

Section 5. [6.] A new subsection of Article 2 of the Kentucky Building Code is hereby added to read as follows:

"210.5 Tobacco auction warehouses: Warehouses, construction, may be constructed without a sprinkler system when all the following requirements have been met:

(1) The initial submission of plans to the Department of Housing, Buildings and Construction shall include a signed certificate by the owner that the warehouse will be used solely for the sale of tobacco on a seasonal basis or for the storage of non-combustibles.

(2) A manual fire alarm and smoke detection system with notification to the local fire service shall be provided with installation in accordance with Section 1217.0 of this code.

(3) An eighteen (18) foot paved and posted fire lane surrounding the entire perimeter of the building shall be provided and be accessible from a public street.

(4) A fifty (50) foot fire separation shall be maintained between the warehouse and the lot line and the warehouse and the nearest building."

JOHN R. GROVES, JR., Commissioner

ADOPTED: February 13, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: February 13, 1981 at 3 p.m.

Amended After Hearing

(Republished prior to Subcommittee consideration as required by KRS 13.085(4).)

DEPARTMENT FOR HUMAN RESOURCES Bureau for Social Insurance Amended After Hearing

904 KAR 1:020. Payments for drugs [pharmacy services].

RELATES TO: KRS 205.550[(4)], 205.560[(4)]

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources has responsibility to administer a program of Medical Assistance under Title XIX of the Social Security Act. KRS 205.550[(4)] and 205.560[(4)] require that the secretary prescribe the methods for determining costs for vendor payments for medical services. This regulation sets forth the method for determining amounts payable by the department [professional dispensing fee] for drugs [pharmacy services].

Section 1. Maximum allowable cost reimbursement limits: [Payment to pharmacists participating in the medical assistance program for those drugs contained on the medical assistance program drug list and provided to eligible recipients shall be limited to the basic cost of the drug as determined by established formula plus a professional dispensing fee of two dollars and twenty-two cents (\$2.22) effective July 1, 1978 (which shall be increased to two dollars and thirty-five cents (\$2.35) effective July 1, 1979) per prescription or the charge to the general public for a like product and service, whichever is lesser.]

(1) Reimbursement to pharmacists participating in the Medical Assistance Program for those drugs contained on

the Kentucky Medical Assistance Program Outpatient Drug List and provided to eligible recipients is limited to the lowest of:

(a) The maximum allowable cost (MAC) of the drug, if any, plus a dispensing fee; or

(b) The estimated acquisition cost (EAC) of the drug plus a dispensing fee; or

(c) The provider's usual and customary charge to the public for a like product and service.

(2) Reimbursement to skilled nursing and intermediate care facilities for drugs provided to eligible recipients is allowable in accordance with the following:

(a) The Kentucky Medical Assistance Program Outpatient Drug List (with additions and deletions thereto) shall be provided by the program to each participating facility, and for the drugs contained therein, the limits specified in subsection (1) are applicable; [For drugs contained on the Kentucky Medical Assistance Program Outpatient Drug List, the limits specified in subsection (1) of this section are applicable;]

(b) For drugs not on the drug list, the maximum reimbursement shall be the lower of: for any drugs with a MAC set by the federal government the MAC cost; and for all other drugs the published price of the drug as shown in the latest issue of the Drug Topics Red Book, including supplements, or the price shown in the appropriate Prescription Pricing Guide, depending on which is the latest available, plus a dispensing fee; or the provider's usual and customary charge to the public for a like product and service. SNF/ICF facilities shall not impose an additional charge on medicaid eligible recipients for drugs because of the limitations set forth in Section 1(2); [For drugs not on

the drug list, the maximum allowable cost shall be the latest published price of the drug as shown in the appropriate issue of the Drug Topics Red Book, including supplements, or the price shown in the appropriate Prescription Pricing Guide if less, plus a dispensing fee;]

(c) A packaging cost allowance of not more than six cents (\$.06) per dose may be added to the drug cost (if not already included) for unit dose packaged drugs. The packaging cost (up to six cents (\$.06)) plus the drug cost is added to the dispensing fee to determine the total reimbursement amount for a unit dose packaged prescription; [For drugs dispensed under a unit dose dispensing system, an additional fee of not more than six cents (\$.06) per dose may be added to the usual dispensing fee;]

(d) There shall be no more than two (2) dispensing fees allowed per drug within a thirty (30) day period, except for Schedules II, III, and IV controlled substances and for non-solid dosage forms, including topical medication preparations, for which no more than four (4) dispensing fees per drug will be paid within a thirty (30) day period. [and] Though dispensing fees are limited, this shall not be construed as placing a limit on the quantity of reimbursable drugs for which the program will pay for any patient, since the reasonable cost of the drug (as defined herein) is reimbursable as a covered service in whatever quantity is considered medically necessary for the patient. Non-solid dosage forms include all covered drug items other than oral tablets or capsule forms. Drug items or other related supplies purchased for routine use and which may be purchased without a prescription, including food supplements, are not reimbursable in SNFs or ICFs under the drug program, though the cost of such drug, supply item or food supplement, is an allowable cost for the facility with the cost computed in accordance with the state regulation covering medicaid reimbursement for the facility;

(e) Whenever possible, unused drugs paid for by the department shall [should] be returned to the pharmacy with the credit for the cost of the drug and the unit dose packaging cost (if applicable) accruing to the department as an offset against allowable ancillary cost; and

(f) Interim payments made to participating facilities for allowable drug costs shall be settled at actual allowable

costs computed in accordance with the upper limits shown herein at the end of the facilities' fiscal year.

(3) Reimbursement to hospitals for drugs provided to eligible recipients is on the basis of reasonable cost pursuant to 904 KAR 1:013.

Section 2. Physician Maximum Allowable Cost (MAC) Override. The MAC price limitation [shown] in Section 1(1) (and referenced in Section 1(2)) will] shall not apply in any case where a physician certifies in his own handwriting that in his medical judgment, a specific covered brand is medically necessary for a particular patient. In such instances, reimbursement shall be [is] based on the lower of the EAC plus a professional dispensing fee or the provider's usual and customary charge to the public for the drug.

Section 3. Dispensing Fees. The dispensing fee shall be no more than two dollars and thirty-five cents (\$2.35) per prescription for drugs reimbursed through the outpatient drug program as shown in Section 1(1), where the covered drugs are limited to those contained on the Kentucky Medical Assistance Program Outpatient Drug List. The allowable dispensing fee shall be no more than two dollars and thirty-five cents (\$2.35) (except for the additional amount for unit dose packaging as shown in Section 1(2)(c)) for drugs reimbursed as part of the covered services of skilled nursing and intermediate care facilities, as shown in Section 1(2).

Section 4. [2.] Reimbursement to Dispensing Physicians. Participating dispensing physicians who practice in counties where no pharmacies are located are reimbursed for the cost of the drug only, with the cost computed as the maximum allowable cost or estimated acquisition cost as shown in Section 1(1), or the physician's usual and customary charge to the general public for the drug if less.

WILLIAM L. HUFFMAN, Commissioner

ADOPTED: May 7, 1981

APPROVED: W. GRADY STUMBO, Secretary

RECEIVED BY LRC: May 7, 1981 at 4:30 p.m.

Proposed Amendments

DEPARTMENT OF FINANCE State Board of Accountancy (Proposed Amendment)

201 KAR 1:035. Application to take examination.

RELATES TO: KRS 325.265, 325.270

PURSUANT TO: KRS 325.240

NECESSITY AND FUNCTION: To promulgate administrative regulations of the State Board of Accountancy of Kentucky. This regulation relates to the application for taking an examination.

Section 1. The completed application, including all information requested therein, must be filed with the office of the State Board of Accountancy, Louisville, Kentucky, at least two (2) months prior to the first day of the month in which the examination is to be held. Thus, applications to sit for the May examination shall be filed with the board on or before the first day of March preceding; and applications to sit for the November examination shall be filed with the board on or before the first day of September preceding. Except that in the case of candidates filing for re-examination because of forfeiture or expiration of application, such applications shall be filed with the board within thirty (30) days after the results of the next preceding examination have been published. In submitting the application to the board, the applicant shall:

- (1) Submit the application on the form prescribed by the board, signed and acknowledged before a notary public;
- (2) Enclose with application two (2) photographs taken within two (2) years preceding application, the back of which must bear the signature in ink of the applicant;
- (3) Include with the application evidence of educational qualifications and experience qualifications when required;
- (4) The fee for the examination shall be *seventy-five dollars (\$75)* [sixty-two dollars and fifty cents (\$62.50)] in the case of a new applicant. On re-examination the fee is *fifteen dollars (\$15)* [twelve dollars and fifty cents (\$12.50)] each for Theory of Accounts, Auditing and Business Law, and *thirty dollars (\$30)* [twenty-five dollars (\$25)] for Accounting Practice. Payment shall be made at the time requested by the board in the form of a check made payable to "Kentucky State Board of Accountancy."

Section 2. The act of filing an application for examination shall be deemed to be and shall constitute an agreement upon the part of the applicant that he will observe and conform to the requirements expressed in these rules, or such as may be promulgated hereafter.

JAMES T. AHLER, Executive Director

ADOPTED: February 16, 1981

RECEIVED BY LRC: May 14, 1981 at 10:40 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Mr. James T. Ahler, Executive Director, Kentucky State Board of Accountancy, 310 W. Liberty Street, Suite 703, Louisville, Kentucky 40202.

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

201 KAR 19:025. Application for examination.

RELATES TO: KRS 323.050, 323.215

PURSUANT TO: KRS 323.210

NECESSITY AND FUNCTION: [This regulation is necessary] To clarify the procedure for making application for admission to the examinations.

Section 1. Application for Examination and Registration: All applications must be made upon the printed forms issued by the board and in strict accordance with the instructions to applicants submitted therewith. Otherwise they will not be accepted or considered.

Section 2. When to Submit Applications: Applications for examination will be received at all times but must be received at the board's office not later than August 1 for applicants for the December professional examination *part B* and not later than February 1 for applicants for the June qualifying *test and/or design test*, *professional examination part A*. This allows time for completion of the applicant's record prior to the board's pre-examination meeting which is held several weeks before each examination. At that meeting the board will determine whether or not he is eligible to take the examination he wishes to enter.

Section 3. Time and Place of Examinations: The qualifying *test and design test*, *professional examination part A* will be administered [beginning on the second Monday] in June of each year. The professional examination *part B* will be administered [beginning on the second Monday] in December of each year. *Actual dates and locations for the administration of the examinations will be determined by the board.* [Unless otherwise notified all examinations will be held in the College of Architecture, University of Kentucky, Lexington, Kentucky.]

L. WAYNE TUNE, Executive Director

ADOPTED: February 9, 1981

RECEIVED BY LRC: May 13, 1981 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: L. Wayne Tune, Executive Director, State Board of Examiners and Registration of Architects, P.O. Box 22097, Lexington, Kentucky 40522.

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

201 KAR 19:035. Qualifications for examination.

RELATES TO: KRS 323.050, 323.060

PURSUANT TO: KRS 323.210

NECESSITY AND FUNCTION: [This regulation is necessary] To further define eligibility of applicants for admission to the examinations.

Section 1. Eligibility to Take the State Board Examination. (1) Any person who possesses the qualifications prescribed in KRS 323.050, and as further defined in other sections of these regulations, shall be eligible to take the examinations.

(2) It should be understood, however, that the education and experience required are more than mere vehicles to admission. These requirements and the examination [itself] are two (2) distinct exercises on the road to registration. Each supplements and sustains the other, but neither can replace the other as a vital part of professional training.

Section 2. General Requirements for Examination. Applicants for examination must meet the following requirements: (1) Must be a graduate of an accredited school of architecture, or the equivalent thereof; as determined by board regulations, with such additional experience as the board may prescribe and approve.

(2) Be a legal resident of the Commonwealth of Kentucky unless specifically exempted by the board therefrom for a justifiable reason.

(3) Be at least twenty-five (25) years of age.

(4) Be of good moral character. One (1) or more of the following may be sufficient to prevent an applicant from being considered to be of "good moral character":

(a) Conviction of a felony.

(b) Chronic alcoholism, persistent drug abuse, or any such acts of behavior which would, if he were licensed, jeopardize or impair his judgment to meet his professional responsibility as an architect to the public welfare and safety.

(c) Submitting a misstatement or misrepresentation of facts in an application or in supplementary information.

(d) Violating any provision of KRS Chapter 323 or board rules and regulations either before or after admission to examination.

(e) Violating the registration law of any other state, territory, or country.

(5) The board will review and evaluate the candidate's record of education, employment, experience, personal character, professional affiliations, and civic activities.

(6) The applicant *may, at the board's discretion, be asked to [will] appear for a personal audience so that the board may have the opportunity to judge his general qualifications for the practice of architecture, his ethical precepts, his resourcefulness, initiative and purpose in seeking a career in architecture and his general talents therefor.*

(7) The candidate must demonstrate to the board that his qualifications and preparation for examination are adequate.

Section 3. Experience Required and Equivalencies Allowed. (1) A graduate from an accredited school of architecture shall, in addition thereto, have at least three (3)

years of architectural experience satisfactory to the board. In general, an applicant who does not hold a degree from an accredited school of architecture will be required to have two (2) additional years of satisfactory experience for each calendar year of deficiency in architectural education, or a total of twelve (12) years.

(2) To be eligible for examination an applicant must present authentic evidence, by means of college transcripts and letters from employers, architects and others that he has met all the requirements noted in other sections and that he has had well diversified and satisfactory training in the many areas of architectural practice.

(3) In order to give the applicant a better understanding of the time and nature of the required experience, including related types of work which may be applied thereto, the board has adopted the NCARB "Table of Equivalents for Education, Training and Experience" as a guide. A copy is included with each request for application forms, or may be obtained individually from the board office. The current edition shall apply.

(4) Training and experience acquired up *through April for non-graduates and through October for graduates* [to the date of the applicant's personal audience with the board (approximately three (3) months after the application deadline)] if supported by supplementary documentation may be counted as credit.

Section 4. 201 KAR 19:045, Qualifying and professional examinations, is hereby repealed.

L. WAYNE TUNE, Executive Director

ADOPTED: February 9, 1981

RECEIVED BY LRC: May 13, 1981 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: L. Wayne Tune, Executive Director, State Board of Examiners and Registration of Architects, P.O. Box 22097, Lexington, Kentucky 40522.

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

201 KAR 19:040. Types of examinations required.

RELATES TO: KRS 323.050, 323.215

PURSUANT TO: KRS 323.210

NECESSITY AND FUNCTION: [This regulation is necessary] To state the eligibility of candidates for examinations as to education requirements and nature of examinations.

Section 1. Types of Examinations Required: (1) The qualifying *test and the professional examination part A (design test) are [is]* required to be taken by all applicants not holding a professional degree from a program of architecture accredited by the National Architectural Accrediting Board (NAAB) and by all applicants holding a degree from an accredited program in architecture who have not been admitted to the *December* professional examination *part B* prior to January 1, 1980.

(a) Applicants not holding a degree must pass the qualifying test and the design test (professional examination part A) before admission to the December professional examination part B.

(b) Applicants holding a degree from an accredited program in architecture may take the qualifying test and the design test (professional examination part A) at any time offered after obtaining the degree, but may be admitted to the December professional examination when eligible before passing the qualifying test and the design test (professional examination part A).

(2) The December professional examination part B is required to be taken and passed by all applicants for license.

(a) Applicants holding a degree from an accredited program in architecture and subsequently admitted to the December professional examination part B prior to January 1, 1980 shall not be required to pass the qualifying test and the design test (professional examination part A) before being granted license.

(b) Candidates who have failed to pass the professional examination within the three (3) year period of eligibility shall be required to pass both the qualifying and the professional examinations before being granted registration.

[(3) The examinations in subsections (1) and (2) are those made available from the National Council of Architectural Registration Boards and are identical to those required to successfully obtain a record for certification.]

[(a) The board recommends that anyone applying for examination in Kentucky consider the merits of applying concurrently to NCARB for a record and certification upon completion of the examination requirements.]

[(b) Information concerning the advantages to be gained may be obtained from the office of the board or by writing to the National Council of Architectural Registration Boards, 1734 New York Avenue, N. W., Suite 700, Washington, D. C., Zip Code 20006.]

Section 2. Description of Examinations. (1) The qualifying test and the professional examination, parts A and B, are prepared annually by the cooperative effort of all state boards through the auspices of the National Council of Architectural Registration Boards and are identically administered in all states. The tests and supporting documents are available only to the state registration boards and cannot be viewed, copied or studied by other persons.

(2) The qualifying test is designed to determine if the applicant has the knowledge and skill normally acquired in an accredited school of architecture.

(a) The qualifying test is a multiple choice written examination and each of the four (4) sections are machine graded. The grading of each part shall be as determined by the board in cooperation with all state boards through the auspices of the National Council of Architectural Registration Boards and its examination consultants.

(b) A candidate who fails to pass all sections of the qualifying test will retain credit for those sections passed and will be required to repeat only those sections failed.

(3) (a) The professional examination part A is to test a candidate's ability to apply the principals, theories and determinants of architectural design and site planning in the development of a graphic solution to a specific architectural problem.

(b) The professional examination part A is evaluated and graded independently by professionally qualified and trained graders under controlled conditions organized and authorized by all the state boards through the National Council of Architectural Registration Boards or its

regional subdivisions. Grades awarded are either pass or fail.

(4) The professional examination part B is designed to place a candidate in areas relating to actual architectural situations whereby his/her ability to exercise competent value judgments will be tested and evaluated.

(a) The examination is a multiple choice written examination and each of the four (4) parts is machine graded. The grading of each part shall be as determined by the board in cooperation with all state boards through the auspices of the National Council of Architectural Registration Boards and its examination consultants.

(b) Credit allowed for any of the parts passed shall be as determined by the board for each administration of the examination.

Section 3. [2.] Notification: (1) Candidates will be notified well ahead of the date of the examination to which they have been admitted and must advise the board promptly if they will appear at that time.

(2) A statement from a candidate that he will appear must be accompanied by a check made out to the State Treasurer of Kentucky covering the actual cost to the board of the sets of questions required.

L. WAYNE TUNE, Executive Director

ADOPTED: February 9, 1981

RECEIVED BY LRC: May 13, 1981 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: L. Wayne Tune, Executive Director, State Board of
Examiners and Registration of Architects, P.O. Box
22097, Lexington, Kentucky 40522.

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

201 KAR 19:085. Fees.

RELATES TO: KRS 323.080, 323.110

PURSUANT TO: KRS 323.210

NECESSITY AND FUNCTION: To define the basis of fees and fee payments.

Section 1. Annual Renewal Fee: (1) The annual renewal fee shall be due and paid before the first day of July each year. Anyone failing to pay the annual fee on or before the 30th day of August, who has not voluntarily surrendered his registration by that date, shall be guilty of violation of the law and his license is automatically revoked.

(2) Licenses granted on July 1 and thereafter through December 31 shall be first renewed before the first day of July following. Licenses granted January 1 and thereafter through June 30 following, shall be first renewed before the first day of July in the year following. This rule shall also apply to licenses restored or reinstated.

(3) During a period of active military duty an architect in the service may, upon written application to the board, be excused from paying the annual fee until such time as his military service is terminated and he wishes to resume practice. An identification card or renewal certificate will be

issued upon notification of his return from duty and payment of the current annual renewal fee.

(4) An architect whose license has been revoked for failure to pay the annual renewal fee, who wishes to have his license reinstated, shall make a written request therefor, giving the reason why he neither surrendered his registration nor paid the fee within the time prescribed by law and thereafter abide by the Board's decisions and follow its instructions in applying for reinstatement.

Section 2. Examination Applications: (1) *An application for the administration of the qualifying test and/or professional examination part A (design test) to graduates of accredited programs in architecture shall be accompanied by a twenty dollar (\$20) fee.* An application for admission to the professional examination part B must be accompanied by a total fee of fifty-five dollars (\$55). (Thirty dollars (\$30) for administration of the examination and twenty-five dollars (\$25) for license certificate.) An application for admission to the qualifying test, professional examinations A and B sequence must be accompanied by a total fee of seventy-five dollars (\$75). (Fifty dollars (\$50) for administration of the examinations and twenty-five dollars (\$25) for license certificate.)

(2) Applicants who fail to pass the [either] examination, or who were not admitted to the examination, within the prescribed three (3) year eligibility period, must submit another application, updated to the time of submission, with supplemental information. Applicants will be required to pay only the examination fee, however, and not another fee for license certificate.

Section 3. Fee schedule:

(1) *Application for admission to, and administration of the qualifying test and/or professional examination part A (graduates)*\$20

(2) [(1)] Application for admission to, and administration of, the Professional Examination part B\$30

(3) [(2)] Application for admission to, and administration of, the Qualifying Test [Examination] and the Professional Examination parts A and B sequence for non-graduates\$50

(4) [(3)] Application for a license certificate\$25

[(4) Administration of a written examination to a candidate for another state board regardless of number of sections to be taken\$50]

(5) Application for a license by reciprocity\$75

(6) Application for [a] restoration of a voluntarily surrendered license\$50

(7) Application for reinstatement of license revoked for failure to pay Renewal Fee: Renewal fees from date of revocation plus application as directed plus\$50

(8) Annual Renewal Fee: Determined each year by board. Not to exceed\$35

(9) No fee shall be refunded in whole or in part. All payments must be by check made payable to "State Treasurer of Kentucky." All must be certified except those for the annual renewal fee, *administration of qualifying test and/or professional examination part A (graduates), and examination questions.*

Section 4. Charges for Examination Questions: Candidates will be charged, at actual cost to the board, for the use of each set of examination questions required. Payment must be made when the board is notified by the candidate that he intends to appear. Such charges will be made

each time the examinations are taken and will not be refunded.

L. WAYNE TUNE, Executive Director

ADOPTED: February 9, 1981

RECEIVED BY LRC: May 13, 1981 at 3:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: L. Wayne Tune, Executive Director, State Board of
Examiners and Registration of Architects, P.O. Box
22097, Lexington, Kentucky 40522.

DEPARTMENT OF TRANSPORTATION Bureau of Highways (Proposed Amendment)

603 KAR 5:066. Weight limits for trucks.

RELATES TO: KRS 189.222

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 189.222 authorizes the Secretary of Transportation to establish reasonable weight limits for trucks using the state maintained highway system. This regulation prescribes the maximum weight limits for each classification of roads in accordance with amended state and federal laws.

Section 1. General: The Secretary of Transportation, in respect to highways which are a part of the State Maintained System, by Official Order, has determined that an increase to the maximum gross weight prescribed in KRS 189.221, on designated highways or portions thereof, is justified by the strength, safety, and durability of the designated highways, and said highways do not appear susceptible to unreasonable and unusual damage by reason of such increases and said secretary is authorized to establish reasonable classification of such roads and to fix a different maximum for each classification. Provided, however, that any increase shall not, in any way, exceed the federal law or regulations thereunder or jeopardize the allotment or qualification for federal aid funds of the Commonwealth of Kentucky or exceed the weights as specified hereinafter.

Section 2. Definitions: (1) Trucking highways. All state maintained roads are assigned a maximum allowable gross weight as follows:

(a) Class "AAA" designates a maximum allowable gross weight of 80,000 pounds.

(b) Class "AA" designates a maximum allowable gross weight of 62,000 pounds.

(c) Class "A" designates a maximum allowable gross weight of 44,000 pounds.

(2) Truck types. For the purpose of posting bridges at the site and for listing bridge weight restrictions in these regulations, the following truck types have been established:

(a) Type 1: This is a truck consisting of two (2) single axles.

(b) Type 2: This is a truck consisting of one (1) single axle and one (1) tandem axle.

(c) Type 3: This is a truck consisting of one (1) single axle and one (1) tri-axle.

(d) Type 4: This is a truck consisting of [covers trucks with three (3) single axles or two (2) single axles and one (1) tandem axle or] one (1) single axle and two (2) tandem axles [or any other truck and trailer combination].

(3) There are numerous other axle combinations not covered in these basic truck types that are restricted by weight based on their axle spacing and weight distribution per axle.

Section 3. The maximum weight for trucks using Class "AAA" highways, except the Interstate [and National Defense Highways] System, shall be as follows:

(1) Gross weight, including load, not to exceed 80,000 pounds. Gross axle weight for a single axle not to exceed 20,000 pounds (with axles less than forty-two (42) inches apart to be considered as a single axle).

(2) Gross weight not to exceed 34,000 pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart; 50,000 pounds on three (3) axles in tandem arrangement which are spaced forty-two (42) inches or more apart but less than 120 inches apart. In no event shall any single axle in any arrangement exceed 20,000 pounds.

(3) Tire weight: The weight transmitted to the pavement shall not exceed 600 pounds per inch of aggregate width for all tires.

(4) On structures on Class "AAA" highways which have a posted load limit of less than 80,000 pounds, the posted limit shall not be exceeded.

Section 4. The maximum weight for trucks using Class "AAA" highways which are a part of the Interstate [or National Defense] System shall be as follows:

(1) Gross weight, including load, not to exceed 80,000 pounds. Gross axle weight for a single axle not to exceed 20,000 pounds (with axles less than forty-two (42) inches apart to be considered as a single axle).

(2) Gross weight not to exceed 34,000 pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart; 50,400 pounds on three (3) axles in tandem arrangement which are spaced forty-two (42) inches or more apart but less than 120 inches apart, or as determined by formula in subsection (3) below, whichever is greater. In no event shall any single axle in any arrangement exceed 20,000 pounds.

(3) The maximum gross weight for a truck consisting of two (2) single axles which exceeds 37,800 pounds gross weight, and for a truck consisting of one (1) single axle and one (1) tandem axle which exceeds 52,500 pounds gross weight, or for a truck which consists of three (3) single axles which exceeds 56,700 pounds gross weight, and for a truck consisting of one (1) single axle and one (1) tri-axle which exceeds 69,300 pounds gross weight, and for a truck consisting of two (2) single axles and one (1) tandem axle which exceeds 71,400 pounds gross weight, or for any truck with any combination of axles which exceed 73,280 pounds gross weight shall be determined by the following formula:

$$W = 500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

Where W equals gross weight, L equals distance between

extreme axles of the group of consecutive axles under consideration and N equals the number of axles in the group, except that two (2) consecutive sets of tandem axles may carry 34,000 pounds each, providing that the distance between the first and last axles of such consecutive sets of axles is thirty-six (36) feet or more. In no event shall any axle in any arrangement exceed 20,000 pounds nor the gross weight exceed 80,000 pounds.

(4) Tire weight: The weight transmitted to the pavement shall not exceed 600 pounds per inch of aggregate width of all tires.

(5) On structures on Class "AAA" highways which have a posted load limit of less than 80,000 pounds, the posted limit shall not be exceeded.

(6) There shall be no tolerances allowed on gross weight, axle weight, or combinations of axle weights on vehicles operating over a Class "AAA" highway which is a part of the Interstate [or National Defense Highway] System.

Section 5. The maximum weight for trucks using Class "AA" highways shall be as follows:

(1) Gross weight, including load, not to exceed 62,000 pounds.

(2) Gross axle weight for a single axle not to exceed 20,000 pounds (with axles less than forty-two (42) inches apart to be considered as a single axle).

(3) Gross weight not to exceed 34,000 pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart; 50,000 pounds on three (3) axles in tandem arrangement which are spaced forty-two (42) inches or more apart but less than 120 inches apart. In no event shall any single axle in any arrangement exceed 20,000 pounds.

(4) Tire weight: The weight transmitted to the pavement shall not exceed 600 pounds per inch of aggregate width of all tires.

(5) On structures on Class "AA" highways which have a posted load limit of less than 62,000 pounds, the posted limit shall not be exceeded.

Section 6. The maximum weight for trucks using Class "A" highways shall be as follows:

(1) Gross weight, including load, not to exceed 44,000 pounds.

(2) Gross axle weight for a single axle not to exceed 20,000 pounds (with axles less than forty-two (42) inches apart to be considered as a single axle).

(3) Gross weight not to exceed 34,000 pounds on two (2) axles in tandem arrangement which are spaced forty-two (42) inches or more apart and less than ninety-six (96) inches apart.

(4) Tire weight: The weight transmitted to the pavement shall not exceed 600 pounds per inch of aggregate width of all tires.

(5) On structures on Class "A" highways which have a posted load limit of less than 44,000 pounds, the posted limit shall not be exceeded.

Section 7. There shall be no tolerance allowed on gross weight, however, a tolerance of not more than five (5) percent shall be allowed on axle weight on highways which are not a part of the Interstate [or National Defense Highway] System.

Section 8. As long as any highway remains a part of the State Primary Road System, as defined by regulation 603 KAR 3:030, it is intended that the classification of

highways constitutes a designation by the Secretary of Transportation as contemplated by KRS 189.280, and city ordinances which impose less stringent limits shall not apply to such state maintained highways, including bridges, unless specific relinquishment of this responsibility to a city is made by the Secretary of Transportation.

FRANK R. METTS, Secretary

ADOPTED: April 13, 1981

RECEIVED BY LRC: April 23, 1981 at 12:30 p.m.

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

PUBLIC PROTECTION AND REGULATION CABINET
Department of Labor
Occupational Safety and Health
(Proposed Amendment)

803 KAR 2:016. Construction industry standard.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

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

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

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

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

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

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

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

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

(2) Fixed mechanical devices and/or equipment which utilize electric, air or hydraulic power shall be placed in zero (0) mechanical state by disconnecting. Electrical service equipment, excluding lighting, shall be padlocked or tagged.

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

(4) Ventilation:

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

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

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

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

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

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

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

(7) Lighting:

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

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

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

(d) Portable electric lighting used in moist and/or other hazardous locations, as, for example, drums, tanks, and

vessels, shall be operated at a maximum of twelve (12) volts.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 6. Safety and Testing of Supply Lines in Excess of 600 Volts. (1) Definitions:

(a) Disconnected means disconnected from any electrical source of supply.

(b) Guarded: Protected by personnel, covered, fenced, or enclosed by means of suitable castings, barrier, rails, screens, mats, platforms, or other suitable devices in accordance with standard barricading techniques designed to prevent dangerous approach or contact by persons or objects. (Note: Wires, which are insulated but not otherwise protected, are not considered as guarded.)

(c) Hold cards: (Also called "hold tags.") A card or tag-type device, usually having a predominant color of white or red which warns against or which cautions against the operation of a particular switch, device, circuit, tool, machine, etc.

(d) Near: A distance no closer than that shown in the table in subsection (3)(c) of this section.

(e) Qualified person: A person who, because of experience and training is familiar with the construction and operation of the apparatus or equipment and the hazards involved in the performance of the job.

(2) Purpose:

(a) The intent and purpose of this regulation is to provide and establish safety procedures for testing equipment to protect electrical workers from hazards resulting from exposure to high voltage.

(b) This regulation shall apply to non-utility electrical workers who are engaged in electrical construction and/or maintenance of electrical conductors and equipment rated at 600 volts and above.

(3) Energized conductors and equipment.

(a) Only qualified employees shall work on or near high voltage conductors or equipment.

(b) Personal protective equipment shall be provided by the employer and used by the employee when working on or near energized, ungrounded high voltage conductors or equipment.

(c) No employee shall approach or take any conductive object, without an approved insulating handle, within the minimum distance specified in the table below, unless the energized part is insulated or guarded from the employee, or the employee is effectively insulated from the live parts. Rubber gloves (sleeves if necessary) rated for the voltage involved shall be considered effective insulation of the employee from the energized part.

Minimum Clear Distance From Live Parts

Voltage Phase to Phase (Kilovolts)	Distance Phase to Employee
0.6 to 34.5	2'
34.5 to 46	2½'
46 to 69	3'
69 to 115	3' 4"
115 to 138	3' 6"
138 to 169	3' 8"

(4) De-energized conductor or equipment:

(a) Existing conditions shall be determined before starting work on electrical conductor and/or equipment.

(b) Before any work is performed, all electrical switches, breakers and associated disconnecting devices shall be opened, made inoperable and hold tagged out by the person in charge. Employees shall be trained and thoroughly instructed in the tagging procedure. One (1) qualified per-

son, for example: foreman, general foreman or first class electrician, of each crew shall be responsible for attaching hold tags and/or hold cards to the disconnecting means. When more than one (1) crew is involved in the work, multiple hold tags or hold cards shall be placed in the handle of the disconnecting equipment. The use of such tags must be respected. Equipment or items so tagged must not be activated or used without full and proper authority of a responsible person whose signature appears on the tag.

(c) Conductors shall be short-circuited and grounded wherever possible.

(d) Capacitors may be components of apparatus of the disconnected electrical system. Before employees are allowed to work, the capacitors shall be discharged, short-circuited and grounded.

(e) When de-energizing conductors and equipment and the means of disconnecting from the energy source is not visibly open, a voltage test shall be made before starting work. An operational check shall be made of the voltage tester prior to and following the voltage test to determine reliability of the testing device. The test device must be handled and used while wearing or using approved protective equipment during the test.

(f) All conductors and equipment shall be treated as energized until tested, short-circuited and effectively grounded except when the circuit involved is isolated from all possible sources of energizing voltage from another circuit, induced voltage or back feed.

(g) The voltage condition of de-energized conductors and/or equipment shall be determined with testing equipment designed for the applicable voltage.

(h) Upon completion of work on de-energized conductors and equipment, the person responsible shall ascertain that all employees under his jurisdiction are clear and that all protective short-circuit and grounding lines are removed. The qualified person(s) shall then remove his hold tag(s). Only at this time shall conductors and equipment be re-energized.

[Section 7. Roof Guarding. This section shall apply to work performed on open-sided flat roofs, when the edge of the roof is sixteen (16) feet or more above the surrounding ground or adjacent roof level. This standard applies to material handling and the application of roofing material on the intergal roof structure. This standard does not apply to the installation of roof planking or decking performed prior to the installation of roofing nor to eaves troughing, exterior down spouts or to the installation of mechanical equipment mounted on the finished roof.]

[(1) Employees working at roof edge material handling stations shall be provided with, and required to use, a safety belt and lifeline or protected by guardrails.]

[(a) When lifelines are used, they shall be rigged to allow movement only to the roof edge.]

[(b) Lifelines shall not be attached to hoists or unanchored equipment.]

[(c) Where guardrails are used at bitumen pipe outlets, they shall be positioned so that a minimum of four (4) feet of guardrail extends on both sides of the pipe.]

[(d) Where guardrails are used at hoisting areas, one (1) section shall be erected on the working side or sides of the hoist, as appropriate.]

[(e) A removable guard, gate, taut chains or cables shall be placed across the opening between the guardrail sections when actual hoisting is not taking place.]

[(f) If the guardrails are other than pipe, nominal one and one half (1½) inch diameter, vertical grab handles or

sufficient strength shall be provided on each working side of the opening. The center of the handle shall be approximately four (4) feet above working level. The grab handle shall not be less than twelve (12) inches in length and shall be so mounted as to provide three (3) inches clearance from the surface of the guardrail material. (Note: Guardrails shall meet the requirements as specified in 29 CFR 1926.500(f)(i), as provided by 803 KAR 2:030.)]

[(2) All openings in the roof shall be covered or provided with guardrail. Where covers or guardrails are not practical, a warning line shall be erected.]

[(a) Covers shall be strong enough to bear the load of man and equipment. Roofing materials such as curbs, insulation, etc., are no acceptable covers for roof openings.]

[(b) All covers which are not secured (nailed, screwed, etc.) to the deck shall be protected by guardrail or a warning line system in accordance with appropriate paragraphs in subsection (3).]

[(3) The employee shall be protected by use of a warning line system on all roofs where equipment is in use which generally requires an employee to walk backward.]

[(a) The warning line shall consist of stanchions and light duty rope erected to a minimum of six (6) feet from the roof edge.]

[(b) The warning line shall be rigged and supported in such a way that its lowest point is no less than thirty-five (35) inches from the deck and its highest point is no greater than forty-five (45) inches from the roof deck, or any similar warning line system which would provide equivalent protection to employees.]

[(c) The warning line shall be placed or moved as the work progresses in order to provide continuous warning to employees in the work area when they approach within six (6) feet of the roof's edge.]

[(d) Materials or equipment shall not be stored between the warning line and the roof edge.]

[(e) Mechanized application equipment shall not be used between the warning line and the roof edge, unless the employee is protected by use of safety belt and lifeline.]

[(4) Application of materials at the roof edge shall be done by hand while the employee is facing or is parallel to the roof edge and under direct, immediate supervision. The employer shall assure that edge finishing operations are accomplished with a minimum exposure to the roof edge.]

EUGENE F. LAND, Commissioner

ADOPTED: April 23, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 14, 1981 at 2:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Executive Director, Kentucky Department of Labor, Occupational Safety and Health Program, U.S. 127 South, Frankfort, Kentucky 40601.

PUBLIC PROTECTIONS AND REGULATION CABINET
Department of Labor
Occupational Safety and Health
(Proposed Amendment)

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

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules 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. The standards are arranged in numerical order in order to facilitate reference to 29 CFR 1910.

Section 1. The Occupational Safety and Health Standards Board hereby adopts 29 CFR Part 1910, the Occupational Safety and Health Standards for General Industry, published by the Commerce Clearing House, Inc., Chicago, Illinois 60646, in the March 1979 Edition, Copyright Date 1979, These standards are hereby adopted by reference with the following additions, exceptions, and deletions.

(1) 29 CFR Part 1910.1 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 1910.20 "Access to employee exposure and medical records" and Appendices A and B as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, is adopted by reference with the following amendments:

(a) 29 CFR 1910.20(e)(1)(i) is amended to read "Whenever an employee or designated representative requests access to an exposure or medical record, the employer shall assure that access is provided in a reasonable time, place, and manner, but not later than fifteen (15) days after the request for access is made unless sufficient reason is given why such a time is unreasonable or impractical."

(b) 29 CFR 1910.20(e)(1)(ii) is amended to read "Whenever an employee or designated representative requests a copy of a record, the employer shall, except as specified in (v) of this section, within the period of time previously specified assure that either:"

(c) 29 CFR 1910.20(e)(1)(v) is added and shall read "Original x-ray film will be made available to the employee and/or designated representative for inspection, review, and duplication under the supervision of the employer or his representative. The employer is not required to bear the cost of duplication of x-ray film."

(d) 29 CFR 1910.20(e)(3)(ii) shall read "Whenever OSHA seeks access to personally identifiable employee medical information by presenting to the employer a written access order pursuant to 29 CFR 1913.10(d), the employer shall prominently post a copy of the written access order and its accompanying cover letter for at least fifteen (15) working days. OSHA will have access to employee medical records maintained by an employee's personal physician fifteen (15) days after written consent is given to OSHA by the affected employee. The consent must contain a general description of the medical information that is authorized to be released."

(e) 29 CFR 1910.20(g)(1) is amended to read "Upon an employee's first entering into employment, and at least annually thereafter, each employer shall inform each employee exposed to toxic substances or harmful physical agents of the following:"

(f) 29 CFR 1910.20(g)(2) is amended to read "Each employer shall make readily available to employees a copy of this standard and its appendices, and shall make readily available to employees any informational materials concerning this standard which are provided to the employer by the Assistant Secretary of Labor for Occupational Safety and Health."

(4) Subparagraph 29 CFR 1910.23(a)(7) shall be amended to read as follows: "Every temporary or permanent floor opening shall have standard railings, or shall be constantly attended by someone."

(5) Revision to 29 CFR 1910.35 "Definitions" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(6) Revision to 29 CFR 1910.37 "Means of egress general," as printed in the Federal Register, Volume 45, Number 179, Friday, September 13, 1980, is adopted by reference.

(7) 29 CFR 1910.38 "Employee emergency plans and fire prevention plans," and the appendix to Subpart E as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, are adopted by reference.

(8) 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.

(9) 29 CFR 1910.106(a)(3) shall read as follows:

"The term automotive service station, or service station, shall mean that portion of property where flammable or combustible liquids used as motor fuel are stored and dispensed from fixed equipment and into the fuel tanks of motor vehicles and shall include any facilities available for the sale and servicing of tires, batteries, accessories and for

minor automotive maintenance work and shall also include private stations not accessible or open to the public such as those used by commercial, industrial or governmental establishments. This section shall not apply to agriculture."

(10) Revision to 29 CFR 1910.107 "Spray finishing using flammable and combustible materials," as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(11) Revision to 29 CFR 1910.108 "Dip tanks containing flammable or combustible liquids," as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(12) Revision to 29 CFR 1910.109 "Explosives and blasting agents," as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(13) 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."

(14) 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."

(15) 29 CFR 1910.155 "Scope, application and definitions applicable to this subpart," as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(16) Revision to 29 CFR 1910.156 "Fire brigades" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference, except:

"1910.156(a)(2) "Application" is amended to read "The requirements of this section apply to fire brigades; industrial fire departments; private fire departments; and municipal public fire departments and fire protection districts. Personal protective equipment requirements apply only to members of fire brigades and fire departments performing interior structural fire fighting. The requirements of this section do not apply to airport crash rescue, forest fire fighting operations, or volunteer fire fighters."

(17) Revision to 29 CFR 1910.157 "Portable fire extinguishers" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(18) Revision to 29 CFR 1910.158 "Standpipe and hose systems" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(19) Revision to 29 CFR 1910.159 "Automatic sprinkler systems," as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(20) Revision to 29 CFR 1910.160 "Fixed extinguishing systems, general" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(21) Revision to 29 CFR 1910.161 "Fixed extinguishing systems, dry chemical" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(22) 29 CFR 1910.162 "Fixed extinguishing systems, gaseous agent" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(23) 29 CFR 1910.163 "Fixed extinguishing systems, water spray and foam" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(24) 29 CFR 1910.164 "Fire detection systems" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(25) Revision to 29 CFR 1910.165 "Employee alarm systems" as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, is adopted by reference.

(26) Appendices A, B, C, D, and E to 29 CFR 1910 Subpart L as printed in the Federal Register, Volume 45, Number 179, Friday, September 12, 1980, are adopted by reference.

(27) 29 CFR 1910.177 "Servicing Multi-Piece Rim Wheels" as printed in the Federal Register, Volume 45, Number 20, January 20, 1980, a copy of which is attached hereto, is adopted by reference.

(28) Amend 29 CFR 1910.217 Mechanical Power Press Standards to read:

(a) 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-brake control in the 'inch' position."

(b) "1910.217(b)(8)(iv) All a.c. control circuits and solenoid coils shall be powered by not more than a nominal 120-volt a.c. supply obtained from a transformer with an isolated secondary."

(c) 1910.217(d)(3), (d)(5), (d)(9)(i) The references to paragraph (b) shall be changed to paragraph (c).

(29) Subparagraph 29 CFR 1910.252(a)(6)(iv), (d)(2) shall be corrected to read as follows:

"Wiring and electrical equipment in compressor or booster pump rooms or enclosures shall conform to the provisions of section 1910.309(a) for Class I, Division 2 locations."

(30) Revisions to 29 CFR 1910 Subpart S "Electrical" as published in the Federal Register, Volume 46, Number 11, Friday, January 16, 1981, are adopted by reference as follows:

(a) 1910.301 "Introduction"

(b) 1910.302 "Electrical utilization systems"

(c) 1910.303 "General requirements"

(d) 1910.304 "Wiring design and protection"

(e) 1910.305 "Wiring methods, components, and equipment for general use"

(f) 1910.306 "Specific purpose equipment and installations"

(g) 1910.307 "Hazardous (classified) locations"

(h) 1910.308 "Special systems"

(i) 1910.399 "Definitions applicable to this subpart"

(j) Appendix A—Reference documents.

(31) [(30)] 29 CFR 1910.423 Commercial Diving Operations; Corrections, Federal Register, Volume 45, Number 121, June 20, 1980, is adopted by reference.

(32) [(31)] Revisions to 29 CFR 1910.440 "Commercial diving operations recordkeeping requirements" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(33) [(32)] Revisions to 29 CFR 1910.1001 "Asbestos" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(34) [(33)] Revisions to 29 CFR 1910.1003 "4-Nitrobiphenyl" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(35) [(34)] Revisions to 29 CFR 1910.1004 "alpha-Naphthylamine" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(36) [(35)] 29 CFR 1910.1005 4,4'-methylene bis (2-chloroaniline) and 29 CFR 1910.1003 through .1016 paragraphs (c)(6), Laboratory Activities, printed in the Federal Register, Volume 39, Number 125, June 27, 1974, are in effect.

(37) [(36)] 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."

(38) [(37)] Revisions to 29 CFR 1910.1006 "Methyl Chloromethyl ether" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(39) [(38)] Revisions to 29 CFR 1910.1007 "3-3'-Dichlorobenzidine (and its salts)" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(40) [(39)] Revisions to 29 CFR 1910.1008 "bis-Chloromethyl ether" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(41) [(40)] Revisions to 29 CFR 1910.1009 "beta-Naphthylamine" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(42) [(41)] Revisions to 29 CFR 1910.1010 "Benzidine" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(43) [(42)] Revisions to 29 CFR 1910.1011 "4-Aminodiphenyl" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(44) [(43)] Revisions to 29 CFR 1910.1012 "Ethyleneimine" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(45) [(44)] Revisions to 29 CFR 1910.1013 "beta-

Propiolactone" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(46) [(45)] Revisions to 29 CFR 1910.1014 "2-Acetylaminofluorene" as printed in the Federal Register, Volume 4, Number 102, Friday, May 23, 1980, are adopted by reference.

(47) [(46)] Revisions to 29 CFR 1910.1015 "4-Dimethylaminoazobenzene" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(48) [(47)] Revisions to 29 CFR 1910.1016 "N-Nitrosodimethylamine" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(49) [(48)] Revisions to 29 CFR 1910.1017 "Vinyl chloride" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(50) [(49)] Revisions to 29 CFR 1910.1018 "Inorganic arsenic" and "Appendix A-Inorganic Arsenic Information Sheet" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(51) [(50)] 29 CFR 1910.1025 "Occupational Exposure to Lead" shall be amended as follows:

(a) Add Appendices A, B, and C which appeared in the Federal Register Volume 44, Number 206, October 23, 1979, hereby adopted by reference, copy attached hereto.

(b) Corrections to the Appendices which have been adopted by the U.S. Department of Labor, printed in the Federal Register, Volume 44, Number 232, November 30, 1979, a copy of which is attached hereto, is adopted by reference.

(c) Paragraph (a)(2) shall read: "This section does not apply to the Construction Industry or to Agricultural operations covered by 29 CFR 1928."

(d) Revisions as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(52) [(51)] 29 CFR 1910.1028 "Occupational Exposure to Benzene," and footnote 1, Table Z-2 are deleted in their entirety.

(53) [(52)] Revisions to 29 CFR 1910.1029 "Coke oven emissions" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(54) [(53)] Amendments to 29 CFR 1910.1043 "Occupational Exposure to Cotton Dust":

(a) Relating to new start-up dates, printed in the Federal Register, Volume 45, Number 39, February 26, 1980, a copy of which is attached hereto, is adopted by reference.

(b) Revisions to 29 CFR 1910.1043 printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(55) [(54)] Revisions to 29 CFR 1910.1044 "1,2-Dibromo-3-Chloropropane" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(56) [(55)] 29 CFR 1910.1045 "Acrylonitrile" is amended as follows:

(a) Revisions to 29 CFR 1910.1045 "Acrylonitrile" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, is adopted by reference.

(b) Revisions to "Appendix A-Substance Safety Data Sheet for Acrylonitrile" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, is adopted by reference.

(c) 29 CFR 1910.1045(k) "Waste Disposal" is amended to read 29 CFR 1910.1045(l) "Waste Disposal."

[Revisions to 29 CFR 1910.1045 "Acrylonitrile" and "Appendix A—Substance Safety Data Sheet for Acrylonitrile" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.]

(57) [(56)] Revisions to 29 CFR 1910.1046 "Exposure to cotton dust in cotton gins" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

EUGENE F. LAND, Commissioner

ADOPTED: April 23, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 14, 1981 at 2:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Executive Director, Kentucky Department of Labor, Occupational Safety and Health Program, U.S. 127 South, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET

Department of Labor
Occupational Safety and Health
(Proposed Amendment)

803 KAR 2:021. Identification, classification and regulation of potential occupational carcinogens.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations and standards. Express authority to adopt by reference established federal standards and national consensus standards is also given to the board.

Section 1. (1) The Occupational Safety and Health Standards Board adopts by reference 29 CFR 1990, the general policy for "Identification, Classification, and Regulation of Potential Occupational Carcinogens," printed in the Federal Register, Volume 45, Number 15, and 29 CFR 1990 Correction, printed in the Federal Register, Volume 45, Number 126, which set forth a general policy for the identification and regulation of physical and chemical substances that pose a potential occupational carcinogenic risk to humans.

(2) Revisions to 29 CFR 1990.111 "General statement of regulatory policy" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference. [These standards are hereby adopted by reference.]

(3) Revisions to 29 CFR 1990.142 "Initiation of rulemaking" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference.

(4) Revisions to 29 CFR 1990.144 "Criteria for consideration of arguments on certain issues" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference.

(5) Revisions to 29 CFR 1990.146 "Issues to be considered in the rulemaking" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference.

(6) (a) [(3)] Revisions to 29 CFR 1990.151 "Model Standard" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(b) Revisions to 29 CFR 1990.151 "Model Standard" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference.

(7) (a) [(4)] Revisions to 29 CFR 1990.152 "Model Emergency Standard" as printed in the Federal Register, Volume 45, Number 102, Friday, May 23, 1980, are adopted by reference.

(b) Revisions to 29 CFR 1990.152 "Model Emergency Standard" as printed in the Federal Register, Volume 46, Number 12, Monday, January 19, 1981, are adopted by reference.

(c) Corrections to 29 CFR 1990.152 "Model Emergency Standard" as printed in the Federal Register, Volume 46, Number 25, Friday, February 6, 1981, are adopted by reference.

EUGENE F. LAND, Commissioner

ADOPTED: April 23, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 14, 1981 at 2:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Executive Director, Kentucky Department of Labor, Occupational Safety and Health Program, U.S. 127 South, Frankfort, Kentucky 40601.

PUBLIC PROTECTIONS AND REGULATION CABINET

Department of Labor
Occupational Safety and Health
(Proposed Amendment)

803 KAR 2:030. Adoption of 29 CFR Part 1926.

RELATES TO: KRS Chapter 338

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: KRS 338.051 and 338.061 authorize the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health rules, regulations, and standards. 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 construction.

Section 1. The Occupational Safety and Health Standards Board hereby adopts 29 CFR Part 1926, the Occupational Safety and Health Standards for the Construction Industry, published by the Commerce Clearing House, Inc., Chicago, Illinois 60646, in the March 1979 Edition, Copyright Date 1979, These standards are hereby adopted by reference with the following additions, exceptions, and deletions:

(1) 29 CFR Part 1926.1 shall read as follows:

The provisions of this regulation adopt and extend the applicability of established federal standards contained in 29 CFR Part 1926 to all employers, employees, and places of employment throughout the Commonwealth except those excluded in KRS 338.021."

(2) 29 CFR 1926.100 shall read as follows:

(a) Hard hats conforming to specifications of the American National Standards Institute, safety requirements for industrial head protection Z89.1 (1971) shall be worn by all employees at all times while engaged in the type of work covered by the scope of this safety standard.

(b) Helmets for the head protection of employees exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Institute Z89.2 (1971).

(3) [(8)] 29 CFR 1926.200(g)(2), .201(a)(2) and .202 shall be amended to require signs, signaling and barricades to conform to specifications as set forth in ANSI D6.1 "Manual of Uniform Traffic Control Devices for Streets and Highways" (1978 Edition).

(4) [(5)] 29 CFR 1926.400(h)(3)(i), (vii) shall read: "shall be readily available for inspection."

(5) [(4)] 29 CFR 1926.451(a)(4) shall read as follows: Guardrails and toeboards shall be installed on all open sides and ends of platforms more than ten (10) feet above the ground or floor, except needle beam scaffolds and floats (see paragraphs (p) and (w) of this section). Toeboards shall not be required on the loading side of platforms which are loaded by means of a high lift tractor or fork truck provided that employees are prohibited from entering the area beneath the scaffolding where they could be exposed to objects which might fall from the scaffolding. Scaffolds four (4) to ten (10) feet in height, having a minimum horizontal dimension in either direction of less than forty-five (45) inches, shall have standard guardrails installed on all open sides and ends of the platform.

(6) Revisions to 29 CFR 1926.500 "Guardrails, handrails and covers," .502 "Definitions applicable to this subpart," and Appendix A to Subpart M as published in the Federal Register, Volume 45, Number 222, Friday, November 14, 1980, are adopted by reference.

(7) [(3)] 29 CFR 1926.552(b)(8) of the paragraph on "Material hoists" shall read as follows: All material hoists shall conform to the requirements of ANSI A10.5-1969, Safety Requirements for Material Hoists, with the exception that material hoists manufactured prior to January 1, 1970 may be used with a drum pitch diameter at least eighteen (18) times the nominal rope diameter provided the hoisting wire rope is at least equal in flexibility to 6 x 37 classification wire rope.

(8) [(7)] Revoke paragraph "514—Warning Device" of ANSI B56.1—1969—Safety Standards for Powered Industrial Trucks and adopt paragraph "512—Warning Device" of ANSI B56.1—1975—Low Lift and High Lift Trucks for standard reference as specified in 29 CFR 1926.602(c)(1)(vi); effective July 1, 1979.

(9) [(6)] The following paragraphs of 29 CFR 1926, Subpart U, Blasting and the Use of Explosives, which were previously adopted by reference, are hereby revised and shall read as follows:

(a) 1926.900(k)(3)(i) The prominent display of adequate signs warning against the use of mobile radio transmitters, on all roads within 1,000 feet of blasting operations. Whenever adherence to this 1,000 foot distance would create an operational handicap, a competent person shall

be consulted to evaluate the particular situation, and alternative provisions may be made which are adequately designed to prevent premature firing of electric blasting caps. The competent person may be a blaster certified by the Kentucky Department of Mines and Minerals with a working knowledge of mobile radio transmission and receiving hazards as related to use of electric blasting cap firing systems and designated by the employer. A description of any alternative shall be in writing describing the unusual conditions at the site and the alternative measure used. The description shall be maintained at the construction site during the duration of the work and shall be available for inspection by representatives of the Commissioner, Kentucky Department of Labor. [this distance may be modified so long as the modification is adequately designed in compliance with .900(k)(5) to prevent any premature firing of electric blasting caps.]

(b) 1926.900(k)(4) Ensuring that mobile radio transmitters which are less than 100 feet away from electric blasting caps, in other than original containers, shall be de-energized, and have the radio transmission circuit or vehicle effectively locked against transmitter usage. [may be left "on" for receiving purposes but may only be used to transmit if in compliance with .900(k)(5).]

(c) 1926.900(p) The use of black powder shall be prohibited except when a desired result cannot be obtained with another type of explosive, such as in quarrying certain types of dimension stone.

(d) 1926.900(r) All electric blasts shall be fired with an electric blasting machine or properly designed electric power source, and in accordance with the provisions of subsection .906(a) and (r).

(e) 1926.902(d) [Explosives, blasting agents, and blasting supplies shall not be transported with other materials or cargoes.] Explosives or blasting agents shall be transported in separate vehicles unless the [from] detonators are packaged in specified containers and transported all in compliance with DOT Regulation 49 CFR 177.835(g). [unless separated by four (4) inches of hardwood or a type 2 outdoor or type 3 magazine. (Ref. 26 CFR 181, Commerce in Explosives.)]

(f) 1926.903(o) Deleted.

(g) 1926.905(h) Machines and all tools not used for [drilling,] loading explosives into the boreholes [and covering the blast] shall be removed from the immediate location of holes before explosives are delivered. Equipment shall not be operated within fifty (50) feet of a loaded hole except that which is required when the containment of the blast is necessary to prevent flyrock. When equipment or machinery is used to place mats, over-burden, or protective material on the shot area, a competent person (who may be a blaster certified by the Kentucky Department of Mines and Minerals) shall implement adequate precautions to protect the leadwires or initiating systems such as protecting the components from direct contact with materials which sever, damage, impact, or conduct stray currents to the explosives system. This would include preventing the dragging of blasting mats or running over the holes and systems with the equipment used.

(h) 1926.905(i) No activity of any nature other than that which is required for loading holes with explosives and preparation required for initiating the blast and containment of flyrock from the blast [blasting] shall be permitted in a blast area.

(i) 1926.905(k) Holes shall be inspected [checked] prior to loading to determine depth and conditions. When necessary to drill a hole in proximity to a charged or

misfired hole, the distance between these two holes must be greater than the depth being drilled and precautions taken to ensure the integrity of any adjacent-charged hole or misfired hole. This distance must be determined by a competent person (who may be a blaster certified by the Kentucky Department of Mines and Minerals) in order to insure that there is no danger of intersecting the charged or misfired hole. [Holes shall not be drilled where there is a danger of intersecting a charged or misfired hole.]

(j) 1926.905(n) In [underground] blasting, explosives in Fume Class I, as set forth by the Institute of the Makers of Explosives, shall be used; however, Fume Class I explosives are not required when adequate ventilation is provided and the workings are abandoned for a period of time sufficient to allow dissipation of all fumes.

(k) 1926.906(p) The blaster shall be in charge of the blasting machines, and no other person shall connect the leading wires to the machine except under the *immediate physical and visual supervision* [direction] of the blaster.

(l) 1926.906(q) Blasters, when testing circuits to charged holes, shall use only blasting galvanometers equipped with a silver chloride cell especially designed for this purpose or *an instrument designed solely for use in blasting, which incorporates a current-limiting device into its circuitry. No instrument capable of producing over fifty (50) milliamps on direct short circuit shall be used.* [blasters multimeters approved by M.E.S.A. under 30 CFR 18.68.]

(m) 1926.906(s) Leading wires shall remain shorted and not be connected to the blasting machine or other source of current until the charge is to be fired.

(n) 1926.907(a) The use of a fuse that has been hammered or injured in any way shall be forbidden.

(o) 1926.910(b) Sufficient time shall be allowed, not less than fifteen (15) minutes in tunnels, for the smoke and fumes to leave the blasted area before returning to the shot. An inspection of the area and the surrounding rubble shall be made by the blaster to determine if all charges have been exploded before employees are allowed to return to the operation. *In tunnels, the airborne concentration of toxic dusts and fumes will be maintained at healthful levels by compliance with 29 CFR 1926.800, or by wetting down the muck pile, or by other effective means.*

(10) [(9)] Amend subparagraph 1926.950(c)(1)(i) to read as follows:

"The employee is insulated or guarded from the energized part. Insulating gloves, as well as insulating sleeves when necessary, rated for the voltage involved shall be considered insulation of the employee from the energized part, or"

EUGENE F. LAND, Commissioner

ADOPTED: April 23, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 14, 1981 at 2:30 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Executive Director, Kentucky Department of Labor, Occupational Safety and Health Program, U.S. 127 South, Frankfort, Kentucky 40601.

PUBLIC PROTECTION AND REGULATION CABINET
Kentucky State Racing Commission
(Proposed Amendment)

810 KAR 1:013. Entries, subscriptions and declarations.

RELATES TO: KRS 230.210 to 230.360

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: To regulate conditions under which thoroughbred racing shall be conducted in Kentucky. The function of this regulation is to outline requirements for entry, subscription and declaration of horses in order to race.

Section 1. Entering required. No horse shall be qualified to start in any race unless such horse has been and continues to be duly entered therein. Entries or subscriptions for any horse, or the transfer of same, may be refused or cancelled by the association without notice or reason given therefor.

Section 2. Procedure for making entries. (1) All entries, subscriptions, declarations, and scratches shall be lodged with the racing secretary and shall not be considered as having been made until received by the racing secretary who shall maintain a record of time of receipt of same.

(2) Every entry must be in the name of such horse's licensed owner, as completely disclosed and registered with the racing secretary under these rules, and made by the owner, or trainer, or a person deputized by such owner or trainer.

(3) Every entry must be in writing, or by telegraph promptly confirmed in writing; except that an entry may be made by telephone to the racing secretary, but must be confirmed promptly in writing should the stewards, the racing secretary, or an assistant to the racing secretary so request.

(4) Every entry shall clearly designate the horse so entered. When entered for the first time during a meeting, every horse shall be designated by name, age, color, sex, sire, dam, and broodmare sire, as reflected by such horse's registration certificate.

(a) No horse may race unless correctly identified to the satisfaction of the stewards as being a horse duly entered.

(b) In establishing identity of a horse, responsibility shall be borne by any person attempting to identify such horse as well as the owner of such horse, all such persons being subject to appropriate disciplinary action for incorrect identification.

(5) No alteration may be made in any entry after the closing of entries, but an error may be corrected.

(6) No horse may be entered in two (2) races to be run on the same day.

(7) *A horse which has never raced shall not be permitted to start unless it has a published work-out from the starting gates, at a distance acceptable to the stewards, within twenty (20) days of starting. In the event that a horse has done the requisite work-out but through no fault of the trainer, such work-out does not appear in the past performances, the horse shall be permitted to race and the correct work-out announced and posted.*

Section 3. Stabling requirement. No entry shall be accepted for any horse not stabled on association grounds where such race is to be run, unless its stabling elsewhere has been approved by the racing secretary as provided by Section 4 of 810 KAR 1:006.

Section 4. Limitation as to spouses. No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a jockey has been suspended for a routine riding offense, then the stewards may waive this rule as to the duly licensed husband or wife or such suspended jockey.

Section 5. Mutuel entries. (1) All horses entered in the same race and trained by the same trainer shall be joined as a mutuel entry and single betting interest. All horses entered in the same race and owned wholly, or in part by the same owner or spouse thereof, shall be joined as a mutuel entry and single betting interest.

(2) No more than two (2) horses having common ties through ownership or training as to be joined as a mutuel entry may be entered in a purse race. When making such double entry, a preference for one (1) of the horses must be made.

(3) In no case may two (2) horses having common ties through ownership start in a race to the exclusion of a single interest. In races in which the number of starters is limited to ten (10) or less, no two (2) horses having common ties through training may start to the exclusion of a single entry.

Section 6. Subscriptions. (1) Nominations to or entry of a horse in a stakes race is a subscription. Any subscriber to a stakes race may transfer or declare such subscription prior to closing.

(2) Joint subscriptions and entries may be made by any one of the joint owners of a horse, and each such owner shall be jointly and severally liable for all payments due thereon.

(3) Death of a horse, or a mistake in its entry when such horse is eligible, does not release the subscriber or transferee from liability for all stakes fees due thereon. No fees paid in connection with a subscription to a stakes race that is run shall be refunded, "except as otherwise stated in the conditions of a stakes race."

(4) Death of a nominator or original subscriber to a stakes race shall not render void any subscription, entry, or right of entry thereunder. All rights, privileges, and obligations shall attach to the successor owner, including the legal representatives of the decedent.

(5) When a horse is sold privately, or sold at public auction, or claimed, stakes engagements for such horse shall be transferred automatically with such horse to its new owner; except that, if such horse is transferred to a person whose license is suspended or otherwise unqualified to race or enter such horse, then such subscription shall be void as of the date of such transfer.

(6) All stakes fees paid toward a stakes race shall be allocated to the winner thereof unless otherwise provided by the condition for such stakes race. In the event a stakes race is not run for any reason, all such subscription fees paid shall be refunded.

Section 7. Closing. (1) Entries for purse races and subscriptions to stakes races shall close at the time designated by the association in previously published conditions for such races. If a race is not split, no entry, subscription, or declaration shall be accepted after such closing time; except that in event of an emergency, or if a purse race fails to fill them the racing secretary may, with the approval of a steward, extend such closing time.

(2) If the hour of closing is not specified for stakes races, then subscriptions and declarations therefor may be ac-

cepted until midnight of the day of closing; provided, they are received in time for compliance with every other condition of such race.

(3) Entries which have closed shall be complied without delay by the racing secretary and, along with declarations, be posted.

Section 8. Number of starters in a race. (1) The maximum number of starters in any race shall be limited to the number of starting positions afforded by the association starting gate and extensions thereof approved by the commission as can be positioned across the width of the track at the starting point for such race; and such maximum number of starters further shall be limited by the number of horses which, in the opinion of the stewards, considering the safety of the horses and riders, and the distance from the start to the first turn, can be afforded a fair and equal start.

(2) At tracks measuring less than a mile in circumference, no more than ten (10) horses may start in any race without consent of the stewards, and no more than twelve (12) horses may start under any circumstance.

(3) Any claiming race in the printed condition book for which eight (8) or more horses representing different betting interests are entered must be run. All other purse races in the printed condition book for which six (6) or more horses representing different betting interests are entered must be run.

(4) If any purse race in the printed condition book fails to fill with the minimum number of entries required by subsection (3) of this section to be run, then the association may cancel or declare off such race. The names of all horses entered therein shall be publicly posted in the office of the racing secretary not later than 1:00 p.m. the same day.

Section 9. Split or divided races. (1) In the event a race is cancelled or declared off, the association may split any race programmed for the same day and which may previously have been closed. Races printed in the condition book shall have preference over substitute and extra races.

(2) When a purse race is split, forming two (2) or more separate races, the racing secretary shall give notice thereof not less than fifteen (15) minutes before such races are closed so as to grant time for the making of additional entries to such split races.

(3) Division of entries upon the splitting of any race shall be made in accordance with the conditions under which entries and subscriptions therefor were made, and in the absence of specific prohibition of such conditions:

(a) Horses originally joined as a mutuel entry may be placed in different divisions of a split race unless the person making such multiple entry, at the time of such entry indicates such coupling of horses is not to be uncoupled when such race is split.

(b) Division of entries in any split stakes race may be made according to age, or sex, or both.

(c) Entries for any split race not divided by any method provided above by this rule, shall be divided by lot so as to provide a number of betting interests as near equal as possible for each division of such split race.

Section 10. Post positions. Post positions for all races shall be determined by lot, drawn in the presence of those making the entries for such race. Post positions in split races also shall be redetermined by lot in the presence of those making the entries for such split race. The racing secretary shall assign pari-mutuel numbers for each starter to con-

form with the post position drawn, except when a race included two (2) or more horses joined as a single betting interest.

Section 11. Also eligible list. (1) If the number of entries for a purse race exceeded the number of horses permitted to start in such race as provided by Section 8 of this regulation, then the names of as many as eight (8) horses entered but not drawn into such race as starters shall be posted on the entry sheet as "also eligible" to start.

(2) After any horses have been excused from a purse race at scratch time, a new drawing shall be taken as to horses on the also-eligible list, and the starting and post position of such horses drawn from the also-eligible list shall be determined by the sequence drawn.

(3) Any owner or trainer of any horse on the also-eligible list who does not wish to start such horse in such race shall so notify the racing secretary prior to scratch time for such race and such horse shall forfeit any preference to which it may have been entitled.

(4) Where entries are closed two (2) racing days prior to the running of a race, any horse on an also-eligible list, and which also has been drawn into a race as a starter for the succeeding day, shall not be given an opportunity to be drawn into the earlier race for which he had been listed as also-eligible.

Section 12. Preferred list; stars. (1) The racing secretary shall maintain a list of horses which were entered but denied an opportunity to race because eliminated from a race programmed in the printed condition book either by overfilling or failure to fill. Horses so eliminated shall be awarded a preference "star" for each such elimination, and as to drawing in from the also-eligible list to subsequent races of similar distance and similar conditions, such horses shall be given preference over horses with fewer number or no preference stars.

(2) No preference shall be given a horse otherwise entitled thereto for a race if such horse also is entered for a race on the succeeding day.

(3) No preference shall be given a horse otherwise entitled thereto for a race unless preference is claimed at the time of entry by indicating same on the entry with the word "preferred."

Section 13. Arrears. No horse may be entered or raced if the owner thereof is in arrears as to any stakes fees due by such owner; except with the approval of the racing secretary.

Section 14. Declarations. Withdrawal of a horse from a race before closing thereof by the owner or trainer or person deputized by either, such being known as a "declaration," shall be made in the same manner as to form, time, and procedure as provided for the making of entries. Declarations and scratches are irrevocable. No declaration fee shall be required by any licensed association.

Section 15. Scratches. Withdrawal of a horse from a race after closing thereof by owner or trainer or person deputized by either, such being known as a "scratch," shall be permitted only under the following conditions:

(1) A horse may be scratched from a stakes race for any reason at any time up until fifteen (15) minutes prior to post time for the race preceeding such stakes race by the filing in writing of such intention with the racing secretary. Upon receiving a scratch from a stakes race, the racing

secretary shall promptly notify the stewards and pari-mutuel manager, and shall cause public announcement of same to be made.

(2) No horse may be scratched from a purse race without approval of the stewards and unless such intention to scratch has been filed in writing with the racing secretary or his assistant at or before the time conspicuously posted as "scratch time." Scratch of one (1) horse coupled in a mutuel entry in a purse race must be made at or before the posted scratch time, unless permission is granted by the stewards to allow both horses to remain in the race until a later appointed scratch time therefor.

(3) In purse races, horses that are physically disabled or sick shall be permitted to be scratched first. Should horses representing more than ten (10) betting interests in either of the two (2) daily double races, or horses representing more than eight (8) betting interests in any other purse race, remain in after horses with physical excuses have been scratched, then owners or trainers may be permitted at scratch time to scratch horses without physical excuses down to such respective minimum numbers for such races, this privilege to be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

(4) Entry of any horse which has been scratched, or excused from starting by the stewards, because of a physical disability or sickness shall not be accepted until the expiration of three (3) calendar days after such horse was scratched or excused.

EDNA LOOK JOHNSTONE, Secretary

ADOPTED: September 24, 1980

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 1, 1981 at 8 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Mr. Keene Daingerfield, Senior State Steward, Kentucky State Racing Commission. P.O. Box 1080, Lexington, Kentucky 40588.

PUBLIC PROTECTION AND REGULATION CABINET Harness Racing Commission (Proposed Amendment)

811 KAR 1:105. Review and appeal.

RELATES TO: KRS 230.630(1), (3); 230.640; 230.720; 230.730

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to regulate reviews and appeals of the Commission and the Franklin Circuit Court.

Section 1. (1) If any person, licensee or association be aggrieved of any order or revocation, suspension, exclusion, ruling off, fine or other decision on ruling of the judges, such person, licensee by filing a written appeal with the commission not later than ten (10) days after such ruling or decision is made.

(2) An appeal shall be addressed to the commission at its principal office and shall:

(a) Set forth the decision or ruling of the judges complained of the date when same was rendered; and

(b) Request a specification of charges and review by the commission of the charges upon which the action of the judges is based.

Section 2. (1) If the chairman of the commission or deputy commissioner (supervisor of racing) has information that any licensee or other person has secured his license based on false or fraudulent statements or has violated any rules of the commission or the provisions of the Kentucky Revised Statutes, he shall have the authority to revoke or suspend the license of such licensee or other person; provided, however, that such licensee or other person may have a review of such action by filing a written appeal with the commission not later than ten (10) days after such action is taken.

(2) The appeal shall be addressed to the commission at its principal office and shall:

(a) Set forth the decision, ruling or action of the chairman or deputy commissioner (supervisor of racing) complained of and the date when same was rendered; and

(b) Request a specification of charges and review by the commission of the charges upon which the action of the chairman or deputy commissioner (supervisor of racing) was based.

Section 3. If the commission is of the opinion that any association, licensee or other person has violated any rules of the commission or the provisions of the Kentucky Revised Statutes, it shall have the authority to issue a citation against such association, licensee or other person directing him to appear and show cause why his license should not be suspended or revoked or he not be ruled off or fined in an amount commensurate with the offense. Such citation shall contain the following:

(1) The rule or rules, or statute, alleged to have been violated and the time and place where such violation occurred;

(2) The acts committed by the offending party upon which said violations are based; and

(3) A full statement of charges preferred against the offending party.

Section 4. Notice of any commission hearing held under Sections 1, 2, and 3 or in any other instance, shall be served upon the offending or aggrieved party by registered mail directed to the last known address of such party. Such notice shall be in writing, shall fix the time and place of hearing and shall be issued and mailed not less than five (5) nor more than thirty (30) days before the date of such hearing.

Section 5. If notice is issued under Section 1, the same shall also contain a specification of the charges upon which the ruling or decision of the judges was based; or if issued under Sections 2 or 3, such notice shall set forth the information required thereunder.

Section 6. In all hearings before the commission, the chairman of the commission shall preside and shall determine the competence and order of the introductions of evidence. A hearing officer may be appointed by the chairman who shall cause a transcript of the testimony and his recommendations, to be filed with the commission for action by the commission. The aggrieved party shall have the right to appear in person and by counsel. At the conclusion of the hearing the commission shall take the case under ad-

visement and shall, as promptly as may be reasonably possible, make known its decision, and should the order or decision of the judges, chairman of the commission or deputy commissioner (supervisor of racing) be sustained, the secretary of the commission (executive racing secretary) shall at once notify the aggrieved party of the commission's decision. In the event the commission finds that the aggrieved party was not guilty or any infraction or violation, the action of the judges shall be set aside and revoked, and the aggrieved party so notified.

Section 7. Stay of Enforcement. In the event a penalty is imposed by the officials, the chairman of the commission, the commission or the deputy commissioner (supervisor of racing) or his assistants may grant a stay of the enforcement of such penalty until an appeal, if filed, is decided. In certain circumstances described below, the commission will grant a stay pending appeal to any person licensed by it who is affected by any decision of, or penalty imposed by an official or officials at a race meeting.

(1) Such a stay will be available in cases involving the loss of purse money of \$100 or more, or a fine of \$100 or more, or suspension of driving, or exclusion from the paddock or race track grounds of more than five (5) days.

(2) The stay will begin when the person appealing files a "notice of appeal" and requests a stay on a form provided by the commission and security of not less than \$100, or as follows:

(a) A filing shall be made at the commission's office, Lexington, Kentucky, or with its representative at the operating track within forty-eight (48) hours after the decision or penalty from which the appeal is taken.

(b) The "notice of appeal" and "request for stay" shall be sworn to and shall state the grounds for appeal.

(c) The security is \$100 unless the commission sets a higher security within forty-eight (48) hours of the filing. If a higher security is set, the stay will automatically terminate unless the excess over the \$100 is posted within twenty-four (24) hours of the notice of the higher security and has been received by the person appealing.

(d) Failure to sustain the appeal may cause forfeiture of the security [to cover] and if the costs of said appeal exceeds the amount of the security, the additional costs shall be paid upon order of the commission.

(3) The commission reserves the right to hold as forfeit all or any part of the posted security if, in its considered opinion, the appeal was frivolous or without foundation.

Section 8. Witnesses for hearings may be subpoenaed by the chairman, vice-chairman, deputy commissioner (supervisor of racing) or hearing officer.

Section 9. All actions of the commission may be appealed to the Franklin Circuit Court by an aggrieved party within thirty (30) days pursuant to the Rules of Civil Procedure. No injunction or restraining order shall issue pending said appeal.

CARL B. LARSEN, Deputy Commissioner

ADOPTED: April 24, 1981

APPROVED:

H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 12, 1981 at 10:50 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Carl B. Larsen, Deputy Commissioner, Kentucky Harness Racing Commission, 1051-H Newtown Road, Lexington, Kentucky 40511.

PUBLIC PROTECTION AND REGULATION CABINET
Harness Racing Commission
(Proposed Amendment)

811 KAR 1:125. Pari-mutuel rules.

RELATES TO: KRS 230.630(1), (3), 230.640, 230.690, 230.710

PURSUANT TO: KRS 13.082, 230.630(3), (4), (7)

NECESSITY AND FUNCTION: To regulate conditions under which harness racing shall be conducted in Kentucky. The function of this regulation is to provide and regulate pari-mutuel wagering at race meetings.

Section 1. Equipment. (1) The commission considers it desirable for licensees to use vending machines for the sale of pari-mutuel tickets. All licensees will be required to employ the use of totalizator equipment or its equivalent of a type approved by the commission.

(2) The controls necessary to operate the odds board in the infield, relative to the way the horses finish, (if the finish is being contested, if there is a photo, dead heat, time or race) are to be located in the judge's stand and controlled only by the presiding judge, or one associate judge designated to do so.

Section 2. Definitions for Pari-Mutuel Rules. (1) For the purpose of pari-mutuel betting, every heat or dash shall be a separate and distinct race.

(2) Where the term "race" is used throughout the following rules, it shall not be considered to apply as if the term "heat" had been used. Wagering shall be prohibited on more than ten (10) races, heats excluded, during the course of a single racing program, provided that the commission may extend the number of races authorized.

Section 3. Tax. Each day's tax imposed by KRS Chapter 138 shall be remitted to the Kentucky Department of Revenue by the licensee by check or bank draft within twenty-four (24) hours after the close of the racing program. Such remittance shall be accompanied by a tax return executed by the licensee on a form furnished by the Kentucky Department of Revenue. A copy of said form will be filed daily with the commission.

Section 4. Sale of Pari-Mutuel Tickets. (1) Only one (1) method of selling pari-mutuel tickets shall be used for the sale of tickets on individual races during any racing day.

(2) Unless prior commission approval has been obtained no pari-mutuel tickets shall be sold except through regular ticket windows properly designated by signs showing type of tickets sold at that particular window.

(3) Without prior commission approval no pari-mutuel tickets shall be sold on any race prior to the day of the race.

(4) Book making or betting other than pari-mutuel betting is strictly prohibited.

(5) No minor shall be allowed to bet and no mutuel employee shall sell or pay a wager to a minor.

(6) All wagering shall stop as soon as the word "go" shall be given by record or by voice of the starter. Vending machines for the sale of pari-mutuel tickets shall be electrically locked by the presiding judge from the judge's stand.

(7) When the sale of pari-mutuel tickets has closed, it shall remain closed until after the race has finished and has been declared official, unless an objection imposes a delay in which case the sale of pari-mutuel tickets for the next

succeeding race may be begun without waiting for the race to be declared official.

(8) Without approval of the commission, no pari-mutuel ticket shall be sold for less than two dollars (\$2). Without approval of the commission, no pari-mutuel ticket combining win and place, win and show, or place and show, shall be sold for less than four dollars (\$4). Without approval of the commission, no pari-mutuel ticket combining win, place, and show shall be sold for less than six dollars (\$6). Without approval of the commission, no pari-mutuel tickets for perfecta, double perfecta, quinella or double quinella combinations shall be sold for less than two dollars (\$2).

(9) The method of selling pari-mutuel tickets shall be approved by the commission.

(10) The manager of the pari-mutuel department shall be properly and timely advised by the presiding judge, prior to the beginning of wagering on each race, of the horses that will compete in the race.

(11) At meetings of more than ten (10) days, if less than six (6) interests qualify to start in a race, the manager of the pari-mutuel department, with the consent of the representative of the commission, shall be permitted to prohibit show wagering on that race.

(12) At meetings of more than ten (10) days, if less than five (5) interests qualify horses to start in a race, the said manager, with the consent of the representative of the Kentucky Harness Racing Commission shall be permitted to prohibit both place and show wagering on that race.

(13) At meetings of more than ten (10) days, if less than three (3) interests qualify horses to start in a race, the said manager, with the consent of the representative of the commission shall be permitted to prohibit wagering on that race.

(14) At meetings of more than ten (10) days, the said manager with the consent of the representative of the commission, may prohibit wagering on any particular horse or entry in any race. Such consent shall be sought by the manager of the pari-mutuel department from the representative of the commission. Such exclusions, if consented to by the representative of the commission, shall be clearly indicated on the program or score card or announced and horses excluded shall be numbered so as to in no way infer that they are coupled in "the field." Horses once excluded from the betting shall remain excluded during the day or race in which they are scheduled to start.

(15) When more horses representing separate interests are started in a race than the number of post positions on the infield tote board, all horses in excess of a number of interests one (1) less than the total number of post positions on the infield tote board shall be grouped in the betting as the "field."

(16) A refund at cost value shall be made to all holders of a purchased ticket bearing the number of a horse in any race which has been scratched or withdrawn before said horse has become a starter in the race under the rules, unless such horse is part of an entry, and one (1) or more of said entry starts.

Section 5. Payments. (1) Payments due on all wagers shall be made in conformity with well established practice of the pari-mutuel system. The practice is to work in dollars and not in the number of tickets. Money wagered on winning tickets is returned in full plus the profits. In all cases of a winning mutuel pool each licensee must redistribute not less than one dollar and ten cents (\$1.10) on each one dollar (\$1) wagered. In the event of a minus

pool the minimum payoff on each one dollar (\$1.00) wagered shall be one dollar and five cents (\$1.05).

(2) At the end of each race, the judges shall advise the manager of the pari-mutuel department by the use of the tote equipment or by telephone of the official placement of the horses, and no payoffs shall be made until the receipt of such notice.

(3) If a horse wins and there is no money wagered on him to win, the win pool shall be apportioned among the holders of the place tickets on that horse, if any, otherwise among holders of the show tickets.

(4) If no money has been wagered to place on a horse which is placed first or second in a race, the place pool for that race shall be apportioned among the holders of the place tickets on the other horse which was placed first or second.

(5) If no money has been wagered to show on a horse which has placed first, second or third in a race, the show pool in that race shall be apportioned among the holders of show tickets on the other horses which are placed first, second or third in that race.

(6) In the event that only two (2) horses finish in any one (1) race, the show pool shall be figured the same as the place pool and monies apportioned to the holders of show tickets on the two (2) finishing horses. In the event only one (1) horse finishes in any one (1) race all three (3) pools shall be figured separately as straight pools and all the monies shall be awarded to the ticket holders of the finishing horse. In the event no horse finishes the race, then the entire pool shall be refunded to all ticket holders.

(7) If two (2) horses finish in a dead heat for first place, the money in the win mutuel pool is divided between the two (2) dead-heaters according to their proportionate shares in the pool.

(8) If two (2) horses finish in a dead heat for second place, the division is made as follows: There shall be allotted to the pool of the winner of the race one-half ($\frac{1}{2}$) of the place pool and the two (2) dead-heaters one-half ($\frac{1}{2}$) each of the remaining half of the place pool.

(9) If two (2) horses coupled in the betting as an "entry" or "the field" finish first and second, first and third, or second and third, two-thirds ($\frac{2}{3}$) of the net show pool shall be allotted to the pool of the entry and the balance one-third ($\frac{1}{3}$) to the other horse.

(10) In the event that one (1) horse of the entry or the field finishes first or second and the other part of the entry or field finishes in a dead heat for third with another horse, the division of the net show pool shall be as follows: one-half ($\frac{1}{2}$) of the net show pool shall be allotted to the pool of the entry, one-third ($\frac{1}{3}$) to the non-entry horse not involved in the dead heat, and one-sixth ($\frac{1}{6}$) to the non-entry horse finishing in the dead heat.

(11) If the entry or field horses should finish first, second and third, the entire money in each pool goes to the entry or field tickets, no other tickets participating.

(12) No mutilated pari-mutuel ticket that is not easily identifiable as being a valid ticket shall be accepted for payment.

(13) No claims for lost pari-mutuel tickets shall be considered.

(14) In the event an error is made in calculation resulting in a price being too high, the association shall lose such amount between the proper price and the one paid. If the error in calculation results in a price being too low, such amount between proper price and price paid shall be added to the net pool of the same position in the following race on the same day or if it is the last race of the day then it shall be added to the net pool of the same position in the

same race on the following day. If such an error occurs causing underpayment on the last race of the entire racing meeting, the underpayment shall be paid to the Kentucky Department of Revenue.

Section 6. Daily Doubles. (1) Positively no exchange of daily double tickets after purchaser thereof has left the sales window.

(2) The daily double is not a parlay, and has no connection with or relation to the "tote" betting. All tickets on the daily double will be calculated in an entirely separate pool. Without prior commission approval, only one (1) daily double will be permitted during any single program.

(3) All tickets will be to win (straight) only. Entries and the field run as one (1) horse in the daily double. If two (2) or more horses in a race are coupled on the same totalizator ticket, there shall be no refunds, unless all of the horses so coupled are excused before off time.

(4) Selections are to be made of one (1) horse for each of two (2) races in the daily double by "tote" program numbers.

(5) If no ticket is sold combining the two (2) winners of the daily double, the pool shall then be apportioned equally between those having tickets including the winner in the first race of the daily double and those having tickets including the winner in the second race of the daily double in the same manner in which a place pool is calculated and distributed.

(6) If no ticket is sold on the winner of the first race of the daily double on any combination, the entire pool is apportioned to the holders of tickets on the winner of the second race of the daily double. Likewise, if no ticket is sold on the winner of the second race of the daily double or any combination, the entire pool is apportioned to the holders of tickets on the winner of the first race of the daily double.

(7) If a dead heat to win should result in either the first or second race of the daily double, the total pool is calculated as a place pool. In case of a dead heat for the winner of the first race of the daily double, the posting of payoff prices will be made after winner of second race of the daily double is official.

(8) Should no ticket be sold containing the numbers of either winner on any combination, the pool shall be allotted to those having tickets on horses finishing next to the winners.

(9) In the event any horse or horses in the first half of the daily double should be excused by the judges after the horses shall have left the paddock for the post, or after the betting on the daily double has been closed, or should any horse or horses in the first half of the daily double be prevented from racing because of failure of the arm or arms of the starting gate to open, the money wagered on any horse or horses so excused or prevented from racing shall be deducted from the daily double pool and refunded to the purchaser or purchasers of tickets on the horse or horses so excused or prevented from racing.

(10) If a horse is scratched from the second half of the daily double before it becomes a starter in the second half, but after the first half of the daily double has been run, all daily double tickets combining the scratched horse in the second race of the daily double with the actual winner of the first race of the daily double shall be paid a price equivalent to that fraction of the net pool derived by dividing the net pool by the total purchase price of all tickets combining the winner of the first race of the daily double with all horses in the second race of the daily double. The total payoff on all tickets combining the winner of

the first race of the daily double with the scratched horse in the second race of the daily double as determined by the method set forth in this rule shall be deducted from the net daily double pool.

(11) The possible payoff prices shall be posted or announced to the public before the start of the last race of the daily double, and as soon as possible after the horses in the race of the last half of the daily double have entered upon the track on the way to the post.

(12) If for any reason the second race of the daily double is cancelled or declared "no race" by the judges after the first daily double race is declared official, then the net daily double pool shall be distributed to wagering combinations which include the horse or betting interest which finished first in the first daily double race.

(13) If a daily double is scheduled to be held, subsections (1) to (12) of this section shall be printed in conspicuous places in the grandstand area and an abbreviated version shall be printed on the day's racing program, and notice printed on said program as follows: "Retain Your Tickets Until The Result Of the Daily Double Has Been Posted."

Section 7. Perfecta Wagering. (1) The "perfecta" (also known as exacta or correctia) is a contract by the purchaser of a ticket combining two (2) horses in a single race, selecting the two (2) horses that will subsequently finish first and second in that race. Payment of the ticket shall be made only to the purchaser who has selected the same order of finish as officially posted.

(2) The perfecta is not a "parlay" and has no connection with or relation to the win, place or show betting and will be calculated as an entirely separate pool.

(3) If no ticket is sold on the winning combination of a perfecta pool, the net pool shall be distributed equally between holders of tickets selecting the winning horse to finish first and/or holders of tickets selecting the second place horse to finish second.

(4) If no ticket is sold that would require distribution of a perfecta pool to winner as above defined, the association shall make a complete and full refund of perfecta pool.

(5) In case of a dead heat between two (2) horses for first place the net perfecta pool shall be calculated and distributed as a place pool to holders of tickets of the winning combination(s). In case of a dead heat between two (2) horses for second place, the perfecta pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two (2) horses finishing second participating in the payoff.

(6) In the event of a dead heat for second place, if no ticket is sold on one (1) of the two (2) winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the other winning combination. If no tickets combine the winning horse with either of the place horses in the dead heat, the perfecta pool shall be calculated and distributed as a place pool to holders of tickets representing any interest in the net pool.

(7) In the event two (2) or three (3) horses coupled in an entry or the mutuel field finish first and second or first, second and third, the winning combination shall be the coupled horses and the horse placed immediately behind such entry or field.

Section 8. Quinella Wagering. (1) The "quinella" is a form of a pari-mutuel wagering consisting of selecting the first two (2) horses to finish, irrespective of their place of finish.

(2) The quinella is not a "parlay" and has no connection

with or relations to the win, place or show betting and will be calculated as an entirely separate pool.

(3) In case of a dead heat between two (2) horses for first place, the combination shall be the winner of the quinella pool. In case of a dead heat between two (2) horses for second place, the quinella pool shall be figured as a place pool, the holders of tickets combining the winning horse and the two (2) horses finishing second participating in the payoff.

(4) In the event of a dead heat for second place, if no ticket is sold on one (1) of the winning combinations, the entire net pool shall be calculated as a win pool and distributed to those holding tickets on the other winning combination. If no tickets combine the winning horse with either of the place horses in the dead heat, the net pool shall be calculated and distributed as a place pool to holders of tickets combining either of the place horses; however, if any tickets combine both horses in the dead heat for place, the net pool shall be calculated and distributed as a win pool to holders of such tickets.

(5) If no ticket is sold on the winning combination of a quinella pool, the net pool shall then be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(6) If no ticket is sold that would require distribution of a quinella pool to a winner as above defined, the association shall make a complete and full refund of the quinella pool.

(7) If a perfecta and/or quinella is scheduled to be held, each association shall print an abbreviated version of this rule on the day's racing program.

(8) In the event two (2) or three (3) horses coupled in an entry or the mutuel field finish first and second or first, second and third, the winning combination shall be the coupled horses and the horse placed immediately behind such entry or field.

Section 9. Double Perfecta Wagering. (1) the double perfecta is a form of pari-mutuel wagering in which the bettor selects the two (2) horses that will finish first and second in each of two (2) consecutive races in the exact order as officially posted.

(2) Double perfecta tickets shall be sold only at double perfecta windows and only from automatic double issue machines.

(3) Each bettor purchasing double perfecta tickets shall designate his two (2) selections as the first two (2) horses to finish in that order in the first of two (2) consecutive races.

(4) After the official declaration of the first two (2) horses to finish in the first race of the double perfecta, each bettor holding a ticket combining the first two (2) horses in the exact order of finish must, prior to the running of the second double perfecta race exchange ticket at the double perfecta window and at such time shall select the two (2) horses to finish in the second race of the double perfecta in the exact order as officially posted. No further money shall be required of the holder of the ticket in order to make the exchange.

(5) No double perfecta exchange ticket upon the second race shall be issued except upon the surrender of the double perfecta ticket from the first race as described in these rules. The double perfecta pool obtained from the sales of double perfecta tickets upon the first race shall be held, subject to these rules, and divided among the winning tickets of the double perfecta exchange tickets, subject to

those rules to the contrary. Double perfecta windows shall be open for the purpose of making the exchange as described only after the first race has been declared official.

(6) If a winning double perfecta ticket from the first race is not presented for exchange within the time provided the bettor forfeits all rights to any distribution or refund except in the event the second half of the double perfecta is cancelled or declared "no race."

(7) If a horse is scratched in the first race of the double perfecta races, all double perfecta tickets on the scratched horse will be refunded.

(8) If a horse is scratched in the second race of the double perfecta, after the first race of the double perfecta has been declared official, all exchange tickets combining the scratched horse shall become consolation tickets and shall be paid a price per dollar denomination calculated as follows: the net double perfecta pool (gross pool less commission) shall be divided by the total purchase price of all tickets combining the winners of the first race of the double perfecta. The quotient thus obtained shall be the price to be paid to holders of exchange tickets combining the scratched horse in the second race of the double perfecta. The entire consolation pool (number of eligible tickets times the consolation price) shall be deducted from the net double perfecta pool.

(9) If no double perfecta ticket is sold as a winning combination in the first race of the double perfecta, the double perfecta pool shall be divided among those having tickets including the horse finishing first and those having tickets including the horse finishing second and such distributions shall be calculated and made as a place pool. In such an instance the double perfecta race shall end and the pool be closed for the day.

(10) If no double perfecta exchange ticket is sold on the winning combination the net pool shall then be apportioned equally between those having tickets including the horse finishing first and those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(11) If a double perfecta exchange ticket combines only one (1) of the two (2) winners and no double perfecta exchange ticket combines the other winner, the entire pool shall be distributed as a straight pool to the holders of those tickets.

(12) If no exchange ticket includes either the first or second horse of the second half of the double perfecta the entire net pool shall be distributed as a straight pool to all holders of exchange tickets.

(13) In the event of a dead heat for place in the first race of the double perfecta races, all double perfecta tickets combining the first horse and either of the place horses shall be eligible for exchange for double perfecta exchange tickets.

(14) In the event of a dead heat for place in the second race of the double perfecta, the double perfecta pool shall be divided, calculated and distributed as a place pool to the holders of double perfecta exchange tickets combining the first horse and either of the place horses. In the event of the dead heat to place and there are no tickets sold on one (1) combination, then the other combination having the winning horses shall be declared the winner. If no exchange tickets combining the winning horse with either of the place horses in the dead heat, the double perfecta pool shall be calculated and distributed as a win pool to holders of tickets representing any interest in the net pool.

(15) If for any reason the second of the double perfecta races is cancelled or declared "no race," the pool shall be calculated as a straight pool and shall be distributed among

the holders of the tickets combining the first two (2) horses of the first race of the double perfecta otherwise eligible for double perfecta exchange tickets and also distributed to holders of the double perfecta exchange tickets.

(16) If there is a dead heat for the winning horse in either of the two (2) consecutive races for the double perfecta, such calculation of distribution of the double perfecta pool shall be made in the manner in which any ordinary perfecta pool would be made should there be a dead heat for the win despite the number of horses involved in the dead heat.

(17) The purchase of double perfecta tickets other than through pari-mutuel machines and the sale of double perfecta tickets from one (1) individual to another shall be deemed illegal and is prohibited.

Section 10. Big "Q" Rules (1) Each operator wishing to conduct Big "Q" wagering must first petition the commission for permission to do so.

(2) Each operator shall either print in the daily program or prominently post at all areas where Big Q wagering is conducted the complete rules for Big Q wagering as set forth in the following sections:

(a) The Big Q consists of selecting the quinella (the first two (2) horses to finish) of each of two (2) consecutive races. Pari-mutuel wagering tickets are to be sold upon the first race of the two (2) races only. The division of the pool shall be calculated as in a straight pool, subject to provisions of these rules to the contrary.

(b) No entries or field horses shall be allowed to start in any race comprising the Big Q.

(c) Tickets shall be sold only at Big Q windows and only from automatic double issuing machines.

(d) Each bettor purchasing tickets shall designate his two (2) selections as the first two (2) horses to finish in the first race of the two (2) races.

(e) After the official declaration of the first two (2) horses to finish the first of the Big Q races, each bettor holding a ticket combining the said two (2) horses to finish must, prior to the running of the second race, exchange such winning ticket for a Big Q exchange ticket at the Big Q windows and at such time the said holder shall select the first two (2) horses to finish in the second race of the Big Q. No further money shall be required of the holder of the ticket in order to make the exchange.

(f) No Big Q exchange ticket upon the second race shall be issued except upon the surrender of the Big Q ticket from the first race as described in these sections. The Big Q pool obtained from the sales of the Big Q tickets upon the first race shall be held subject to these sections, and divided among the winning tickets of the Big Q exchange tickets, subject to these sections to the contrary. Big Q windows shall be open for the purpose of making the exchange as described only after the first race has been declared official and such windows shall close at post time at the start of the second race of the Big Q races.

(g) If a winning Big Q ticket from the first race is not presented for exchange within the time provided, the bettor forfeits all rights to any distribution or refund except in the event the second half of the Big Q is cancelled or declared "no race" or if no exchange ticket includes either the first or second horse of the second half of the Big Q.

(h) If a horse is scratched in the first race, all Big Q tickets on the scratched horse will be refunded. If a horse is scratched in the second race, the holders of tickets on the scratched horse will be entitled to exchange their tickets for another selection. In the event of a late scratch, after the exchange windows have been closed, all exchange tickets combining the scratched horse shall become consolation

tickets and shall be paid a price per dollar denomination calculated as follows: The net Big Q pool (gross pool less commission) shall be divided by the total purchase price of all tickets combining the winnings of the first race of the Big Q. The quotient thus obtained shall be the price to be paid to holders of exchange tickets combining the scratched horse in the second race of the Big Q. The entire consolation pool (number of eligible tickets times the consolation price) plus the breakage shall be deducted from the net Big Q pool.

(i) If no ticket is sold as a winning combination in the first race of the Big Q, the Big Q pool shall be divided among those having tickets including the horse finishing first or second and such distributions shall be calculated and made as a place pool. In such an instance, the Big Q race shall end and the pool be closed for the day.

(j) If no Big Q exchange ticket is sold on the winning combination, the net pool shall be apportioned equally between those having tickets including the horse finishing second in the same manner in which a place pool is calculated and distributed.

(k) If a Big Q exchange ticket combines only one (1) of the winners and no Big Q exchange ticket combines the other winner, the entire pool shall be distributed as a straight pool to the holders of those tickets.

(l) If no exchange ticket includes either the first or second horse of the second half of the Big Q, the entire net pool will be distributed as a straight pool to all holders of exchange tickets and winning combinations of the first half that have not been exchanged.

(m) In the event of a dead heat for place in the first race of the Big Q races all Big Q tickets combining the first horse and either of the place horses shall be eligible for exchange for Big Q exchange tickets.

(n) In the event of a dead heat for place in the second race of the Big Q races the pool will be divided, calculated and distributed as a place pool to the holders of Big Q exchange tickets combining the first horse and either of the place horses. In the event of the dead heat to place and there are no tickets sold on one (1) combination, then the other combination having winning horses shall be declared the winner.

(o) If no exchange tickets combine the winning horse with either of the place horses in the dead heat, the Big Q pool shall be calculated and distributed as a place pool to holders of tickets combining either of the place horses, however if any exchange tickets combine both horses in the dead heat for place, the Big Q pool shall be calculated and distributed as a place pool to holders of such tickets.

(p) If for any reason the first race of the Big Q races is cancelled or declared "no race" full and complete refund shall be made from the Big Q pool.

(q) If for any reason, the second of the Big Q races is cancelled or declared "no race" the pool shall be calculated as a straight pool and shall be distributed among the holders of tickets combining the first two (2) horses of the first race of the Big Q otherwise eligible for Big Q exchange tickets and also distributed to holders of the Big Q exchange tickets.

(r) If there is a dead heat for the winning horses in either of the two (2) consecutive races for the Big Q such calculation of distribution of the Big Q pool shall be made in the manner in which any ordinary quinella pool would be made should there be a dead heat for the win despite the number of horses involved in the dead heat.

(s) In the event that an incorrect exchange ticket is issued during the second half of the Big Q pool, such incorrect exchange ticket must be turned in to the State Auditor

prior to the running of the second half. Said tickets shall be deducted from both exchange and individual combination totals. The ticket shall be voided and filed with the performance worksheets and a report including the seller's name and license number, shall be made to the commission of the complete incident.

Section 11. Trifecta Wagering. (1) The "Trifecta" is a contract by the purchaser of a ticket combining three (3) horses in a single race, selecting the three (3) horses that will subsequently finish first, second and third in that race. Payment of the ticket shall be made only to the purchaser who has selected the same order of finish as officially posted.

(2) The "Trifecta" is not a parlay and has no connection with or relation to the Win, Place and Show betting and will be calculated as an entirely separate pool.

(3) Trifecta tickets shall be sold in not less than one dollar (\$1) [two dollars (\$2)] denominations.

(4) If no ticket is sold on the winning combination of a Trifecta Pool, the net pool shall be distributed to the holders of tickets selecting the win and place finishers in that order. If no ticket is sold combining the win and place finish, the net pool will be distributed to the holders of tickets selecting the winner.

(5) If no ticket is sold that would require distribution of the net Trifecta Pool to a winner as above defined, the association shall make a full refund of the Trifecta Pool.

(6) In the event of a dead heat or dead heats, all Trifecta tickets selecting the correct order of finish, counting a horse in a dead heat as finishing in either position dead heated, shall be winning tickets. The payoff will be calculated as a place pool.

(7) In the event of a scratch in the Trifecta no exchanges will be made. All tickets which include the scratched horse are eliminated from further participation in the Trifecta Pool and will be refunded.

(8) No entries or field horses shall be allowed in any race that the Trifecta is being sold.

(9) Trifecta tickets shall be sold only by the licensee through pari-mutuel machines programmed to print all selections on one (1) ticket. Resale of such tickets from one (1) individual to another is prohibited and shall be grounds for ejection.

(10) Each association shall print in heavy type in a conspicuous place in its printed program all the provisions of this section and post printed copies of this section about the track in such places as it may deem advisable.

(11) For the purpose of trifecta wagering the trifecta race shall be drawn to consist of nine (9) starters and two (2) also eligibles.

(12) Should the number of starters be reduced to less than eight (8) within one (1) hour of post time of the first race, trifecta wagering shall be cancelled and a perfecta may be offered.

(13) Should the number of starters be reduced to less than eight (8) at the time the official sign is posted two (2) races prior to a trifecta, trifecta wagering shall be cancelled and a perfecta may be offered.

(14) *Nothing in this section shall preclude the sale of combination trifecta tickets in the amount of six dollars (\$6).*

Section 12. Types of Wagering Allowed. The following types of wagering shall be permitted at all tracks given racing dates by the commission:

- (1) Normal win, place and show betting on each race.
- (2) A daily double on the first and second races.

(3) Any other methods of betting approved in advance by the commission.

CARL B. LARSEN, Deputy Commissioner

ADOPTED: April 24, 1981

APPROVED: H. FOSTER PETTIT, Secretary

RECEIVED BY LRC: May 13, 1981 at 11 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Betty Burton, Acting Executive Secretary, Kentucky
Harness Racing Commission, 1051-H Newtown Pike, Lexington, Kentucky 40511.

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

904 KAR 2:015. Supplemental programs for the aged, blind and disabled.

RELATES TO: KRS 205.245

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources is responsible under Title XVI of the Social Security Act as amended by Public Law 92-603 to administer a state funded program of supplementation to all December, 1973 recipients of aid to the aged, blind and disabled, hereinafter referred to as AABD, disadvantaged by the implementation of the Supplemental Security Income Program, hereinafter referred to as SSI. KRS 205.245 provides not only for the mandatory supplementation program but also for supplementation to other needy aged, blind and disabled persons. This regulation sets forth the provisions of the supplementation program.

Section 1. Mandatory State Supplementation: Mandatory state supplementation payments must be equal to the difference between the AABD payment for the month of December, 1973, plus any other income available to the recipient as of that month and the total of the SSI payment and other income. Also included are those former aged, blind or disabled recipients ineligible for SSI due to income but whose special needs entitled them to an AABD payment as of December, 1973. Mandatory payments must continue until such time as the needs of the recipient as recognized in December, 1973, have decreased or income has increased to the December level.

(1) The mandatory payment is increased only when income as recognized in December, 1973, decreases, the SSI payment is reduced but the recipient's circumstances are unchanged, or the standard of need utilized by the bureau in determining optional supplementation payments for a class of recipients is increased.

(2) In cases of man and wife, living together, income changes after September, 1974, will result in increased mandatory payment only if total income of the couple is less than December, 1973, total income.

Section 2. Optional State Supplementation: Optional state supplementation is available to those persons meeting technical requirements and resource limitations of the aged, blind or disabled medically needy program as contained in 904 KAR 1:003 and 904 KAR 1:004 who require special living arrangements and who have insufficient in-

come to meet their need for care. Special living arrangements include residence in a personal care home as defined in 902 KAR 20:030[E] or family care home as defined in 902 KAR 20:040[E] or situations in which a caretaker must be hired to provide care other than room and board. A supplemental payment is not made to or on behalf of an otherwise eligible individual when the caretaker service is provided by the spouse, parent (of an adult disabled child or a minor child), or adult child (of an aged or disabled parent) who is living with the otherwise eligible individual. When this circumstance exists and a person living outside the home is hired to provide caretaker services, the supplemental payment may be made. Application for SSI, if potential eligibility exists, is mandatory.

Section 3. Income Considerations: In determining the amount of optional supplementation payment, total net income of the applicant or recipient, or applicant or recipient and spouse, including payments made to a third party in behalf of an applicant or recipient, is deducted from the standard of need with the following exceptions:

(1) Income is conserved for an ineligible, non-SSI spouse and/or minor dependent children in the amount of the medical assistance program basic maintenance scale for family size adjusted by deduction of sixty-five dollars (\$65) from monthly earnings of spouse.

(2) If one (1) member of a couple is institutionalized and the SSI spouse maintains a home, income in the amount of the SSI standard for one (1) is conserved for the spouse.

Section 4. Standard of Need: (1) The standard, based on living arrangement, from which income as computed in Section 3 is deducted to determine the amount of optional payment is as follows:

(a) Personal care home: [not less than \$379, effective 7/1/79;] not less than \$409, effective 7/1/80; *not less than \$436, effective 7/1/81;*

(b) Family care home: [not less than \$292, effective 7/1/79;] not less than \$322, effective 7/1/80; *not less than \$349, effective 7/1/81;*

(c) Caretaker:

1. Single individual: [not less than \$246, effective 7/1/79;] not less than \$276, effective 7/1/80; *not less than \$303, effective 7/1/81;*

2. Married couple, one (1) requiring care: [not less than \$350, effective 7/1/79;] not less than \$395, effective 7/1/80; *not less than \$435, effective 7/1/81;*

3. Married couple, both requiring care: [not less than \$388, effective 7/1/79;] not less than \$433, effective 7/1/80; *not less than \$473, effective 7/1/81.*

(2) In couple cases, both requiring a caretaker, and both eligible, one-half (½) of the deficit is payable to each. If one (1) is ineligible (neither aged, blind nor disabled) the payment is computed on the basis of a married couple, one (1) requiring care.

Section 5. Institutional Status: No aged, blind or disabled person shall be eligible for state supplementation while residing in a personal care home or family care home unless such home is licensed under KRS 216B.010 to 216B.130.

Section 6. Residency: (1) To be eligible, an applicant or recipient must be a citizen of the United States, or an alien legally admitted to this country or an alien who is residing in this country under color of law. *An alien must have been admitted for permanent residence.* The applicant or reci-

pient must also be a resident of Kentucky. Generally, this means the individual must be residing in the state for other than a temporary purpose; however, there are exceptions with regard to applicants for or recipients of a state supplemental payment and institutionalized individuals.

(2) Supplemental payments may be made to Kentucky residents residing outside the state only when the individual has been placed in the other state by this state. In these situations, the other requirements for eligibility shown in other sections of this regulation shall be applicable, except that with regard to the requirement shown in Section 5, the licensure shall be in accordance with a similar licensure act of the other state. If there is no similar licensure act in the other state, the payment may be made only if this state determines that, except for being in another state, the facility meets standards for licensure under the provisions of KRS 216B.010 to 216B.130. To be eligible for a supplemental payment while placed out-of-state the individual must require the level of care provided in the out-of-state placement, there must be no suitable placement available in Kentucky, and the placement must be pre-authorized by staff of the Bureau for Social Insurance.

(3) When determining residency, ability of the individual to indicate intent (to become a Kentucky resident) must be considered if the individual is institutionalized. The individual is considered incapable of indicating intent if:

(a) His I.Q. is forty-nine (49) or less or he has a mental age of seven (7) or less, based on tests acceptable to the department; or

(b) He is judged legally incompetent; or

(c) Medical documentation, or other documentation acceptable to the state, supports a finding that he is incapable of indicating intent.

(4) An individual is institutionalized if he is residing in a facility providing some services other than room and board. Personal care facilities are considered to be institutions.

(5) For any non-institutionalized individual under age twenty-one (21) whose eligibility for a supplemental payment is based on blindness or disability, his state of residence is Kentucky if he is actually residing in the state.

(6) For any non-institutionalized individual age twenty-one (21) or over, his state of residence is Kentucky if he is residing in the state and has the intention to remain permanently or for an indefinite period (or, if incapable of indicating intent, is simply residing in the state).

(7) For any institutionalized individual living in Kentucky who is under age twenty-one (21) or who is age twenty-one (21) or older and became incapable of indicating intent before age twenty-one (21), the state of residence is Kentucky if:

(a) The state of residence of the individual's parents, or his legal guardian if one has been appointed, is Kentucky; or

(b) The state of residence of the parent applying for the supplemental payment on behalf of the individual is Kentucky, when the other parent lives in another state and there is no appointed legal guardian.

(8) For any institutionalized individual living in Kentucky who became incapable of indicating intent at or after age twenty-one (21), the state of residence is Kentucky if he was living in Kentucky when he became incapable of indicating intent. If this cannot be determined, the state of residence is Kentucky unless he was living in another state when he was first determined to be incapable of indicating intent.

(9) For individuals subject to determinations of residen-

cy pursuant to subsections (7) and (8) of this section, the state of residency is Kentucky when the individual is residing in Kentucky, and a determination of residency applying those criteria does not show the individual to be a resident of another state.

(10) For other institutionalized individuals (i.e., those individuals who are both age twenty-one (21) or over and capable of indicating intent), the state of residence is Kentucky if the individual is residing in Kentucky with the intention to remain permanently or for an indefinite period.

(11) Notwithstanding subsections (3) through (10), any individual placed by the department in an institution in another state may, with appropriate preauthorization, be considered a resident of Kentucky, and any individual placed in an institution in Kentucky by another state shall not be considered a resident of Kentucky.

(12) An individual receiving a mandatory state supplemental payment from Kentucky shall be considered a resident of Kentucky so long as he continues to reside in Kentucky. An individual receiving a mandatory or optional supplemental payment from another state shall not be considered a resident of Kentucky.

(13) An individual eligible for and receiving a supplemental payment in October, 1979 shall be considered a Kentucky resident through October, 1981, even if he does not meet the residency requirements specified in this section, so long as such individual continues to reside in Kentucky and his receipt of supplementary payments has not since October, 1979 been interrupted by a period of ineligibility.

(14) Notwithstanding the preceding provisions of this section, a former Kentucky resident who becomes incapable of indicating intent while residing out of this state shall be considered a Kentucky resident if he returns to this state and he has a guardian, parent or spouse residing in this state. Such individual shall not be considered a Kentucky resident on the basis of this subsection whenever, subsequent to that time, he leaves this state to reside in another state except when the provisions of subsection (11) above are met. An individual leaving the state may, however, reestablish Kentucky residency by returning to the state if he has a guardian, parent or spouse residing in this state.

WILLIAM L. HUFFMAN, Commissioner

ADOPTED: May 14, 1981

APPROVED: W. GRADY STUMBO, Secretary

RECEIVED BY LRC: May 15, 1981 at 8:30 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING
TO: Secretary for Human Resources, DHR Building, 275
East Main Street, Frankfort, Kentucky 40621.

Proposed Regulations

DEPARTMENT OF REVENUE

103 KAR 5:015. Technical services contracts.

RELATES TO: KRS 131.130, 131.140, 132.530, 132.550

PURSUANT TO: KRS 13.082

NECESSITY AND FUNCTION: This regulation is necessary to standardize the functions and responsibilities of technical service companies that contract with county officials for the preparation of property tax rolls and property tax bills and to assure that the tax roll is based upon the assessment as certified by the Department of Revenue.

Section 1. All contracts between property valuation administrators and technical service companies and between county clerks and technical service companies must be in substantial conformity with Appendix A.

ROBERT H. ALLPHIN, Commissioner

ADOPTED: April 24, 1981

RECEIVED BY LRC: April 24, 1981 at 1 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Commissioner, Department of Revenue, Capitol Annex Building, Frankfort, Kentucky 40620.

(See Appendix A on the following pages.)

APPENDIX A

TECHNICAL SERVICES CONTRACT

THIS CONTRACT made and entered into this the _____ day of _____, 19____ by and between _____ County Property Valuation Administrator, _____, County Clerk, parties of the First Part, and _____, party of the Second Part:

WHEREAS, the Property Valuation Administrator and the County Clerk of _____ County desire to employ the technical services of _____, to prepare taxpayer records and tax rolls for the property valuation administrator and tax bills for the county clerk at the compensation and in the manner hereinafter specified, subject to the approval of the Department of Revenue; and

WHEREAS, _____ does hereby accept such employment according to the terms and conditions of this contract;

NOW, THEREFORE, in consideration of the foregoing and the mutual terms, conditions, and covenants herein, it is agreed by and between the parties hereto as follows:

TO-WIT:

Under the terms of this contract _____ shall:

1. Prepare a master file with assigned account numbers of all property owners.
2. Provide the Property Valuation Administrator a new list of all property owners listed on the current tax roll to be used in updating the assessment records for the upcoming year.
3. Prepare a list as of _____ of all property owners on the master file record in accordance with the following specifications:

- (a) Name of property owner
- (b) Address of property owner
- (c) Assigned account number of taxpayer
- (d) Real estate description (address or property map or plat identification number)
- (e) Real estate assessed valuation
4. Update the master file on a timely basis to reflect:
 - (a) Additions of property owners in accordance with information provided by the property valuation administrator, and
 - (b) Change in valuation made by the board of supervisors
 - (c) Any other changes in valuation made by the normal assessment process
5. Furnish the county clerk a recapitulation of the tax assessments by the various taxing districts and classes of property in sufficient detail to permit the ultimate completion of County Clerk's Recapitulation of Property Tax Roll by the statutory date for filing the recapitulation.
6. Upon receipt of the tax rates for the county, school, and other taxing jurisdictions as officially adopted by the county fiscal court, which rates shall be certified by the county clerk with copy to the Department of Revenue, prepare a final tax roll for the county, including the computation of tax due to be paid each taxing jurisdiction by each taxpayer.
7. Prepare the county clerk a tax bill for each taxpayer of record upon the tax roll in accordance with KRS 133.220(2).

8. For its services in fulfillment of the contract _____ shall be compensated in the following manner: the county clerk shall pay from funds available to his office at the rate of \$_____ per tax bill; the property valuation administrator shall pay from funds available to his office at the rate of \$_____ per account. Additional services rendered by _____ shall be paid by the property valuation administrator or county clerk on a basis approved by the Department of Revenue.

9. All tax roll and tax bill forms used in the fulfillment of Items 3 and 5 of the section shall be those furnished by the Department of Revenue.

10. Use of the master file created as a part of this contract shall be prohibited for any purpose other than that as approved or directed by the Department of Revenue.

11. Title to the master file created under the terms of this contract shall be with the property valuation administrator's office. _____ shall retain physical possession of the file only during the term of this or any continuing contract. At the termination of this contract _____ will provide upon request by the property valuation administrator the master file on magnetic tape for a fee of \$_____ per magnetic tape reel. In addition to furnishing the property valuation administrator this tape, _____ will back up this master file for a period of six months without any additional charge other than the above mentioned.

12. At the termination of this contract and the event that the property valuation administrator does not continue his services with _____ for the following year and all terms and conditions of this contract have been satisfied, any additional services by _____ will require additional charges and will be negotiable at that time.

13. The term of this contract shall be from the date approved by the Commissioner of Revenue until completion of the services required for the _____ assessment and tax bill preparation.

No alteration of, additions to, or deletions from the property tax roll shall be made after the Certification of the Assessment by the Department of Revenue. The Department of Revenue shall have access to any information concerning the property tax roll submitted to any party providing services called for in this contract.

Property Valuation Administrator

County Court Clerk

Commissioner of Revenue or Authorized Agent

**DEPARTMENT FOR NATURAL RESOURCES
AND ENVIRONMENTAL PROTECTION**
Bureau of Environmental Protection
Division of Air Pollution

401 KAR 59:250. New glass manufacturing plants.

RELATES TO: KRS Chapter 224

PURSUANT TO: KRS 13.082, 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Department for Natural Resources and Environmental Protection to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of emissions from new glass manufacturing plants.

Section 1. Applicability. (1) The provisions of this regulation shall apply to each affected facility commenced on or after the classification date defined below.

(2) This regulation does not apply to hand glass melting furnaces, glass melting furnaces designed to produce less than 4,550 kg (10,031 lb) of glass per day and all-electric melters.

Section 2. Definitions. As used in this regulation, all terms not defined herein shall have the meaning given them in 401 KAR 50:010 unless otherwise required by the context.

(1) "Affected facility" means each glass melting furnace commenced on or after the classification date defined below.

(2) "All-electric melter" means a glass melting furnace in which all the heat required for melting is provided by electric current from electrodes submerged in the molten glass, although some fossil fuel may be charged to the furnace as raw material only.

(3) "Borosilicate recipe" means raw material formulation of the following approximate weight proportions: seventy-two (72) percent silica; seven (7) percent nepheline syenite; thirteen (13) percent anhydrous borax; eight (8)

percent boric acid; and 0.1 percent miscellaneous materials.

(4) "Classification date" means June 16, 1979.

(5) "Container glass" means glass made of soda-lime recipe, clear or colored, which is pressed and/or blown into bottles, jars, ampoules, and other glass products.

(6) "Flat glass" means glass made of soda-lime recipe and produced into continuous flat sheets and other glass products.

(7) "Glass melting furnace" means a unit comprising a refractory vessel in which raw materials are charged, melted at high temperature, refined, and conditioned to produce molten glass. The unit includes foundations, superstructure and retaining walls, raw material charger systems, heat exchangers, melter cooling system, exhaust system, refractory brick work, fuel supply and electrical boosting equipment, integral control systems and instrumentation, and appendages for conditioning and distributing molten glass to forming apparatuses. The forming apparatuses, including the float bath used in flat glass manufacturing are not considered part of the glass melting furnace.

(8) "Glass produced" means the weight of the glass pulled from the glass melting furnace.

(9) "Hand glass melting furnace" means a glass melting furnace where the molten glass is removed from the furnace by a glassworker using a blowpipe or a pontil.

(10) "Lead recipe" means raw material formulation of the following approximate weight proportions: fifty-six (56) percent silica; eight (8) percent potassium carbonate; and thirty-six (36) percent red lead.

(11) "Pressed and blown glass" means glass which is pressed, blown, or both, including but not limited to textile fiberglass, noncontinuous flat glass, noncontainer glass products, and other glass products. It is separated into three (3) types of glass recipe: borosilicate; soda-lime and lead; and opal, fluoride, and other recipes.

(12) "Rebricking" means cold replacement of damaged or worn refractory parts of the glass melting furnace. Rebricking includes replacement of the refractories comprising the bottom, sidewalls, or roof of the melting vessel; replacement of refractory work in the heat exchanger; replacement of refractory portions of the glass conditioning and distribution system.

(13) "Soda-lime recipe" means raw material formulation of the following approximate weight proportions: seventy-two (72) percent silica; fifteen (15) percent soda; ten (10) percent lime and magnesia; two (2) percent alumina; and one (1) percent miscellaneous materials (including sodium sulfate).

(14) "Wool fiberglass" means fibrous glass of random texture, including fiberglass insulation, and other fibrous glass products.

Section 3. Standard for Particulate Matter. (1) On and after the date on which the performance test required to be conducted by 401 KAR 59:005 is completed, no owner or operator of a glass melting furnace subject to the provisions of this regulation shall cause to be discharged into the atmosphere:

(a) From any glass melting furnace fired exclusively with either a gaseous fuel or a liquid fuel, particulate matter at emission rates exceeding those specified in Appendix A of this regulation; or

(b) From any glass melting furnace, fired simultaneously with gaseous and liquid fuels, particulate matter at emission rates exceeding STD as specified by the following equation:

$$STD = X (1 + .3Y)$$

where:

STD = Particulate matter emissions limit, g of particulate/kg of glass produced (lb/ton);

X = Emission rate specified in Appendix A of this regulation for furnaces fired with gaseous fuel; and

Y = Decimal percent of liquid fuel heating value to total (gaseous and liquid) fuel heating value fired in the glass melting furnaces as determined in Section 4(6) (joules/joules or cal/cal).

(2) Conversion of a glass melting furnace to the use of liquid fuel is not considered a modification for the purposes of Title 401, Chapter 51.

(3) Rebricking and the cost of rebricking is not considered a reconstruction for the purposes of Title 401, Chapter 51.

Section 4. Test Methods and Procedures. (1) Reference methods in Appendix A to 40 CFR 60, filed by reference in 401 KAR 50:015, except as provided under 401 KAR 50:045, shall be used to determine compliance with Section 2 as follows:

(a) Method 1 shall be used for sample and velocity traverses;

(b) Method 2 shall be used to determine velocity and volumetric flow rate;

(c) Method 3 shall be used for gas analysis; and

(d) Method 5 shall be used to determine the concentration of particulate matter and the associated moisture content.

(2) For Method 5, the probe and filter holder heating system in the sampling train shall be set to provide a gas temperature no greater than 177°C (351°F). The sampling time for each run shall be at least sixty (60) minutes and the collected particulate shall weigh at least fifty (50) mg.

(3) The particulate emission rate, E, shall be computed as follows:

$$E = Q \times C$$

where:

E = Particulate emission rate (g/hr or lb/hr);

Q = Average volumetric flow rate (dscm/hr or dscf/hr) as found from Method 2; and

C = Average concentration (g/dscm or lb/dscf) of particulate matter as found from the modified Method 5.

(4) The rate of glass produced shall be determined as follows:

$$P = Wt/T$$

where:

P = Rate of glass produced (kg/hr or tons/hr);

Wt = Weight of the glass pulled (kg or tons) during the performance test; and

T = Number of hours taken to perform the performance test.

The glass pulled, in kilograms or tons, shall be determined by direct measurement or computed from materials balance by good engineering practice.

(5) For the purposes of these standards the furnace emission rate shall be computed as follows:

$$R = E - (A \div P)$$

where:

R = Furnace emission rate (g/kg or lb/ton);

E = Particulate emission rate (g/hr or lb/hr) from subsection (3) of this section;

A = Zero production rate correction: 227 g/hr (0.500 lb/hr) for container glass, pressed and blown soda-lime and lead glass, and pressed and blown other than borosilicate, soda-lime, and lead glass; and 454 g/hr (1.00 lb/hr) for pressed and blown borosilicate glass, wool fiberglass, and flat glass; and

P = Rate of glass production (kg/hr or tons/hr) from subsection (4) of this section.

(6) When gaseous and liquid fuels are fired simultaneously in a glass melting furnace, the heat input of each fuel, expressed in joules or calories, is determined during each testing period by multiplying the gross calorific value of each fuel fired (in j/kg or cal/ton) by the rate of each fuel fired (in kg/sec or tons/sec) to the glass melting furnaces. The decimal percent of liquid fuel heating value to total fuel heating value is determined by dividing the heat input of the liquid fuels by the sum of the heat input for the liquid fuels and gaseous fuels. Gross calorific values are determined in accordance with ASTM Methods D 240-76 (liquid fuels) and D 1826-64(75) (gaseous fuels), as applicable. ASTM Methods are filed by reference in 401 KAR 50:015. The owner or operator shall determine the rate of fuels burned during each testing period by suitable methods and shall confirm the rate by a material balance over the glass melting system.

APPENDIX A to 401 KAR 59:250

EMISSION RATES

Glass manufacturing plant industry segment	EMISSION RATES (Particulate/unit of glass produced)			
	Furnace fired with gaseous fuel		Furnace fired with liquid fuel	
	g/kg	(lb/ton)	g/kg	(lb/ton)
Container glass	0.1	(0.2)	0.13	(0.26)
Pressed and blown glass				
(a) Borosilicate recipes	0.5	(1.0)	0.65	(1.30)
(b) Soda-lime and lead recipes	0.1	(0.2)	0.13	(0.26)
(c) Other than borosili- cate soda-lime and lead recipes (including opal, fluoride, and other recipes)	0.25	(0.5)	0.325	(0.65)
Wool fiberglass	0.25	(0.5)	0.325	(0.65)
Flat glass	0.225	(0.45)	0.225	(0.45)

JACKIE SWIGART, Secretary

ADOPTED: May 1, 1981

RECEIVED BY LRC: May 6, 1981 at 3:25 p.m.

PUBLIC HEARING: A public hearing to receive oral and written comments on this proposed regulation will be conducted July 2, 1981 at 10 a.m. (local time) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Written comments are due on or before July 2, 1981 at the Frankfort Office of the Division of Air Pollution Control, West Frankfort Office Complex, 1050 U.S. 127 Bypass South, Frankfort, Kentucky 40601, to the attention of Mr. Larry Wilson, Supervisor, Development and Evaluation Branch.

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

401 KAR 59:255. New ammonium sulfate manufacturing units.

RELATES TO: KRS Chapter 224

PURSUANT TO: KRS 13.082, 224.033

NECESSITY AND FUNCTION: KRS 224.033 requires the Department for Natural Resources and Environmental Protection to prescribe regulations for the prevention, abatement, and control of air pollution. This regulation provides for the control of emissions from new ammonium sulfate manufacturing units.

Section 1. Applicability. The provisions of this regulation shall apply to each affected facility commenced on or after the classification date defined below.

Section 2. Definitions. As used in this regulation, all terms not defined herein shall have the meaning given them in 401 KAR 50:010.

(1) "Affected facility" means each ammonium sulfate dryer within an ammonium sulfate manufacturing plant in the caprolactam by-product, synthetic, and coke oven by-product sectors of the ammonium sulfate industry commenced on or after the classification date defined below.

(2) "Ammonium sulfate dryer" means a unit or vessel into which ammonium sulfate is charged for the purpose of reducing the moisture content of the product using a heated gas stream. The unit includes foundations, superstructure, material charger systems, exhaust systems, and integral control systems and instrumentation.

(3) "Ammonium sulfate feed material streams" means the sulfuric acid feed stream to the reactor/crystallizer for synthetic and coke oven by-product ammonium sulfate manufacturing plants; and means the total or combined feed streams (the oximation ammonium sulfate stream and the rearrangement reaction ammonium sulfate stream) to the crystallizer stage, prior to any recycle streams.

(4) "Ammonium sulfate manufacturing plant" means any plant which produces ammonium sulfate.

(5) "Caprolactam by-product ammonium sulfate manufacturing plant" means any plant which produces ammonium sulfate as a by-product from process streams generated during caprolactam manufacture.

(6) "Classification date" means February 4, 1980.

(7) "Coke oven by-product ammonium sulfate manufacturing plant" means any plant which produces ammonium sulfate by reacting sulfuric acid with ammonia recovered as a by-product from the manufacture of coke.

(8) "Synthetic ammonium sulfate manufacturing plant" means any plant which produces ammonium sulfate by direct combination of ammonia and sulfuric acid.

Section 3. Standard for Particulate Matter. On or after the date on which the performance test required to be conducted by 401 KAR 59:005 is completed, no owner or operator of an ammonium sulfate dryer subject to the provisions of this regulation shall cause to be discharged into the atmosphere, from any ammonium sulfate dryer, particulate matter at an emission rate exceeding 0.15 kilogram of particulate per megagram (Mg) of ammonium sulfate produced (0.30 pound of particulate per ton of ammonium sulfate produced) and exhaust gases with greater than fifteen (15) percent opacity.

Section 4. Monitoring of Operations. (1) The owner or operator of any ammonium sulfate manufacturing plant subject to the provisions of this regulation shall install, calibrate, maintain, and operate flow monitoring devices which can be used to determine the mass flow of ammonium sulfate feed material streams to the process. The flow monitoring device shall have an accuracy of plus or minus five (5) percent over its range. However, if the plant uses weigh scales of the same accuracy to directly measure production rate of ammonium sulfate, the use of flow monitoring devices is not required.

(2) The owner or operator of any ammonium sulfate manufacturing plant subject to the provisions of this regulation shall install, calibrate, maintain, and operate a monitoring device which continuously measures and permanently records the total pressure drop across the emission control system. The monitoring device shall have an accuracy of plus or minus five (5) percent over its operating range.

Section 5. Test Methods and Procedures. (1) Reference methods in Appendix A to 40 CFR 60 filed by reference in 401 KAR 50:015, except as provided in 401 KAR 50:045, shall be used to determine compliance with Section 3 as follows:

(a) Method 5 for the concentration of particulate matter;

(b) Method 1 for sample and velocity traverses;

(c) Method 2 for velocity and volumetric flow rate;

(d) Method 3 for gas analysis; and

(e) Method 9 for visible emissions.

(2) For Method 5, the sampling time for each run shall be at least sixty (60) minutes and the volume shall be at least 1.5 dry standard cubic meters (fifty-three (53) dry standard cubic feet).

(3) For each run, the particulate emission rate E , shall be computed as follows:

$$E = Q_{sd} \times C_s \div 1000 \text{ (metric units)}$$

$$E = Q_{sd} \times C_s \text{ (English units)}$$

where:

E = The particulate emission rate (kg/hr or lb/hr);

Q_{sd} = The average volumetric flow rate (dscm/hr or dscf/hr) as determined by Method 2; and

C_s = The average concentration (g/dscm or lb/dscf) of particulate matter as determined by Method 5.

(4) For each run, the rate of ammonium sulfate production, P (Mg/hr or tons/hr), shall be determined by direct measurement using product weigh scales or computed from a material balance. If production rate is determined by material balance, the following equations shall be used.

(a) For synthetic and coke oven by-product ammonium sulfate plants, the ammonium sulfate production rate shall be determined using the following equation:

$$P = A \times B \times C \times Z$$

where:

P = Ammonium sulfate production (Mg/hr or tons/hr);

A = Sulfuric acid rate to the reactor/crystallizer (1/min or gal/min) averaged over the time period taken to conduct the run;

B = Acid density (g/cc or lb/ft³) (a function of acid strength and temperature);

C = Percent acid strength in decimal form; and

Z = Physical constant (metric units: use 0.0808; English units: use 0.3016).

(b) For caprolactam by-product ammonium sulfate plants the ammonium sulfate production rate shall be determined using the following equation:

$$P = D \times E \times F \times Z$$

where:

P = Production rate of caprolactam by-product ammonium sulfate (Mg/hr or ton/hr);

D = Total combined feed stream flow rate to the ammonium sulfate crystallizer before the point where any recycle streams enter the stream (1/min or gal/min) averaged over the time period taken to conduct the test run;

E = Density of the process stream solution (g/l or lb/gal);

F = Percent mass of ammonium sulfate in the process solution in decimal form; and

Z = Physical constant for conversion of time and mass units: 6.0×10^{-5} for metric units, 0.03 for English units.

(5) For each run, the dryer emission rate shall be computed as follows:

$$R = E/P$$

where:

R = The dryer emission rate (kg/Mg or lb/ton);

E = The particulate emission rate (kg/hr or lb/hr) from subsection (3) of this section; and

P = The rate of ammonium sulfate production (Mg/hr or tons/hr) from subsection (4) of this section.

JACKIE SWIGART, Secretary

ADOPTED: May 1, 1981

RECEIVED BY LRC: May 6, 1981 at 3:25 p.m.

PUBLIC HEARING: A public hearing to receive oral and written comments on this proposed regulation will be conducted July 2, 1981 at 10 a.m. (local time) in Room G-2 of the Capital Plaza Tower, Frankfort, Kentucky. Written comments are due on or before July 2, 1981 at the Frankfort Office of the Division of Air Pollution Control, West Frankfort Office Complex, 1050 U.S. 127 ByPass South, Frankfort, Kentucky 40601, to the attention of Mr. Larry Wilson, Supervisor, Development and Evaluation Branch.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Health Services
Vital Statistics Branch

901 KAR 5:031. Reporting of termination of pregnancies; live births.

RELATES TO: KRS Chapter 213

PURSUANT TO: KRS 13.082, 194.050, 211.090

NECESSITY AND FUNCTION: KRS Chapter 213 relating to Vital Statistics authorizes the Department for Human Resources to regulate the registration of all births and deaths in Kentucky. The purpose of this regulation is to define, and differentiate between death following a live

birth; a fetal death or stillbirth; and an induced abortion after the first trimester, in order to insure the uniform reporting of all such terminations of pregnancy.

Section 1. Definitions. As used in this regulation: (1) "Live birth" means the complete expulsion or extraction of a product of human conception, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes, or shows any other evidence of life such as the beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.

(2) "Fetal death" means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy. Fetal death is indicated by the fact that after such expulsion or extraction the fetus does not breathe or show any other evidence of life such as the beating of the heart, the pulsation of the umbilical cord, or definite movement of the voluntary muscles.

(3) "Abortion" shall have the meaning as set forth in KRS 311.720(1).

Section 2. Live Birth Registration. Every live birth which occurs in this state shall be registered on a Certificate of Live Birth in accordance with KRS Chapter 213, irrespective of the weight of the fetus or the time of gestation. If the fetus subsequently dies, regardless of the time interval between birth and death, the death shall be recorded on a Certificate of Death.

Section 3. Fetal Death Registration. Each spontaneous fetal death in which the fetus weighs 350 grams or more or has a gestational age of twenty (20) weeks measured from the beginning of the mother's last menstrual period shall be reported on a Certificate of Fetal Death. This certificate shall be completed and filed with the local registrar within ten (10) days following the date of delivery. The Certificate of Fetal Death shall not be used to report induced terminations of pregnancy, i.e., abortions as defined by KRS 311.720(1).

Section 4. Abortion Reporting After First Trimester. Every abortion performed in this state after the first trimester shall be reported on a form provided by the Department for Human Resources in accordance with the provisions of KRS 213.055.

Section 5. 901 KAR 5:030, Stillbirths, is hereby repealed.

DAVID T. ALLEN, Commissioner

ADOPTED: April 16, 1981

APPROVED: W. GRADY STUMBO, Secretary

RECEIVED BY LRC: April 24, 1981 at 10:45 a.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, Department for Human Resources, 275 East Main Street, Frankfort, Kentucky 40621.

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

902 KAR 20:130. Certificate of need expenditure minimums.

RELATES TO: KRS 216B.010 to 216B.130, 216B.990(1), (2)

PURSUANT TO: KRS 13.082, 216B.040, 216B.130

NECESSITY AND FUNCTION: KRS 216B.040 authorizes the Certificate of Need and Licensure Board to promulgate administrative regulations. KRS 216B.130 requires the Certificate of Need and Licensure Board to annually adjust expenditure minimums provided in KRS 216B. This regulation provides for the adjustment of expenditure minimums for capital expenditures and operating costs for the period beginning July 15, 1981 and ending July 14, 1982.

Section 1. (1) Expenditure minimums or limits provided in KRS 216B and regulations promulgated pursuant thereto shall be adjusted for the twelve (12) month period beginning July 15, 1981, and ending July 14, 1982, to reflect the changes in the preceding twelve (12) month period in an index designated by Federal regulation pursuant to the Health Planning and Resources Development Amendments of 1979, P.L. 96-79, as amended.

(2) Federal regulations designated the Department of Commerce Composite Construction Cost Index to be used in making these adjustments (42 CFR 123.401). Notice published in the Federal Register on February 24, 1981, indicated that states authorized to adjust the capital expenditure and operating cost expenditure minimums may increase them up to nine and six-tenths percent (9.6%).

Section 2. (1) Except as provided in Section 2(2) of this regulation, expenditure minimums provided in KRS 216B shall be increased for the twelve (12) month period from July 15, 1981 to July 14, 1982 as follows:

(a) The expenditure minimum for capital expenditures shall be increased by nine and six-tenths percent (9.6%), from \$150,000 to \$164,400; and

(b) The expenditure minimum for operating costs shall be increased by nine and six-tenths percent (9.6%), from \$75,000 to \$82,200.

(2) The adjustment of the expenditure minimum in Section 2(1)(a) of this regulation shall not apply to acquisitions of major medical equipment. The expenditure minimum for acquisitions of major medical equipment shall remain at \$150,000.

FRANK W. BURKE, SR., Chairman

ADOPTED: May 8, 1981

APPROVED: W. GRADY STUMBO, Secretary

RECEIVED BY LRC: May 14, 1981 at 3:45 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING TO: Secretary for Human Resources, DHR Building, 275 East Main Street, Frankfort, Kentucky 40621.

DEPARTMENT FOR HUMAN RESOURCES
Bureau for Social Insurance

904 KAR 2:088. Home energy assistance program (HEAP).

RELATES TO: KRS 194.050

PURSUANT TO: KRS 13.082, 194.050

NECESSITY AND FUNCTION: The Department for Human Resources is authorized by KRS 194.050 to administer a program to provide assistance for eligible low income households within the Commonwealth of Kentucky to offset the rising costs of home energy that are excessive in relation to household income. This regulation sets forth the eligibility and payments criteria for each of three (3) components of heat assistance (regular, emergency, and public housing authority) under the Home Energy Assistance Program (HEAP).

Section 1. Application. Each household and public housing authority requesting assistance will be required to complete an application and provide such information as may be deemed necessary to determine eligibility and payment amount in accordance with the procedural requirements prescribed by the department.

Section 2. Definitions. Terms used in HEAP are defined as follows: (1) Principal residence is that place where a person is living voluntarily and not on a temporary basis; the place he/she considers home; the place to which, when absent, he/she intends to return; and such place is identifiable from other residences, commercial establishments, or institutions.

(2) Energy for heating is defined to include electricity, gas, and any other heating fuel such as coal, wood, oil, bottled gas, etc., that is used to sustain reasonable living conditions.

(3) Household is defined as one (1) or more persons who share common living arrangements in a principal residence within the Commonwealth of Kentucky.

(4) A fully vulnerable household is any household which pays all heating costs directly to the energy provider or any household which rents non-subsidized housing whose heating costs are included in the rent payment.

(5) A partially vulnerable household is any household renting subsidized housing that is subject to pay extra energy charges over the normal undesignated rent payment or that is not fully protected against an increase in rent due to an increase in energy costs, and any household living in a room or room and board situation.

(6) An eligible tenant is a household residing in public housing, which generally makes payment for energy as an undesignated portion of rent, meets the requirements for an eligible household, and is not a fully vulnerable household.

(7) Regular component is defined as that element of HEAP which is the major portion of the allocation and is payable to eligible households as energy assistance.

(8) Emergency component is that portion of benefits reserved for use, after the regular component is terminated, for eligible households in emergency or crisis situations as emergency energy assistance.

(9) Public housing authority component is that portion of benefits reserved for direct payment to specified public housing authorities on behalf of eligible tenants.

Section 3. Eligibility Criteria. A household must meet

the following conditions of eligibility for receipt of a HEAP payment:

(1) The household must be fully or partially vulnerable for energy cost.

(2) For purposes of determining eligibility, the amount of continuing and non-continuing earned and unearned gross income including lump sum payments received by the household during the calendar month preceding the month of application will be considered. Income received on an irregular basis will be prorated.

(3) Gross income for the calendar month preceding the month of application must be at or below the applicable amount shown on the income scale for the appropriate size household for the regular component. The emergency component will utilize the single person household income level regardless of household size. Excluded from consideration as income are payments received by a household from a federal, state, or local agency designated for a special purpose and which the applicant must spend for that purpose, payments made to others on the household's behalf, loans, reimbursements for expenses, incentive payments (WIN and CETA) normally disregarded in AFDC, federal payments or benefits which must be excluded according to federal law, and Supplemental Medical Insurance premiums.

Income Scale

Family Size	Monthly	Yearly
1	\$395	\$4,738
2	550	6,600
3	602	7,215
4	653	7,830
5	704	8,445
6 or more	755	9,060

(4) Applicants for the emergency component must attest financial inability to obtain or retain energy necessary to prevent or alleviate a life or health threatening situation, and that the applicant is or will be without energy for heat within the next fifteen (15) days or has received a final termination notice.

(5) The household must have total liquid assets at the time of application of not more than \$5,000. Excluded assets are cars, household or personal belongings, primary residence, cash surrender value of insurance policies, and prepaid burial policies.

(6) Public housing authorities eligible for payments on behalf of eligible tenants are those which operate under authority of the U.S. Housing Act of 1937 (42 USC 1437), and which were determined by the Department of Housing and Urban Development on October 17, 1980, to have actual or projected operating reserves which are less than forty (40) percent of the maximum operating reserve.

Section 4. Payment Levels. Payment amounts are set at a level to serve a maximum number of households while providing a reasonably adequate payment relative to heating costs.

(1) For the regular component, payments to eligible households will be based on type of energy for heating, monthly household income, and household vulnerability as specified in the benefit scales.

Benefit Scales

Scale A.

Energy Sources: Fuel Oil and Kerosene

Monthly Household Income	Payment Amount	
	Fully Vulnerable	Partially Vulnerable
\$ 0-\$200	\$350	\$35
\$201-\$400	317	32
\$401-\$600	283	28
Over \$600	250	25

Scale B.

Energy Sources: Liquid Petroleum Gas (Propane), Wood, and Coal

Monthly Household Income	Payment Amount	
	Fully Vulnerable	Partially Vulnerable
\$ 0-\$200	\$300	\$30
\$201-\$400	267	27
\$401-\$600	233	23
Over \$600	200	20

Scale C.

Energy Sources: Natural Gas and Electricity

Monthly Household Income	Payment Amount	
	Fully Vulnerable	Partially Vulnerable
\$ 0-\$200	\$250	\$25
\$201-\$400	217	22
\$401-\$600	183	18
Over \$600	150	15

(2) Benefit amounts for emergency component applicants may not exceed \$200. Payment amounts shall be determined by whether the energy provider uses a continuous or noncontinuous (i.e., gets payment at time of each delivery) billing cycle and by whether the applicant has arrearages as follows:

(a) If the provider uses a continuous billing cycle, arrearages plus current month charges billed will be paid not to exceed \$200 per household.

(b) For a noncontinuous billing cycle, payment will be made for the delivery of fuel not to exceed \$200. Arrearages will not be paid except when the applicant cannot obtain fuel from some source in the community unless the arrearage is paid.

(3) For the public housing authority component, benefit amounts will be the lesser of two (2) calculations:

(a) The exact cost formula (i.e., the heating cost for the months of December, January, and February divided by the total number of occupied units in the building or project times the number of eligible tenants in the building or project), or

(b) The total amount which is set aside for building operators divided by the total number of eligible tenants residing in eligible public housing authorities (see Section 3, (5)(b)) times the number of eligible tenants in each building or project, and

(c) Payments to eligible households residing in housing authorities eligible for payment will be deducted from the

amount the housing authority is otherwise eligible to receive and the total amount set aside for public housing authorities.

Section 5. Payment Method. Payments to eligible households will be made by one-party check to the recipient. Payments on behalf of eligible tenants will be made by one-party check to the public housing authority.

Section 6. Right to a Fair Hearing. Any individual has a right to request and receive a fair hearing in accordance with 904 KAR 2:055, except the time limitation for requesting a hearing (as shown in Section 3 of that regulation) is sixty (60) days from date of notice of approval or denial instead of thirty (30) days.

Section 7. Time Standards. The department shall make an eligibility determination promptly after receipt of a completed and signed application but not to exceed thirty (30) days.

Section 8. Effective Dates. The following shall be the implementation and termination dates for HEAP:

- (1) HEAP implementation shall be December 15, 1980,

for outreach purposes with applications accepted for the regular component beginning January 5, 1981.

(2) Applications for the emergency component shall be accepted beginning five (5) work days after regular component termination.

(3) Applications for the public housing authority component shall be accepted after March 15, 1981, and prior to April 16, 1981.

(4) Each HEAP component shall be terminated by the secretary when actual and projected program expenditures have resulted in utilization of available funds for that component.

(5) HEAP may be reactivated after termination under the same terms and conditions as shown in this regulation should additional federal funds be made available for that purpose.

WILLIAM L. HUFFMAN, Commissioner

ADOPTED: May 14, 1981

APPROVED: W. GRADY STUMBO, Secretary

RECEIVED BY LRC: May 15, 1981 at 2 p.m.

SUBMIT COMMENT OR REQUEST FOR HEARING

TO: Secretary for Human Resources, DHR Building, 275 East Main Street, Frankfort, Kentucky 40621.

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the May 6, 1981 Meeting

(Subject to subcommittee approval at its June 3, 1981 meeting.)

The Administrative Regulation Review Subcommittee held its regularly scheduled meeting on Wednesday, May 6, 1981, at 10 a.m., in Room A of the Capitol Annex. Present were:

Members: Representative William T. Brinkley, Chairman; Senators James Bunning and William Quinlan; and Representatives James E. Bruce, Albert Robinson and Gregory D. Stumbo.

Guests: Darlene Eakin, Kentucky Optometric Association; Jeffrey Stratford, Kentucky Association for Older Persons; Christopher Johnson, State Board of Podiatry; R. L. Moberly, Kentucky State Police; John Teinenbach, A.G.C.; Nancy Tipinski, Kentucky Hospital Association; Edward Cole, Norton-Children's Hospital; Charles Rickert, State Board of Accounting; George Franke and Mel Jenkins, Department of Transportation; Carl B. Larsen, State Racing Commission; Charles Wickliffe, James McGlennon, and Gil Mischel, Department of Finance; Arnold Guess, Kentucky School Building Authority; Gil McCarty and Janet Craig, Department of Insurance; Bill Graves and John Phillips, Department of Fish and Wildlife Resources; Glen Davis, Gary Bale, Don Hunter, Don Hart, Robert Spillman, and Sidney Simandle, Department of Education; Andrew Cammack, Environmental Quality Commission; Hisham Saa'id, Martha Hall, Susan Schrage, John Allen, Norman Schell, and Robert Yarbrough, Department for Natural Resources and Environmental Protection; Greg Lawther, Ron Butler, Ked Fitzpatrick, T. O. Hampton, Dorman Harrod, Donna Smith, Sharon Rodriguez, Anne Hager, Laura Scritchfield, Diane Simmons, Ed-

ward Crews, and Terry Morrison, Department for Human Resources; Eugene Perkins and Judith Walden, Department of Housing, Buildings, and Construction; Richard Casey and Ken Harp, Higher Education Assistance Authority; Charles Heltsley.

LRC Staff: Vic Hellard, Jr., O. Joseph Hood, Susan Harding, Cindy DeReamer, Garnett Evins, Mike Greenwell, Bob Doris, Scott Payton, Janie Jones, Sandy Deaton, Mary Yaeger, Jerry Bailey, Mary Helen Wilson and Bob Fallon.

Press: Sy Ramsey, Associated Press.

Chairman Brinkley announced that a quorum was present and called the meeting to order. On motion of Representative Bruce, seconded by Senator Bunning, the minutes of the April meeting were approved.

Chairman Brinkley introduced Vic Hellard, Jr., Director of Legislative Research Commission. Mr. Hellard announced that Mrs. Mabel Robertson, Regulation Compiler, had retired and he introduced Ms. Susan Harding as her replacement and Ms. Cindy DeReamer as Ms. Harding's assistant.

The following proposed amendment of 704 KAR 15:020 was rejected by the subcommittee.

DEPARTMENT OF EDUCATION Bureau of Instruction

Teacher Education

704 KAR 15:020. Curricula; evaluation and approval. (This amendment was rejected for non conformance with statutory authority and legislative intent. Specifically, KRS 161.030 requires for certification purposes that curricula of teacher training programs at colleges and universities be approved by the State Board, not the Superintendent of Public Instruction.)

The following regulations were deferred until the June meeting.

DEPARTMENT OF FINANCE

Property

200 KAR 6:035. Leased properties. (This regulation was deferred at the request of the issuing agency.)

DEPARTMENT OF EDUCATION

Bureau of Instruction

Teacher Certification

704 KAR 20:025. Ranking of vocational trade instructors. (This regulation was deferred for further study on motion of Representative Stumbo, seconded by Representative Bruce.)

KENTUCKY SCHOOL BUILDING AUTHORITY

School Building Construction.

723 KAR 1:005. Funding procedures. (This regulation was deferred on motion of Representative Stumbo, seconded by Representative Bruce.)

PUBLIC SERVICE COMMISSION

Utilities

807 KAR 5:067. Purchased water adjustment clause. (This regulation was deferred by a raise of hand vote: 3 yea, 2 nay.)

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Mobile Homes and Recreational Vehicles

815 KAR 25:020. Recreational vehicles.

The following emergency regulations were reviewed by the subcommittee and no action was taken:

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Plumbing

815 KAR 20:030E. License application; examinations.

DEPARTMENT FOR HUMAN RESOURCES

Bureau for Social Insurance

Medical Assistance

904 KAR 1:003E. Technical eligibility.
904 KAR 1:009E. Physicians' services.
904 KAR 1:010E. Payments for physicians' services.
904 KAR 1:012E. In-patient hospital services.
904 KAR 1:022E. Skilled nursing facility services.
904 KAR 1:024E. Intermediate care facility services.
904 KAR 1:036E. Amounts payable for skilled nursing and intermediate care facility services.
904 KAR 1:038E. Hearing and vision services.
904 KAR 1:044E. Mental health center services.
904 KAR 1:045E. Payments for mental health center services.

Public Assistance

904 KAR 2:007E. Repeal of 904 KAR 2:008.

Unemployment Insurance

904 KAR 5:120E. Duration of unemployment.

The following regulations were accepted by the subcommittee and ordered filed:

HIGHER EDUCATION ASSISTANCE AUTHORITY

Kentucky Loan Program

11 KAR 3:020. Loan insurance program.

KHEAA Grant Programs

11 KAR 5:010. Authority, purpose, name of grant program.

DEPARTMENT OF FINANCE

State-Owned Buildings and Grounds

200 KAR 3:010. Vehicle parking and traffic control.

Social Security

200 KAR 13:010. Social security reports. (As amended.)

Occupations and Professions

Board of Accountancy

201 KAR 1:065. Annual fees.

Board of Podiatry

201 KAR 25:011. Approved schools; licensing examination; fees.

201 KAR 25:021. Annual renewal notice for licenses, fees.

201 KAR 25:031. Continuing education.

DEPARTMENT OF FISH AND WILDLIFE RESOURCES

Fish

301 KAR 1:015. Boats and outboard motors; size limits.

Game

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

301 KAR 2:112. Deer gun and archery seasons for specific counties and areas. (Not amended after hearing.)

Hunting and Fishing

301 KAR 3:030. Year round season for some birds and animals. (As amended.)

DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

Bureau of Environmental Protection

Air Pollution

General Administrative Procedures

401 KAR 50:035. Permits and compliance schedules. (As amended.)

401 KAR 50:036. Permit and exemption fees. (As amended.)

DEPARTMENT OF TRANSPORTATION

Bureau of Highways

Traffic

603 KAR 5:096. Highway classifications.

DEPARTMENT OF EDUCATION

Bureau of Instruction

Instructional Services

704 KAR 3:292. Title I, ESEA migrant plan.

Bureau of Vocational Education

Management of State-Operated Schools

705 KAR 7:050. Adult plan.

DEPARTMENT OF INSURANCE

Health Insurance Contracts

806 KAR 17:060. Minimum standards for medicare supplement policies. (As amended.)

HARNESS RACING COMMISSION**Harness Racing Rules**

811 KAR 1:200. Administration of purses and payments.

**DEPARTMENT OF HOUSING,
BUILDINGS AND CONSTRUCTION****Kentucky Building Code**

815 KAR 7:020. Building code. (As amended.)

DEPARTMENT FOR HUMAN RESOURCES**Bureau for Administrative Services****Controlled Substances**

901 KAR 1:015. Schedule I substances.

901 KAR 1:020. Schedule II substances.

901 KAR 1:030. Schedule IV substances.

Bureau for Health Services**Certificate of Need and Licensure Board**

902 KAR 20:006. Certificate of need process.

902 KAR 20:127. Certificate of need hearings.

Bureau for Social Insurance**Public Assistance**

904 KAR 2:060. Delegation of power for oaths and affirmations.

On motion of Senator Bunning, seconded by Representative Bruce, the meeting was adjourned at 2:50 p.m., to meet again on June 3, 1981, for the regularly scheduled meeting.

Administrative Register ^{of} *kentucky*

Cumulative Supplement

Regulation Locator—Effective Dates L 2

KRS Sections Cited or Related to KAR L 7

Cumulative Index to Volume 7 L 12

Regulation Locator—Effective Dates

Volume 6

Emergency Regulation	6 Ky.R. Page No.	Effective Date	Emergency Regulation	6 Ky.R. Page No.	Effective Date	Emergency Regulation	6 Ky.R. Page No.	Effective Date
405 KAR 7:020E	703	6-11-80	405 KAR 16:150E	786	6-11-80	405 KAR 20:040E	830	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:030E	710	6-11-80	405 KAR 16:160E	787	6-11-80	405 KAR 20:050E	831	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:040E	710	6-11-80	405 KAR 16:170E	787	6-11-80	405 KAR 20:060E	832	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:060E	713	6-11-80	405 KAR 16:180E	788	6-11-80	405 KAR 20:070E	833	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:080E	714	6-11-80	405 KAR 16:190E	789	6-11-80	405 KAR 20:080E	833	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:090E	716	6-11-80	405 KAR 16:200E	791	6-11-80	405 KAR 24:020E	834	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:100E	720	6-11-80	405 KAR 16:210E	793	6-11-80	405 KAR 24:030E	835	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 7:110E	721	6-11-80	405 KAR 16:220E	795	6-11-80	405 KAR 24:040E	837	6-11-80
Expired		10-9-80	Expired		10-9-80	Expired		10-9-80
405 KAR 8:010E	721	6-11-80	405 KAR 16:250E	797	6-11-80			
Expired		10-9-80	Expired		10-9-80			
405 KAR 8:020E	730	6-11-80	405 KAR 18:010E	797	6-11-80			
Expired		10-9-80	Expired		10-9-80			
405 KAR 8:030E	732	6-11-80	405 KAR 18:020E	798	6-11-80			
Expired		10-9-80	Expired		10-9-80			
405 KAR 8:040E	740	6-11-80	405 KAR 18:030E	799	6-11-80			
Expired		10-9-80	Expired		10-9-80			
405 KAR 8:050E	749	6-11-80	405 KAR 18:040E	799	6-11-80			
Expired		10-9-80	Expired		10-9-80			
405 KAR 10:010E	753	6-11-80	405 KAR 18:050E	800	6-11-80	Regulation	6 Ky.R. Page No.	Effective Date
Expired		10-9-80	Expired		10-9-80	11 KAR 4:030	680	8-6-80
405 KAR 10:020E	754	6-11-80	405 KAR 18:060E	801	6-11-80	Amended		
Expired		10-9-80	Expired		10-9-80	11 KAR 5:035	681	8-6-80
405 KAR 10:030E	755	6-11-80	405 KAR 18:070E	803	6-11-80	Amended		
Expired		10-9-80	Expired		10-9-80	11 KAR 5:090	681	8-6-80
405 KAR 10:040E	758	6-11-80	405 KAR 18:080E	804	6-11-80	Amended		
Expired		10-9-80	Expired		10-9-80	102 KAR 1:020	697	8-6-80
405 KAR 10:050E	760	6-11-80	405 KAR 18:090E	806	6-11-80	Repealed	697	8-6-80
Expired		10-9-80	Expired		10-9-80	102 KAR 1:021	697	8-6-80
405 KAR 10:060E	761	6-11-80	405 KAR 18:100E	807	6-11-80	102 KAR 1:035	682	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 12:010E	762	6-11-80	405 KAR 18:110E	808	6-11-80	102 KAR 1:070	682	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 12:020E	763	6-11-80	405 KAR 18:120E	809	6-11-80	102 KAR 1:110	683	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 12:030E	766	6-11-80	405 KAR 18:130E	811	6-11-80	102 KAR 1:155	683	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:010E	767	6-11-80	405 KAR 18:140E	814	6-11-80	105 KAR 1:010	352	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended	649	8-6-80
405 KAR 16:020E	768	6-11-80	405 KAR 18:150E	816	6-11-80	200 KAR 2:005	649	9-12-80
Expired		10-9-80	Expired		10-9-80	Withdrawn		
405 KAR 16:030E	769	6-11-80	405 KAR 18:160E	816	6-11-80	201 KAR 11:037	683	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:040E	769	6-11-80	405 KAR 18:170E	817	6-11-80	301 KAR 1:035	684	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:050E	770	6-11-80	405 KAR 18:180E	818	6-11-80	301 KAR 1:140	684	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:060E	771	6-11-80	405 KAR 18:190E	818	6-11-80	301 KAR 1:145	685	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:070E	773	6-11-80	405 KAR 18:200E	819	6-11-80	502 KAR 25:190	686	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:080E	774	6-11-80	405 KAR 18:210E	822	6-11-80	603 KAR 2:015	686	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:090E	776	6-11-80	405 KAR 18:220E	823	6-11-80	702 KAR 4:040	688	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:100E	777	6-11-80	405 KAR 18:230E	824	6-11-80	703 KAR 2:070	688	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:110E	778	6-11-80	405 KAR 18:260E	826	6-11-80	704 KAR 3:175	689	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:120E	779	6-11-80	405 KAR 20:010E	827	6-11-80	704 KAR 15:080	689	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:130E	782	6-11-80	405 KAR 20:020E	828	6-11-80	803 KAR 2:020	694	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended		
405 KAR 16:140E	785	6-11-80	405 KAR 20:030E	829	6-11-80	803 KAR 2:021	701	8-6-80
Expired		10-9-80	Expired		10-9-80	Amended	701	8-6-80
						902 KAR 1:101	701	8-6-80
						902 KAR 1:102	702	8-6-80

Volume 7

NOTE: Effective July 15, 1980, emergency regulations expire upon being repealed, replaced or sine die adjournment of the next regular session of the General Assembly.

Emergency Regulation	7 Ky.R. Page No.	Effective Date	Emergency Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date
101 KAR 1:120E	1	6-26-80	904 KAR 1:035E	441	10-22-80	201 KAR 1:065		
Expired		10-24-80	Replaced	410	12-3-80	Amended	779	5-6-81
103 KAR 35:020E	394	10-6-80	904 KAR 1:036E	805	4-1-81	201 KAR 2:020		
200 KAR 2:006E	288	9-4-80	904 KAR 1:038E	9	7-1-80	Amended	403	12-3-80
200 KAR 4:005E	291	9-5-80	Expired		10-28-80	201 KAR 8:251	697	
200 KAR 5:308E	395	9-19-80	904 KAR 1:038E	810	4-1-81	Rejected	893	4-1-81
301 KAR 2:029E	77	8-7-80	904 KAR 1:044E	810	4-1-81	201 KAR 9:005	520	2-4-81
Expires		12-15-80	904 KAR 1:045E	811	4-1-81	201 KAR 9:010		
302 KAR 20:040E	2	7-15-80	904 KAR 1:091E	398	10-6-80	Repealed	520	2-4-81
Replaced	19	9-3-80	Repealed	632	3-4-81	201 KAR 11:140		
302 KAR 20:070E	5	7-15-80	904 KAR 2:007E	897	4-27-81	Amended	572	
Replaced	22	9-3-80	904 KAR 2:008E	10	7-1-80	Withdrawn		4-3-81
401 KAR 51:016E	293	9-11-80	Expired		10-28-80	201 KAR 11:147		
401 KAR 51:051E	293	9-11-80	904 KAR 2:010E	13	7-1-80	Amended	573	
603 KAR 5:077E	437	11-12-80	Expired		10-28-80	Withdrawn		4-3-81
Replaced	521	1-6-81	904 KAR 2:015E	588	1-7-81	201 KAR 12:020		
807 KAR 5:001E	709	3-4-81	Replaced	582	2-3-81	Amended	481	
807 KAR 5:006E	714	3-4-81	904 KAR 2:081E	15	7-1-80	Amended	639	2-4-81
807 KAR 5:011E	721	3-4-81	Expires		10-28-80	201 KAR 12:050		
807 KAR 5:016E	725	3-4-81	Repealed	294	8-29-80	Amended	482	3-4-81
807 KAR 5:021E	726	3-4-81	904 KAR 2:082E	294	8-29-80	201 KAR 12:055		
807 KAR 5:026E	735	3-4-81	904 KAR 2:088E	590	1-7-81	Amended	482	3-4-81
807 KAR 5:031E	737	3-4-81	904 KAR 5:120E	812	4-1-81	201 KAR 12:065		
807 KAR 5:036E	738	3-4-81				Amended	483	
807 KAR 5:041E	739	3-4-81	Regulation	7 Ky.R. Page No.	Effective Date	Withdrawn		2-19-81
807 KAR 5:046E	746	3-4-81	1 KAR 2:010			201 KAR 12:082		
807 KAR 5:051E	746	3-4-81	Amended	18		Amended	483	
807 KAR 5:056E	747	3-4-81	Amended	294	9-3-80	Amended	640	2-4-81
807 KAR 5:061E	748	3-4-81	1 KAR 3:005	413	12-3-80	201 KAR 12:083		
807 KAR 5:066E	753	3-4-81	11 KAR 3:020			Amended	486	
807 KAR 5:071E	758	3-4-81	Amended	777	5-6-81	Amended	643	2-4-81
815 KAR 20:030E	898	5-1-81	11 KAR 4:010			201 KAR 12:085		
902 KAR 14:005E	396	10-14-80	Amended	481	1-6-81	Amended	486	2-4-81
902 KAR 14:015E	397	10-14-80	11 KAR 5:010			201 KAR 12:130		
902 KAR 20:007E	79	7-24-80	Amended	777	5-6-81	Amended	487	2-4-81
902 KAR 20:010E	80	8-8-80	31 KAR 1:020			201 KAR 12:155		
902 KAR 20:015E	93	8-8-80	101 KAR 1:120			Repealed	521	2-4-81
902 KAR 20:017E	95	8-8-80	Amended	863	5-6-81	201 KAR 12:157		
902 KAR 20:020E	98	7-24-80	Amended	221	10-1-80	Repealed	521	2-4-81
902 KAR 20:025E	106	8-8-80	103 KAR 5:015	936		201 KAR 12:160		
902 KAR 20:030E	115	7-24-80	103 KAR 18:130	629		Repealed	521	2-4-81
902 KAR 20:035E	118	7-24-80	Withdrawn		3-30-81	201 KAR 12:161	521	2-4-81
902 KAR 20:040E	125	7-24-80	103 KAR 25:120	629		201 KAR 19:025		
902 KAR 20:045E	127	7-24-80	Withdrawn		3-30-81	Amended	912	
902 KAR 20:047E	136	7-24-80	104 KAR 1:010			201 KAR 19:035		
902 KAR 20:050E	138	7-24-80	Amended	222	10-1-80	Amended	913	
902 KAR 20:055E	147	7-24-80	104 KAR 1:050			201 KAR 19:040		
902 KAR 20:057E	154	8-8-80	Amended	651	4-1-81	Amended	913	
902 KAR 20:059E	157	8-8-80	105 KAR 1:010			201 KAR 19:085		
902 KAR 20:065E	161	8-8-80	Amended	817		Amended	914	
902 KAR 20:070E	165	8-8-80	106 KAR 1:010			201 KAR 20:055		
902 KAR 20:075E	172	8-8-80	Amended	819		Repealed	309	11-6-80
902 KAR 20:077E	172	8-8-80	106 KAR 1:020			201 KAR 20:056		
902 KAR 20:080E	176	7-24-80	Amended	824		Amended	309	11-6-80
902 KAR 20:085E	179	8-8-80	107 KAR 1:030	584		201 KAR 20:200	399	10-1-80
902 KAR 20:090E	183	8-8-80	Amended	639	2-4-81	201 KAR 20:205	399	10-1-80
902 KAR 20:095E	185	8-8-80	108 KAR 1:020	694		201 KAR 20:210	400	10-1-80
902 KAR 20:100E	193	8-8-80	Withdrawn		4-3-81	201 KAR 20:215	400	10-1-80
902 KAR 20:105E	201	8-8-80	110 KAR 1:030			201 KAR 20:220	401	10-1-80
902 KAR 20:110E	205	8-8-80	Amended	651	4-1-81	201 KAR 20:225	402	10-1-80
902 KAR 20:115E	206	8-8-80	115 KAR 3:005	519	1-6-81	201 KAR 22:010		
Replaced	69	9-3-80	200 KAR 3:010			Amended	310	
904 KAR 1:003E	438	10-31-80	Amended	778	5-6-81	Amended	442	11-6-80
Replaced	407	12-3-80	200 KAR 4:005	863		201 KAR 22:020		
904 KAR 1:003E	797	4-1-81	200 KAR 4:010			Amended	310	
904 KAR 1:004E	8	7-1-80	Repealed	291	9-5-80	Amended	442	11-6-80
Expired		10-28-80	200 KAR 4:015			Amended	825	
904 KAR 1:009E	800	4-1-81	Repealed	291	9-5-80	201 KAR 22:030		
904 KAR 1:010E	801	4-1-81	200 KAR 6:035	694		Repealed	442	11-6-80
904 KAR 1:012E	802	4-1-81	200 KAR 6:040	695		201 KAR 22:031	359	
904 KAR 1:020E	587	1-7-81	Amended	813	4-1-81	Amended	442	11-6-80
904 KAR 1:021E	635	2-11-81	200 KAR 13:010	697		Amended	825	
904 KAR 1:022E	802	4-1-81	Amended	899	5-6-81	201 KAR 22:035		
904 KAR 1:024E	804	4-1-81	201 KAR 1:035			201 KAR 22:040		
904 KAR 1:034E	440	10-22-80	Amended	912		Amended	223	
Replaced	409	12-3-80				Amended	402	10-1-80

ADMINISTRATIVE REGISTER

Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date
201 KAR 22:051	360		301 KAR 3:053			401 KAR 61:005		
Withdrawn		4-15-81	Amended	573	2-3-81	Amended	330	1-7-81
201 KAR 22:052	864		301 KAR 4:040	865		401 KAR 61:050		
201 KAR 22:060			302 KAR 1:035	363		Amended	335	
Repealed	361	11-6-80	Amended	447	11-6-80	Amended	546	2-4-81
201 KAR 22:061	361	11-6-80	302 KAR 20:040			401 KAR 61:085		
201 KAR 22:070			Amended	19	9-3-80	Amended	239	12-3-80
Amended	310		302 KAR 20:070			401 KAR 61:095		
Amended	443	11-6-80	Amended	22	9-3-80	Amended	337	1-7-81
201 KAR 22:100			305 KAR 1:010			401 KAR 61:122		
Repealed	444	11-6-80	Repealed	630	3-4-81	Amended	375	
201 KAR 22:101	361		305 KAR 1:011	630	3-4-81	Amended	548	2-4-81
Amended	444	11-6-80	305 KAR 2:010			401 KAR 61:124		
Amended	826		Repealed	630	3-4-81	Amended	550	2-4-81
201 KAR 22:105			305 KAR 2:011	630	3-4-81	401 KAR 61:132		
Repealed	445	11-6-80	401 KAR 2:070			Amended	552	2-4-81
201 KAR 22:106	362		Amended	315		401 KAR 61:137		
Amended	445	11-6-80	Amended	450	1-7-81	Amended	553	2-4-81
Amended	827		401 KAR 2:085	364		401 KAR 61:145		
201 KAR 22:110			Amended	455	1-7-81	Amended	240	
Amended	223		401 KAR 4:050	365	11-6-80	Amended	476	1-7-81
Amended	402	10-1-80	401 KAR 50:010			401 KAR 61:150		
201 KAR 22:120			Amended	574	3-4-81	Amended	381	
Repealed	361	11-6-80	401 KAR 50:015			Amended	555	2-4-81
201 KAR 22:125			Amended	224	12-3-80	401 KAR 61:155		
Amended	311		401 KAR 50:035	654	5-6-81	Amended	382	
Amended	446	11-6-80	401 KAR 50:036	271		Amended	556	2-4-81
201 KAR 23:070			Amended	597		401 KAR 61:160		
Amended	652		Amended	900	5-6-81	Amended	557	2-4-81
Withdrawn		3-31-81	401 KAR 51:010			401 KAR 61:165		
201 KAR 25:011			Amended	226	12-3-80	Amended	478	1-7-81
Amended	779	5-6-81	Amended	577	3-4-81	501 KAR 1:010		
201 KAR 25:021			401 KAR 51:015			Repealed	415	12-3-80
Amended	780	5-6-81	Repealed	293	9-11-80	501 KAR 1:011		
201 KAR 25:031	790	5-6-81	401 KAR 51:016	273		501 KAR 1:015		
201 KAR 26:010			Withdrawn		11-14-80	501 KAR 1:020		
Amended	208	8-6-80	401 KAR 51:050			503 KAR 1:020		
201 KAR 26:020			Repealed	293	9-11-80	Amended	656	4-1-81
Withdrawn		6-25-80	401 KAR 51:051	273		503 KAR 1:040		
201 KAR 26:030			Withdrawn		11-14-80	Amended	657	4-1-81
Reprinted	211	8-6-80	401 KAR 59:005			503 KAR 1:050		
201 KAR 26:040			Amended	320	1-7-81	Amended	658	4-1-81
Rejected	285	8-6-80	401 KAR 59:015			503 KAR 5:020		
201 KAR 26:050			Amended	227		Amended	659	4-1-81
Amended	211	8-6-80	Amended	456	1-7-81	503 KAR 5:030		
201 KAR 26:060			401 KAR 59:016	273		Amended	660	4-1-81
Rejected	433	10-1-80	Amended	461	1-7-81	503 KAR 5:040		
201 KAR 26:070			401 KAR 59:018	280		Amended	661	4-1-81
Amended	211	8-6-80	Amended	467	1-7-81	503 KAR 5:050		
201 KAR 26:080			401 KAR 59:020			Amended	662	4-1-81
Amended	211	8-6-80	Amended	232		601 KAR 1:025		
201 KAR 26:090			Amended	470	1-7-81	Amended	521	
Withdrawn		6-25-80	401 KAR 59:045			601 KAR 1:090		
201 KAR 26:100			Amended	234		Amended	24	9-3-80
Rejected	285	8-6-80	Amended	472	1-7-81	601 KAR 2:010		
201 KAR 26:110			401 KAR 59:048	366		Amended	243	10-1-80
Rejected	285	8-6-80	Amended	534	2-4-81	601 KAR 9:005		
301 KAR 1:015			401 KAR 59:050			Amended	606	
Amended	780	5-6-81	Amended	323		Rejected	893	4-1-81
301 KAR 1:090			Amended	536	2-4-81	601 KAR 9:070		
Amended	828		401 KAR 59:125			Amended	25	9-3-80
301 KAR 2:025			Amended	326	1-7-81	601 KAR 9:071		
Repealed	782	5-6-81	401 KAR 59:175			Amended	72	9-3-80
301 KAR 2:045			Amended	238	12-3-80	601 KAR 13:010		
Amended	781	5-6-81	401 KAR 59:185			Amended	244	
301 KAR 2:047			Amended	328	1-7-81	Amended	533	12-3-80
Amended	829		401 KAR 59:212	367		603 KAR 5:066		
301 KAR 2:085			Amended	539	2-4-81	Amended	915	
Amended	311	11-6-80	401 KAR 59:214	369		603 KAR 5:077		
301 KAR 2:109			Amended	540	2-4-81	Amended	521	1-6-81
Repealed	790	5-6-81	401 KAR 59:225	370		603 KAR 5:096		
301 KAR 2:111			Amended	542	2-4-81	Amended	245	10-1-80
Amended	831		401 KAR 59:230	372		Amended	339	1-7-81
301 KAR 2:112			Amended	543	2-4-81	Amended	783	5-6-81
301 KAR 3:021			401 KAR 59:235	373		701 KAR 5:030		
Amended	314		Amended	545	2-4-81	701 KAR 5:040		
Amended	446	11-6-80	401 KAR 59:240	374		702 KAR 1:005		
301 KAR 3:030			Amended	545	2-4-81	Amended	404	
Amended	782		401 KAR 59:250	937		Amended	644	2-3-81
Amended	899	5-6-81	401 KAR 59:255	939		702 KAR 3:060		
						Amended	246	10-1-80
						702 KAR 3:135		
						Amended	283	10-1-80
						702 KAR 5:080		
						Amended	26	9-3-80
						Amended	663	4-1-81

ADMINISTRATIVE REGISTER

L5

Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date
702 KAR 5:100			705 KAR 4:151			803 KAR 2:020		
Amended	405	12-3-80	Amended	620	3-4-81	Amended	247	10-1-80
703 KAR 3:010			705 KAR 4:160			Amended	488	1-6-81
Amended	405	12-3-80	Amended	622	3-4-81	Amended	920	
703 KAR 3:030			705 KAR 4:170			803 KAR 2:021		
Amended	405	12-3-80	Amended	622	3-4-81	Amended	249	10-1-80
704 KAR 3:005	418	12-3-80	705 KAR 4:180			Amended	491	1-6-81
704 KAR 3:030	697		Amended	623	3-4-81	Amended	923	
Amended	902	4-23-81	705 KAR 5:030			803 KAR 2:022	522	1-6-81
704 KAR 3:292			Repealed	632	3-4-81	803 KAR 2:030		
Amended	784	5-6-81	705 KAR 5:031	632	3-4-81	Amended	923	
704 KAR 3:304			705 KAR 5:040			803 KAR 25:010		
Amended	406	12-3-80	Amended	668	4-1-81	Amended	51	9-3-80
704 KAR 3:307	698	4-1-81	705 KAR 5:060			803 KAR 25:025		
704 KAR 4:020			Amended	624	3-4-81	Amended	56	9-3-80
Amended	28	9-3-80	705 KAR 6:010			804 KAR 2:007		
704 KAR 5:050			Amended	669	4-1-81	Amended	340	11-6-80
Amended	212	7-15-80	705 KAR 7:040			806 KAR 12:030		
704 KAR 6:010			Amended	624	3-4-81	Repealed	599	3-4-81
Amended	247	10-1-80	705 KAR 7:050			806 KAR 12:031	522	
704 KAR 15:020			Amended	785	5-6-81	Amended	599	3-4-81
Amended	665		706 KAR 1:010			806 KAR 17:060	418	
Rejected		5-6-81	Amended	670	4-1-81	Amended	601	
704 KAR 15:050			707 KAR 1:051			Amended	903	5-6-81
Repealed	902	4-23-81	Amended	30	2-3-81	807 KAR 5:067	793	
704 KAR 15:080			707 KAR 1:052			807 KAR 25:010		
Amended	406	12-3-80	Amended	38		Amended	340	
704 KAR 20:005			Amended	558		Withdrawn		3-4-81
Amended	665	4-1-81	Amended	760	3-9-81	Repealed	709	3-4-81
704 KAR 20:010			707 KAR 1:053			807 KAR 25:020		
Amended	666	4-1-81	Amended	40		Repealed	709	3-4-81
704 KAR 20:015			Amended	560	2-3-81	807 KAR 25:025		
Amended	666	4-1-81	707 KAR 1:054			Repealed	709	3-4-81
704 KAR 20:020			Amended	41		807 KAR 25:030		
Amended	667	4-1-81	Amended	561		Repealed	709	3-4-81
704 KAR 20:025			Amended	762	3-9-81	807 KAR 25:040		
Amended	784		707 KAR 1:055			Repealed	709	3-4-81
704 KAR 20:057	699	4-1-81	Amended	42		807 KAR 25:050		
705 KAR 1:010			Amended	562	2-3-81	Repealed	709	3-4-81
Amended	30	9-3-80	707 KAR 1:056			807 KAR 25:060		
705 KAR 2:020			Amended	43		Repealed	709	3-4-81
Repealed	630	3-4-81	Amended	563		807 KAR 50:005		
705 KAR 2:030			Amended	763	3-9-81	Amended	345	
Amended	607		707 KAR 1:057			Withdrawn		3-4-81
Amended	902	4-23-81	Amended	45		Repealed	709	3-4-81
705 KAR 2:090			Amended	565		807 KAR 50:015		
Repealed	631	3-4-81	Amended	764	3-9-81	Repealed	709	3-4-81
705 KAR 2:110			707 KAR 1:058			807 KAR 50:020		
Repealed	631	3-4-81	Amended	47		Amended	492	1-7-81
705 KAR 2:111	631	3-4-81	Amended	567	2-3-81	Repealed	709	3-4-81
705 KAR 3:070			707 KAR 1:059			807 KAR 50:025		
Repealed	632	3-4-81	Amended	48		Repealed	709	3-4-81
705 KAR 3:071	632	3-4-81	Amended	568		807 KAR 50:035		
705 KAR 3:110			Amended	767	3-9-81	Repealed	709	3-4-81
Amended	608	3-4-81	707 KAR 1:060			807 KAR 50:045		
705 KAR 3:130			Amended	49		Repealed	709	3-4-81
Amended	608	3-4-81	Amended	569	2-3-81	807 KAR 50:050		
705 KAR 4:010			723 KAR 1:005			Repealed	709	3-4-81
Amended	609	3-4-81	Amended	49		807 KAR 50:052		
705 KAR 4:020			723 KAR 1:015			Repealed	709	3-4-81
Amended	610	3-4-81	Amended	50	9-3-80	807 KAR 50:055		
705 KAR 4:040			725 KAR 2:010			Repealed	709	3-4-81
Amended	611	3-4-81	Repealed	699	4-1-81	807 KAR 50:065		
705 KAR 4:060			725 KAR 2:015			Repealed	709	3-4-81
Amended	612	3-4-81	725 KAR 2:050			807 KAR 50:066	524	1-7-81
705 KAR 4:070			Amended	487		Repealed	709	3-4-81
Amended	613	3-4-81	Withdrawn			807 KAR 50:067	72	
705 KAR 4:080			Amended	625	1-5-81	Amended	480	2-3-81
Amended	614	3-4-81	803 KAR 1:005			Repealed	709	3-4-81
705 KAR 4:090			Amended	296	9-3-80	807 KAR 50:075		
Amended	615	3-4-81	803 KAR 1:025			Repealed	709	3-4-81
705 KAR 4:100			Amended	833		807 KAR 50:085		
Amended	616	3-4-81	803 KAR 1:035			Repealed	709	3-4-81
705 KAR 4:110			Amended	299	9-3-80	810 KAR 1:002		
Amended	617	3-4-81	803 KAR 1:063			Amended	249	10-1-80
705 KAR 4:120			Amended	488	1-6-81	810 KAR 1:006		
Amended	618	3-4-81	803 KAR 2:016			Amended	251	10-1-80
705 KAR 4:131			Amended	917		810 KAR 1:009		
Amended	618	3-4-81	803 KAR 2:017			Amended	58	
705 KAR 4:140			Repealed	522	1-6-81	Rejected	585	12-3-80
Amended	619	3-4-81				Rejected		1-14-81

ADMINISTRATIVE REGISTER

Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date	Regulation	7 Ky.R. Page No.	Effective Date
810 KAR 1:012			815 KAR 25:020			904 KAR 1:061		
Amended	254	10-1-80	Amended	684		Amended	581	2-3-81
Amended	670	4-1-81	815 KAR 35:010			904 KAR 1:092	632	3-4-81
810 KAR 1:013			Amended	514		904 KAR 2:005		
Amended	925		Amended	594	1-7-81	Amended	787	
810 KAR 1:018			815 KAR 45:035	73		904 KAR 2:008		
Amended	256		Rejected	391	9-3-80	Amended	263	10-1-80
Withdrawn		11-21-80	Amended	448	11-6-80	Repealed	897	4-27-81
Amended	672		900 KAR 1:005	899	5-6-81	904 KAR 2:010		
Rejected	893	4-1-81	Repealed	702	4-1-81	Amended	266	10-1-80
Rejected		5-8-81	900 KAR 1:015	794	5-6-81	Amended	516	1-6-81
810 KAR 1:021	866		901 KAR 1:015			904 KAR 2:015		
811 KAR 1:015			901 KAR 1:020			Amended	268	10-1-80
Amended	493		Amended	786	5-6-81	Amended	582	
Rejected	633	1-6-81	901 KAR 1:030			Amended	648	2-3-81
Rejected		1-14-81	Amended	787	5-6-81	Amended	934	
Amended	838		901 KAR 1:070	888		904 KAR 2:035		
Withdrawn		5-13-81	901 KAR 5:031	940		Amended	308	9-3-80
811 KAR 1:030			902 KAR 1:005	284		904 KAR 2:040		
Amended	497	1-6-81	Rejected	433	10-1-80	Amended	71	
811 KAR 1:035			902 KAR 1:080			Amended	569	
Amended	499	1-6-81	Amended	261		Amended	650	2-3-81
Amended	626	3-4-81	Withdrawn		12-3-80	904 KAR 2:060		
811 KAR 1:065			902 KAR 1:081			Amended	789	
Amended	627	3-4-81	Amended	262		904 KAR 2:081		
811 KAR 1:090			Withdrawn		12-3-80	Amended	268	
Amended	501		902 KAR 1:330			Repealed	294	8-29-80
Amended	592	1-6-81	Amended	263		904 KAR 2:084	531	1-6-81
Amended	843		Withdrawn		12-3-80	904 KAR 2:085		
Withdrawn		5-13-81	902 KAR 1:333	284		Repealed	531	1-6-81
811 KAR 1:105			Withdrawn		12-3-80	904 KAR 2:088	941	
Amended	927		902 KAR 20:005			904 KAR 3:020		
811 KAR 1:110			Repealed	769	5-6-81	Amended	692	4-1-81
Amended	503	1-6-81	902 KAR 20:006	428		904 KAR 3:040		
811 KAR 1:125			Amended	769	5-6-81	Amended	570	2-3-81
Amended	503	1-6-81	902 KAR 20:115			904 KAR 3:060		
Amended	929		Amended	69	9-3-80	Amended	215	8-6-80
811 KAR 1:180			902 KAR 20:125			904 KAR 3:070		
Amended	509		Repealed	774	5-6-81	Amended	217	8-6-80
Withdrawn		2-18-81	902 KAR 20:126	389	2-3-81	904 KAR 5:120		
811 KAR 1:200			902 KAR 20:127	431		Amended	411	
Amended	785	5-6-81	Amended	774	5-6-81	Withdrawn		3-24-81
815 KAR 7:010			902 KAR 20:130	941		Amended	862	
Amended	675	4-1-81	904 KAR 1:003			904 KAR 5:130		
815 KAR 7:020			Amended	407	12-3-80	Amended	411	
Amended	681		Amended	853		Amended	815	
Amended	908	5-6-81	904 KAR 1:004					
815 KAR 7:040			Amended	354	11-6-80			
Withdrawn	423	3-19-81	904 KAR 1:009					
815 KAR 7:050	866		Amended	855				
815 KAR 15:010			904 KAR 1:010					
Amended	259	10-1-80	Amended	856				
815 KAR 15:020			904 KAR 1:012					
Amended	350	11-6-80	Amended	857				
815 KAR 15:050			904 KAR 1:019					
Repealed	386	11-6-80	Amended	356	11-6-80			
815 KAR 15:051	386	11-6-80	904 KAR 1:020					
815 KAR 15:070	388	11-6-80	Amended	579				
815 KAR 20:030			Amended	910				
Amended	844		904 KAR 1:022					
815 KAR 20:050			Amended	857				
Amended	220	10-1-80	904 KAR 1:024					
Amended	845		Amended	357	11-6-80			
815 KAR 20:071			Amended	857				
Amended	767	3-4-81	904 KAR 1:031					
815 KAR 20:090			Amended	692	4-1-81			
Amended	509	1-7-81	904 KAR 1:034					
Amended	846		Amended	409	12-3-80			
815 KAR 20:120			904 KAR 1:035					
Amended	513	1-7-81	Amended	410	12-3-80			
Correction	647	-----	904 KAR 1:036	888				
Amended	849		904 KAR 1:038					
815 KAR 20:141			Amended	403	10-1-80			
Amended	213	8-6-80	Amended	860				
Amended	851		904 KAR 1:044					
815 KAR 20:190			Amended	861				
Repealed	526	1-7-81	904 KAR 1:045					
815 KAR 20:191	526	1-7-81	Amended	861				
815 KAR 25:010			904 KAR 1:060					
Amended	61		Amended	580				
Amended	300	9-3-80						

KRS Sections Related to KAR

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
15.330	503 KAR 1:020	150.025	301 KAR 3:053	150.445	301 KAR 1:145
	503 KAR 1:040		301 KAR 4:040	150.450	301 KAR 1:140
	503 KAR 1:050	150.090	301 KAR 1:015		301 KAR 1:145
15.440	503 KAR 5:020	150.120	301 KAR 1:140	150.470	301 KAR 1:035
	503 KAR 5:030		301 KAR 1:145	150.620	301 KAR 1:015
15.460	503 KAR 5:040	150.170	301 KAR 1:035	150.625	301 KAR 1:015
	503 KAR 5:050		301 KAR 1:140	Chapter 151	200 KAR 6:040
15.470	503 KAR 5:050		301 KAR 1:145	151.110	401 KAR 4:050
15.490	503 KAR 5:050		301 KAR 2:047	151.250	401 KAR 4:050
16.505-16.652	105 KAR 1:010		301 KAR 2:085	151.310	401 KAR 4:050
18.110	101 KAR 1:120		301 KAR 2:111	152.810-153.930	305 KAR 1:011
18.170	101 KAR 1:120		301 KAR 2:112	Chapter 154	305 KAR 2:011
18.210	101 KAR 1:120		301 KAR 3:030	154.001-154.060	305 KAR 2:011
18.240	101 KAR 1:120	150.175	301 KAR 1:035	156.010	701 KAR 5:030
18.270	101 KAR 1:120		301 KAR 1:140		701 KAR 5:040
39.480	106 KAR 1:010		301 KAR 1:145	156.024	701 KAR 5:030
Chapter 42	200 KAR 2:005		301 KAR 2:047	156.030	703 KAR 3:010
	200 KAR 2:006		301 KAR 2:085		704 KAR 3:292
42.030	705 KAR 3:110		301 KAR 2:111	156.035	704 KAR 3:292
42.450-42.495	200 KAR 4:005		301 KAR 3:021		705 KAR 7:050
Chapter 43	701 KAR 5:030		301 KAR 3:053	156.070	701 KAR 5:030
	701 KAR 5:040		301 KAR 4:040		701 KAR 5:040
Chapter 44	200 KAR 2:005	150.176	301 KAR 2:047		702 KAR 3:060
	200 KAR 2:006		301 KAR 2:112		702 KAR 3:135
44.086	108 KAR 1:020		301 KAR 3:053		703 KAR 2:070
Chapter 45	200 KAR 2:005	150.190	301 KAR 1:140		703 KAR 3:010
	200 KAR 2:006	150.225	301 KAR 3:021		705 KAR 2:030
	200 KAR 6:040	150.235	301 KAR 2:085		705 KAR 7:040
	701 KAR 5:030	150.237	301 KAR 3:021		705 KAR 7:050
45.360	705 KAR 3:130	150.300	301 KAR 2:029	156.076	702 KAR 3:135
45.700	1 KAR 2:010		301 KAR 2:045	156.112	705 KAR 1:010
45.705	1 KAR 2:010	150.305	301 KAR 2:029		705 KAR 4:010
45.710	1 KAR 2:010		301 KAR 2:045		705 KAR 4:020
45.715	1 KAR 2:010		301 KAR 2:085		705 KAR 4:040
45.720	1 KAR 2:010		301 KAR 2:111		705 KAR 4:060
45.750-45.800	1 KAR 3:005		301 KAR 2:112		705 KAR 4:070
Chapter 45A	200 KAR 5:308		301 KAR 3:053		705 KAR 4:080
45A.350	702 KAR 3:135	150.320	301 KAR 2:029		705 KAR 4:090
Chapter 56	200 KAR 3:010	150.330	301 KAR 2:029		705 KAR 4:100
	200 KAR 6:035		301 KAR 2:045		705 KAR 4:110
	200 KAR 6:040		301 KAR 2:047		705 KAR 4:120
61.490	200 KAR 13:010		301 KAR 2:085		705 KAR 4:131
61.510-61.702	105 KAR 1:010		301 KAR 2:111		705 KAR 4:140
65.510-65.650	305 KAR 1:011		301 KAR 2:112		705 KAR 4:151
78.510-78.852	105 KAR 1:010		301 KAR 3:030		705 KAR 4:160
Chapter 95A	815 KAR 45:035		301 KAR 3:053		705 KAR 4:170
116.045	31 KAR 1:020	150.340	301 KAR 2:029		705 KAR 4:180
117.085	31 KAR 1:020		301 KAR 2:045		705 KAR 5:040
131.130	103 KAR 5:015		301 KAR 2:047		705 KAR 5:060
131.140	103 KAR 5:015		301 KAR 2:085		705 KAR 7:050
132.530	103 KAR 5:015		301 KAR 2:111	156.118	701 KAR 5:030
132.550	103 KAR 5:015		301 KAR 2:112		701 KAR 5:040
Chapter 138	601 KAR 9:070	150.360	301 KAR 1:090	156.160	702 KAR 5:080
	601 KAR 9:071		301 KAR 2:029		702 KAR 5:100
138.680	601 KAR 9:071		301 KAR 2:045		703 KAR 2:070
139.590	103 KAR 25:120		301 KAR 2:047		704 KAR 3:304
139.980	103 KAR 25:120		301 KAR 2:085		704 KAR 3:307
139.990	103 KAR 25:120		301 KAR 2:111		704 KAR 4:020
141.330	103 KAR 18:130		301 KAR 2:112		704 KAR 6:010
141.990	103 KAR 18:130		301 KAR 3:030		705 KAR 5:031
Chapter 143A	103 KAR 35:020		301 KAR 3:053	156.370	702 KAR 5:100
150.010	301 KAR 1:140	150.365	301 KAR 2:045	156.400-156.476	702 KAR 1:005
	301 KAR 1:145		301 KAR 3:053	156.485	705 KAR 7:040
150.025	301 KAR 1:015	150.370	301 KAR 2:045	157.100-157.190	702 KAR 1:005
	301 KAR 1:035		301 KAR 2:047	157.200-157.285	707 KAR 1:051
	301 KAR 1:090		301 KAR 2:111		707 KAR 1:052
	301 KAR 1:140		301 KAR 2:112		707 KAR 1:053
	301 KAR 1:145	150.390	301 KAR 2:045		707 KAR 1:054
	301 KAR 2:047		301 KAR 2:111		707 KAR 1:055
	301 KAR 2:085		301 KAR 2:112		707 KAR 1:056
	301 KAR 2:111		301 KAR 3:053		707 KAR 1:057
	301 KAR 2:112	150.400	301 KAR 2:045		707 KAR 1:058
	301 KAR 3:021		301 KAR 2:112		707 KAR 1:059
	301 KAR 3:030	150.411	301 KAR 4:040		707 KAR 1:060

ADMINISTRATIVE REGISTER

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
157.360	703 KAR 3:030	163.030	705 KAR 4:110	205.550	904 KAR 1:010
	704 KAR 3:175		705 KAR 4:120		904 KAR 1:020
	705 KAR 2:030		705 KAR 4:131	205.560	904 KAR 1:010
157.370	705 KAR 5:031		705 KAR 4:140		904 KAR 1:020
157.390	704 KAR 20:010		705 KAR 4:151	205.810	904 KAR 2:081
	704 KAR 20:015		705 KAR 4:160		904 KAR 2:082
	704 KAR 20:020		705 KAR 4:170	211.950-211.958	902 KAR 14:005
	704 KAR 20:025		705 KAR 4:180		902 KAR 14:015
157.820	723 KAR 1:005		705 KAR 5:040	Chapter 213	901 KAR 20:130
	723 KAR 1:015		705 KAR 5:060	214.510	110 KAR 1:030
157.840	723 KAR 1:005		705 KAR 6:010	214.520	110 KAR 1:030
	723 KAR 1:015	163.110	706 KAR 1:010	216B.010-216B.130	902 KAR 20:006
157.895	723 KAR 1:005	163.120	706 KAR 1:010		902 KAR 20:007
157A.060	705 KAR 2:111	163.130	706 KAR 1:010		902 KAR 20:010
157A.090	705 KAR 5:031	163.140	701 KAR 5:030		902 KAR 20:015
158.060	704 KAR 6:010		701 KAR 5:040		902 KAR 20:017
158.070	704 KAR 3:035		706 KAR 1:010		902 KAR 20:020
158.080	704 KAR 6:010	163.160	706 KAR 1:010		902 KAR 20:025
158.140	704 KAR 3:307	163.170	706 KAR 1:010		902 KAR 20:030
158.650-158.740	704 KAR 3:005	163.180	706 KAR 1:010		902 KAR 20:035
159.030	704 KAR 6:010	164.740-164.764	11 KAR 3:020		902 KAR 20:040
160.180	705 KAR 7:040		11 KAR 5:010		902 KAR 20:045
160.291	702 KAR 3:060	164.746	11 KAR 4:010		902 KAR 20:047
160.450	702 KAR 3:060	164.748	11 KAR 4:030		902 KAR 20:050
161.010	704 KAR 15:080		11 KAR 5:035		902 KAR 20:055
161.020	704 KAR 15:020		11 KAR 5:090		902 KAR 20:057
	704 KAR 20:005	164.753	11 KAR 5:035		902 KAR 20:059
	704 KAR 20:057		11 KAR 5:090		902 KAR 20:065
161.025	704 KAR 15:020	164.780	11 KAR 5:010		902 KAR 20:070
	704 KAR 20:005	164.785	11 KAR 5:010		902 KAR 20:075
	704 KAR 20:057	171.125-171.306	725 KAR 2:015		902 KAR 20:077
161.030	704 KAR 15:020	171.150	725 KAR 2:015		902 KAR 20:080
	704 KAR 15:080	171.204	725 KAR 2:015		902 KAR 20:085
	704 KAR 20:005	171.215	725 KAR 2:050		902 KAR 20:090
	704 KAR 20:057	174.410	601 KAR 1:025		902 KAR 20:095
161.044	704 KAR 15:080	174.430	601 KAR 1:025		902 KAR 20:100
161.210	702 KAR 3:060	176.130	603 KAR 2:015		902 KAR 20:105
161.545	102 KAR 1:110	176.220	603 KAR 2:015		902 KAR 20:110
161.600	102 KAR 1:070	Chapter 186	601 KAR 2:010		902 KAR 20:115
161.605	102 KAR 1:035		601 KAR 9:005		902 KAR 20:126
161.620	102 KAR 1:021	186.570	601 KAR 13:010		902 KAR 20:127
161.640	102 KAR 1:070	189.222	603 KAR 5:066		902 KAR 20:130
	102 KAR 1:155		603 KAR 5:096	216B.990	902 KAR 20:006
162.060	702 KAR 4:040	189.540	702 KAR 5:080		902 KAR 20:007
163.020	705 KAR 1:010	194.050	904 KAR 1:091		902 KAR 20:010
	705 KAR 2:030		904 KAR 1:092		902 KAR 20:015
	705 KAR 3:071		904 KAR 2:008		902 KAR 20:017
	705 KAR 3:130		904 KAR 2:088		902 KAR 20:020
	705 KAR 4:010		904 KAR 3:020		902 KAR 20:025
	705 KAR 4:020		904 KAR 3:040		902 KAR 20:030
	705 KAR 4:040		904 KAR 3:060		902 KAR 20:035
	705 KAR 4:060		904 KAR 3:070		902 KAR 20:040
	705 KAR 4:070	Chapter 198B	815 KAR 7:010		902 KAR 20:045
	705 KAR 4:080		815 KAR 7:020		902 KAR 20:047
	705 KAR 4:090		815 KAR 7:050		902 KAR 20:050
	705 KAR 4:100	198B.010	815 KAR 7:040		902 KAR 20:055
	705 KAR 4:110	198B.060	815 KAR 7:040		902 KAR 20:057
	705 KAR 4:120	205.010	904 KAR 2:005		902 KAR 20:059
	705 KAR 4:131	205.170	904 KAR 2:060		902 KAR 20:065
	705 KAR 4:140	205.200	904 KAR 2:005		902 KAR 20:070
	705 KAR 4:151		904 KAR 2:010		902 KAR 20:075
	705 KAR 4:160		904 KAR 2:040		902 KAR 20:077
	705 KAR 4:170	205.210	904 KAR 2:010		902 KAR 20:080
	705 KAR 4:180	205.215	904 KAR 2:008		902 KAR 20:085
	705 KAR 5:040	205.245	904 KAR 2:015		902 KAR 20:090
	705 KAR 5:060	205.400	904 KAR 2:084		902 KAR 20:095
	705 KAR 6:010	205.520	904 KAR 1:003		902 KAR 20:100
	705 KAR 7:040		904 KAR 1:004		902 KAR 20:105
163.030	701 KAR 5:030		904 KAR 1:009		902 KAR 20:110
	701 KAR 5:040		904 KAR 1:012		902 KAR 20:115
	705 KAR 1:010		904 KAR 1:019		902 KAR 20:126
	705 KAR 2:030		904 KAR 1:021		902 KAR 20:127
	705 KAR 3:071		904 KAR 1:022		902 KAR 20:130
	705 KAR 3:110		904 KAR 1:024	217.814-217.894	902 KAR 1:005
	705 KAR 3:130		904 KAR 1:031		902 KAR 1:080
	705 KAR 4:010		904 KAR 1:034		902 KAR 1:081
	705 KAR 4:020		904 KAR 1:035		902 KAR 1:101
	705 KAR 4:040		904 KAR 1:036		902 KAR 1:102
	705 KAR 4:060		904 KAR 1:038		902 KAR 1:330
	705 KAR 4:070		904 KAR 1:044		902 KAR 1:333
	705 KAR 4:080		904 KAR 1:045	217.990	902 KAR 1:005
	705 KAR 4:090		904 KAR 1:060		902 KAR 1:080
	705 KAR 4:100		904 KAR 1:061		902 KAR 1:081

ADMINISTRATIVE REGISTER

L9

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
217.990	902 KAR 1:101	230.660	811 KAR 1:015	319.055	201 KAR 26:080
	902 KAR 1:102	230.690	811 KAR 1:125	319.061	201 KAR 26:030
	902 KAR 1:330	230.700	811 KAR 1:015	323.050	201 KAR 19:025
Chapter 218A	902 KAR 1:333		811 KAR 1:090		201 KAR 19:035
	901 KAR 1:015		811 KAR 1:180		201 KAR 19:040
	901 KAR 1:020	230.710	811 KAR 1:125	323.060	201 KAR 19:035
	901 KAR 1:030		811 KAR 1:180	323.080	201 KAR 19:085
	901 KAR 1:070	230.720	811 KAR 1:015	323.110	201 KAR 19:085
Chapter 224	401 KAR 50:010		811 KAR 1:105	323.215	201 KAR 19:025
	401 KAR 50:015	230.730	811 KAR 1:105		201 KAR 19:040
	401 KAR 50:035	230.770	811 KAR 1:200	324.110	201 KAR 11:140
	401 KAR 50:036	235.240	502 KAR 25:190	324.290	201 KAR 11:037
	401 KAR 51:010	235.280	502 KAR 25:190	324.310	201 KAR 11:147
	401 KAR 51:016	235.300	502 KAR 25:190	324.330	201 KAR 11:147
	401 KAR 51:051	Chapter 236	815 KAR 15:070	325.265	201 KAR 1:035
	401 KAR 59:005	236.030	815 KAR 15:010	325.270	201 KAR 1:035
	401 KAR 59:015		815 KAR 15:020	325.330	201 KAR 1:065
	401 KAR 59:016		815 KAR 15:051	327.010	201 KAR 22:010
	401 KAR 59:018	244.130	804 KAR 2:015	327.040	201 KAR 22:035
	401 KAR 59:020	244.510	804 KAR 2:007		201 KAR 22:061
	401 KAR 59:045	247.850-247.865	302 KAR 1:035		201 KAR 22:101
	401 KAR 59:048	Chapter 257	302 KAR 20:040		201 KAR 22:106
	401 KAR 59:050		302 KAR 20:070		201 KAR 22:110
	401 KAR 59:125	260.540-260.650	302 KAR 1:035		201 KAR 22:125
	401 KAR 59:175	Chapter 278	807 KAR 5:001	327.050	201 KAR 22:020
	401 KAR 59:185		807 KAR 5:006		201 KAR 22:031
	401 KAR 59:212		807 KAR 5:011		201 KAR 22:040
	401 KAR 59:214		807 KAR 5:016	327.060	201 KAR 22:031
	401 KAR 59:225		807 KAR 5:021		201 KAR 22:061
	401 KAR 59:230		807 KAR 5:026		201 KAR 22:070
	401 KAR 59:235		807 KAR 5:031	327.070	201 KAR 22:051
	401 KAR 59:240		807 KAR 5:036		201 KAR 22:052
	401 KAR 59:250		807 KAR 5:041	327.080	201 KAR 22:031
	401 KAR 59:255		807 KAR 5:046	327.090	201 KAR 22:051
	401 KAR 61:005		807 KAR 5:051		201 KAR 22:052
	401 KAR 61:050		807 KAR 5:056	335.080	201 KAR 23:070
	401 KAR 61:085		807 KAR 5:061	335.090	201 KAR 23:070
	401 KAR 61:095		807 KAR 5:066	335.100	201 KAR 23:070
	401 KAR 61:122		807 KAR 5:067	337.275	803 KAR 1:063
	401 KAR 61:124		807 KAR 5:071	337.285	803 KAR 1:063
	401 KAR 61:132		807 KAR 25:010	337.420-337.433	803 KAR 1:025
	401 KAR 61:137		807 KAR 50:005	Chapter 338	803 KAR 2:016
	401 KAR 61:145		807 KAR 50:020		803 KAR 2:020
	401 KAR 61:150		807 KAR 50:066		803 KAR 2:021
	401 KAR 61:155		807 KAR 50:067		803 KAR 2:022
	401 KAR 61:160	Chapter 281	601 KAR 1:090		803 KAR 2:030
	401 KAR 61:165		601 KAR 2:010	341.370	904 KAR 5:120
224.033	405 KAR 7:090	304.12-030	806 KAR 12:031	341.440	904 KAR 5:130
	405 KAR 16:170	304.17-400	806 KAR 17:060	Chapter 342	803 KAR 25:010
	405 KAR 18:170	311.420	201 KAR 25:011	342.350	803 KAR 25:025
224.071	401 KAR 2:070	311.450	201 KAR 25:021	Chapter 344	102 KAR 1:010
	401 KAR 2:085		201 KAR 25:031		104 KAR 1:050
224.081	405 KAR 7:090	311.530-311.620	201 KAR 9:005	346.190	107 KAR 1:030
224.083	405 KAR 7:090	311.990	201 KAR 9:005	Chapter 350	405 KAR 7:020
224.255	401 KAR 2:070	313.085	201 KAR 8:251	350.010	405 KAR 7:030
	401 KAR 2:085	314.011	201 KAR 20:056		405 KAR 20:030
	401 KAR 2:070	Chapter 315	201 KAR 2:020		405 KAR 20:050
224.866	401 KAR 2:085	317A.010	201 KAR 12:020		405 KAR 20:070
224.873	815 KAR 25:010	317A.050	201 KAR 12:020		405 KAR 20:080
227.570	815 KAR 25:020		201 KAR 12:055	350.020	405 KAR 7:060
230.210-230.360	810 KAR 1:002		201 KAR 12:065		405 KAR 8:010
	810 KAR 1:006		201 KAR 12:083		405 KAR 10:010
	810 KAR 1:009		201 KAR 12:085		405 KAR 10:020
	810 KAR 1:012		201 KAR 12:161		405 KAR 10:030
	810 KAR 1:013	317A.060	201 KAR 12:065		405 KAR 10:050
	810 KAR 1:018		201 KAR 12:083		405 KAR 10:060
230.218	810 KAR 1:021		201 KAR 12:130		405 KAR 12:010
230.630	811 KAR 1:015	317A.090	201 KAR 12:082		405 KAR 12:020
	811 KAR 1:030	317A.100	201 KAR 12:050		405 KAR 12:030
	811 KAR 1:035		201 KAR 12:055		405 KAR 16:010
	811 KAR 1:065		201 KAR 12:083		405 KAR 16:070
	811 KAR 1:090	317A.140	815 KAR 20:030		405 KAR 16:090
	811 KAR 1:105	Chapter 318	815 KAR 20:050		405 KAR 16:150
	811 KAR 1:110		815 KAR 20:071		405 KAR 16:170
	811 KAR 1:125		815 KAR 20:090		405 KAR 16:180
	811 KAR 1:180		815 KAR 20:120		405 KAR 16:190
230.640	811 KAR 1:015		815 KAR 20:141		405 KAR 16:220
	811 KAR 1:035		815 KAR 20:191		405 KAR 16:250
	811 KAR 1:065	319.005	201 KAR 26:070		405 KAR 18:010
	811 KAR 1:090	319.015	201 KAR 26:050		405 KAR 18:070
	811 KAR 1:105	319.040	201 KAR 26:010		405 KAR 18:090
	811 KAR 1:110	319.050	201 KAR 26:010		405 KAR 18:150
	811 KAR 1:125		201 KAR 26:080		405 KAR 18:170
	811 KAR 1:180				

ADMINISTRATIVE REGISTER

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
350.020	405 KAR 18:180	350.093	405 KAR 18:190	350.151	405 KAR 18:230
	405 KAR 18:190		405 KAR 18:200		405 KAR 18:260
	405 KAR 18:210		405 KAR 18:220		405 KAR 20:020
	405 KAR 18:230		405 KAR 20:020		405 KAR 20:070
	405 KAR 18:260		405 KAR 20:060		405 KAR 20:080
350.028	405 KAR 7:030	350.095	405 KAR 10:020	350.200	405 KAR 16:030
	405 KAR 7:060		405 KAR 10:050		405 KAR 18:030
	405 KAR 7:090		405 KAR 16:200	350.250	405 KAR 7:100
	405 KAR 12:010		405 KAR 16:210	350.255	405 KAR 7:090
	405 KAR 12:020		405 KAR 18:200		405 KAR 7:110
	405 KAR 12:030		405 KAR 18:220		405 KAR 16:010
	405 KAR 16:180	350.100	405 KAR 10:030	350.405	405 KAR 16:020
	405 KAR 16:220		405 KAR 16:020		405 KAR 16:020
	405 KAR 16:250		405 KAR 16:060		405 KAR 16:050
	405 KAR 18:180		405 KAR 16:070		405 KAR 16:070
	405 KAR 18:210		405 KAR 16:080		405 KAR 16:080
	405 KAR 18:230		405 KAR 16:090		405 KAR 16:110
	405 KAR 18:260		405 KAR 16:100		405 KAR 16:180
	405 KAR 20:030		405 KAR 16:110		405 KAR 16:190
	405 KAR 20:050		405 KAR 16:190		405 KAR 16:200
350.050	405 KAR 7:040		405 KAR 16:200		405 KAR 16:210
	405 KAR 12:010		405 KAR 16:210		405 KAR 18:020
	405 KAR 12:020		405 KAR 18:020		405 KAR 18:050
	405 KAR 12:030		405 KAR 18:060		405 KAR 18:070
350.055	405 KAR 8:010		405 KAR 18:070		405 KAR 18:080
350.057	405 KAR 7:030		405 KAR 18:080		405 KAR 18:110
	405 KAR 7:040		405 KAR 18:090		405 KAR 18:180
	405 KAR 8:020		405 KAR 18:100		405 KAR 18:190
	405 KAR 20:010		405 KAR 18:110		405 KAR 18:200
350.060	405 KAR 7:030		405 KAR 18:190		405 KAR 20:040
	405 KAR 7:040		405 KAR 18:200		405 KAR 20:050
	405 KAR 8:010		405 KAR 18:220	350.410	405 KAR 20:060
	405 KAR 8:030		405 KAR 20:040		405 KAR 7:040
	405 KAR 8:040		405 KAR 20:060		405 KAR 16:010
	405 KAR 10:010	350.110	405 KAR 10:020		405 KAR 16:020
	405 KAR 10:020		405 KAR 10:030		405 KAR 16:060
	405 KAR 10:030		405 KAR 10:040		405 KAR 16:130
	405 KAR 10:040		405 KAR 10:050		405 KAR 16:140
	405 KAR 10:050		405 KAR 10:060		405 KAR 16:190
	405 KAR 10:060		405 KAR 16:020		405 KAR 16:200
350.062	405 KAR 10:010	350.113	405 KAR 10:040		405 KAR 16:210
	405 KAR 16:020		405 KAR 12:010		405 KAR 18:010
	405 KAR 16:050		405 KAR 12:020		405 KAR 18:130
350.064	405 KAR 10:010	350.130	405 KAR 7:090		405 KAR 18:140
	405 KAR 10:020		405 KAR 8:010		405 KAR 18:190
	405 KAR 10:030		405 KAR 10:050		405 KAR 18:200
	405 KAR 10:040		405 KAR 10:060		405 KAR 18:220
	405 KAR 10:050		405 KAR 12:010	350.415	405 KAR 20:030
	405 KAR 10:060		405 KAR 12:020		405 KAR 16:050
350.070	405 KAR 7:090	350.133	405 KAR 20:050		405 KAR 18:050
	405 KAR 8:010	350.135	405 KAR 8:010	350.420	405 KAR 20:040
350.085	405 KAR 8:010	350.151	405 KAR 7:030		405 KAR 16:040
	405 KAR 12:010		405 KAR 8:040		405 KAR 16:060
	405 KAR 12:020		405 KAR 10:010		405 KAR 16:070
	405 KAR 16:080		405 KAR 10:040		405 KAR 16:080
	405 KAR 16:220		405 KAR 10:050		405 KAR 16:090
	405 KAR 18:080		405 KAR 10:060		405 KAR 16:100
	405 KAR 18:230		405 KAR 12:010		405 KAR 16:110
350.090	405 KAR 7:090		405 KAR 12:020		405 KAR 16:140
	405 KAR 8:010		405 KAR 16:010		405 KAR 16:200
	405 KAR 16:010		405 KAR 16:250		405 KAR 18:040
	405 KAR 16:070		405 KAR 18:010		405 KAR 18:060
	405 KAR 16:130		405 KAR 18:020		405 KAR 18:070
	405 KAR 16:150		405 KAR 18:030		405 KAR 18:080
	405 KAR 18:010		405 KAR 18:040		405 KAR 18:090
	405 KAR 18:070		405 KAR 18:050		405 KAR 18:100
	405 KAR 18:130		405 KAR 18:060		405 KAR 18:110
	405 KAR 18:150		405 KAR 18:070		405 KAR 18:140
	405 KAR 20:030		405 KAR 18:080		405 KAR 18:200
	405 KAR 20:060		405 KAR 18:090		405 KAR 20:030
350.093	405 KAR 7:090		405 KAR 18:100	350.421	405 KAR 16:060
	405 KAR 8:050		405 KAR 18:110	350.425	405 KAR 18:060
	405 KAR 10:020		405 KAR 18:120		405 KAR 16:160
	405 KAR 10:040		405 KAR 18:130	350.430	405 KAR 18:160
	405 KAR 10:050		405 KAR 18:140		405 KAR 16:030
	405 KAR 10:060		405 KAR 18:150		405 KAR 16:120
	405 KAR 16:010		405 KAR 18:160		405 KAR 18:030
	405 KAR 16:020		405 KAR 18:170	350.435	405 KAR 18:120
	405 KAR 16:190		405 KAR 18:180		405 KAR 16:020
	405 KAR 16:200		405 KAR 18:190		405 KAR 16:180
	405 KAR 16:210		405 KAR 18:200		405 KAR 16:200
	405 KAR 18:010		405 KAR 18:210		405 KAR 18:180
	405 KAR 18:020		405 KAR 18:220	350.440	405 KAR 18:200
					405 KAR 16:010
					405 KAR 16:060

ADMINISTRATIVE REGISTER

L11

KRS Section	Regulation	KRS Section	Regulation	KRS Section	Regulation
350.440	405 KAR 16:130	350.465	405 KAR 20:040		
	405 KAR 18:010		405 KAR 20:050		
	405 KAR 18:060		405 KAR 20:060		
	405 KAR 18:130		405 KAR 20:070		
350.445	405 KAR 8:050		405 KAR 20:080		
	405 KAR 16:010		405 KAR 24:020		
	405 KAR 20:060		405 KAR 24:030		
350.450	405 KAR 7:040		405 KAR 24:040		
	405 KAR 8:010	350.610	405 KAR 8:020		
	405 KAR 8:050		405 KAR 24:020		
	405 KAR 16:010		405 KAR 24:030		
	405 KAR 16:020		405 KAR 24:040		
	405 KAR 16:190	350.990	405 KAR 7:090		
	405 KAR 16:210		405 KAR 12:010		
	405 KAR 18:190		405 KAR 12:020		
	405 KAR 18:220	424.260	702 KAR 3:135		
	405 KAR 20:040	439.340	501 KAR 1:011		
	405 KAR 20:050	439.341	501 KAR 1:020		
350.455	405 KAR 16:100	439.354	501 KAR 1:015		
	405 KAR 18:100	439.356	501 KAR 1:015		
350.465	405 KAR 7:030	439.390	501 KAR 1:020		
	405 KAR 7:060	439.430	501 KAR 1:020		
	405 KAR 7:080				
	405 KAR 7:090				
	405 KAR 8:010				
	405 KAR 8:030				
	405 KAR 8:050				
	405 KAR 10:010				
	405 KAR 10:020				
	405 KAR 10:030				
	405 KAR 10:040				
	405 KAR 10:050				
	405 KAR 10:060				
	405 KAR 12:010				
	405 KAR 12:020				
	405 KAR 12:030				
	405 KAR 16:010				
	405 KAR 16:020				
	405 KAR 16:030				
	405 KAR 16:040				
	405 KAR 16:050				
	405 KAR 16:060				
	405 KAR 16:070				
	405 KAR 16:080				
	405 KAR 16:090				
	405 KAR 16:100				
	405 KAR 16:110				
	405 KAR 16:130				
	405 KAR 16:140				
	405 KAR 16:150				
	405 KAR 16:170				
	405 KAR 16:180				
	405 KAR 16:190				
	405 KAR 16:200				
	405 KAR 16:210				
	405 KAR 16:220				
	405 KAR 16:250				
	405 KAR 18:010				
	405 KAR 18:020				
	405 KAR 18:030				
	405 KAR 18:040				
	405 KAR 18:050				
	405 KAR 18:060				
	405 KAR 18:070				
	405 KAR 18:080				
	405 KAR 18:090				
	405 KAR 18:100				
	405 KAR 18:110				
	405 KAR 18:130				
	405 KAR 18:140				
	405 KAR 18:150				
	405 KAR 18:160				
	405 KAR 18:170				
	405 KAR 18:180				
	405 KAR 18:190				
	405 KAR 18:200				
	405 KAR 18:210				
	405 KAR 18:220				
	405 KAR 18:230				
	405 KAR 18:260				
	405 KAR 20:010				
	405 KAR 20:020				
	405 KAR 20:030				

Subject Index

ACCOUNTANCY

Fees, annual; 201 KAR 1:065
Examination, application for; 201 KAR 1:035

AD VALOREM TAX

Administration
Technical services contracts; 103 KAR 5:015

AGRICULTURE

Livestock
Entry into state; 302 KAR 20:040; 302 KAR 20:040E
Stockyards; 302 KAR 20:070; 302 KAR 20:070E
Referendums
Eggs; 302 KAR 1:035

AIR POLLUTION

Administrative Procedures
Definitions, abbreviations; 401 KAR 50:010
Fees; 401 KAR 50:036
Permits, compliance schedules; 401 KAR 50:035
Reference documents, incorporation of; 401 KAR 50:015
Existing Source Standards
Aluminum reduction plants; 401 KAR 61:165
Dry cleaning systems; 401 KAR 61:160
Graphic arts facilities; 401 KAR 61:122
Metal cleaning equipment; 401 KAR 61:095
Metal parts coating; 401 KAR 61:132
Paneling surface coating; 401 KAR 61:124
Petroleum liquids, vessels for; 401 KAR 61:050
Petroleum refinery leaks; 401 KAR 61:137
Petroleum refineries; 401 KAR 61:145
Pharmaceutical product operations; 401 KAR 61:150
Provisions, general; 401 KAR 61:005
Rubber tire plants; 401 KAR 61:155
Service stations; 401 KAR 61:085
New Sources—Non-Attainment
Attainment status; 401 KAR 51:010
Deterioration, prevention of; 401 KAR 51:016
Review; 401 KAR 51:051; 401 KAR 51:051E
New Sources—Standards for
Aluminum reduction plants; 401 KAR 59:125
Ammonium sulfate manufacturing units; 401 KAR 59:255
Dry cleaning systems; 401 KAR 59:240
Gas turbines, stationary; 401 KAR 59:018
Glass manufacturing plants; 401 KAR 59:250
Graphic arts facilities; 401 KAR 59:212
Heat exchangers, indirect; 401 KAR 59:015
Incinerators; 401 KAR 59:020
Metal cleaning equipment; 401 KAR 59:185
Metal parts coating operations; 401 KAR 59:225
Paneling coating operations; 401 KAR 59:214
Petroleum liquids, vessels for; 401 KAR 59:050
Petroleum refinery leaks; 401 KAR 59:048
Pharmaceutical product operations; 401 KAR 59:230
Provisions, general; 401 KAR 59:005
Rubber tire plants; 401 KAR 59:235
Service stations; 401 KAR 59:175
Steam generating units; 401 KAR 59:016; 401 KAR 59:016E
Petroleum refineries; 401 KAR 59:045

ALCOHOLIC BEVERAGE CONTROL

Advertising Malt Beverages
Signs, inside; 804 KAR 2:007

ARCHITECTS

Examination, application for; 201 KAR 19:025
Examination, qualifications for; 201 KAR 19:035
Examinations, types of; 201 KAR 19:040
Fees; 201 KAR 19:085

BOILERS, PRESSURE VESSELS

Administrative procedures; 815 KAR 15:020
Definitions; 815 KAR 15:010
Inspection; 815 KAR 15:070
Installations; 815 KAR 15:051

CANCER COMMISSION

Procedures, commission; 110 KAR 1:030

CAPITAL CONSTRUCTION

Oversight committee; procedure; records; 1 KAR 3:005

CERTIFICATE OF NEED, LICENSURE

Alcohol detoxification centers; 902 KAR 20:110E
Ambulance services, emergency care; 902 KAR 20:115; 902 KAR 20:115E
Ambulatory surgical centers; 902 KAR 20:100E; 902 KAR 20:105E
Certificate, hearing on; 902 KAR 20:127
Certificate process; 902 KAR 20:006
Day health care; 902 KAR 20:065E
Emergency care; ambulance service; 902 KAR 20:115E
Expenditure limits; 902 KAR 20:130
Extended care; 902 KAR 20:025E
Family care homes; 902 KAR 20:040E
Group homes; 902 KAR 20:077E
Health maintenance organizations; 902 KAR 20:057E
Hearings, licensure; 902 KAR 20:126
Home health agencies; 902 KAR 20:080E
Hospitals; 902 KAR 20:010E; 902 KAR 20:015E
Intermediate care; 902 KAR 20:050E; 902 KAR 20:055E
License, fee schedule; 902 KAR 20:007E
Mental health-retardation centers; 902 KAR 20:090E; 902 KAR 20:095E
Nursing homes; 902 KAR 20:045E; 902 KAR 20:047E
Outpatient clinics, ambulatory care; 902 KAR 20:070E; 902 KAR 20:075E
Personal care; 902 KAR 20:030E; 902 KAR 20:035E
Primary care centers; 902 KAR 20:059E
Renal dialysis facilities; 902 KAR 20:017E
Skilled nursing; 902 KAR 20:020E

CIVIL RIGHTS

(See Human Rights)

COMMERCE CABINET

(See Fish and Wildlife)

CONTRACTS, PERSONAL SERVICE

Subcommittee, procedure, records; 1 KAR 2:010

CLAIMS, BOARD OF

Hearings; 108 KAR 1:020

CONTROLLED SUBSTANCES

Substances
Distribution of small amounts; 901 KAR 1:070
Schedule I; 901 KAR 1:015
Schedule II; 901 KAR 1:020
Schedule IV; 901 KAR 1:030

CORRECTIONS

Parole
Discharge, final; 501 KAR 1:015
Eligibility; 501 KAR 1:011
Revocations, hearings on; 501 KAR 1:020

CRIME VICTIMS' COMPENSATION

Reciprocal agreement defined; 107 KAR 1:030

DENTISTRY

License, reinstatement of; 201 KAR 8:251

DEVELOPMENT

Agriculture
Egg referendum; 302 KAR 1:035
Livestock; 302 KAR 20:040; 302 KAR 20:070; 302 KAR 20:040E; 302 KAR 20:070E
Fish and Wildlife
Birds, migratory; 301 KAR 2:085
Boats, motors; 301 KAR 1:015
Bow fishing; 301 KAR 1:090
Deer gun, archery; 301 KAR 2:112
Deer, turkey; special areas; 301 KAR 2:111
Dove, etc., season for; 301 KAR 2:029E
License fees; 301 KAR 3:021
Small game; 301 KAR 2:045; 301 KAR 2:047
Taxidermists, sales by; 301 KAR 4:040
Turkey, season for; 301 KAR 3:053
Year-round season; 301 KAR 3:030
Industrial Development Authority
Repeals; 305 KAR 1:011; 305 KAR 2:011

DRIVER'S LICENSE

(See Vehicle Regulation)

DRUG FORMULARY

Acetaminophen; 902 KAR 1:080; 902 KAR 1:081
Drugs dispensed, records of; 902 KAR 1:005
Niacin; 902 KAR 1:330
Probenecid; 902 KAR 1:333

EDUCATION

Administration and Finance
Bidding, procedure for; 702 KAR 3:135
Counseling services; 703 KAR 3:010
Counselor units; 703 KAR 3:030
Employees' pay, procedure for; 702 KAR 3:060
Paraprofessionals, volunteers; 704 KAR 15:080
Pupil transportation; 702 KAR 5:080
Textbook program; 702 KAR 1:005
Transportation of handicapped, reimbursement for; 702 KAR 5:100
Exceptional, Handicapped
Programs; 707 KAR 1:051 to 707 KAR 1:060
Instruction
Credits, recognition of; 704 KAR 3:307
Day schools; approval, attendance; 704 KAR 6:010
Health, PE programs; 704 KAR 4:020
Implementation, plan for; 704 KAR 3:005
In-service, plan for; 704 KAR 3:035
Migrant plan, Title I; 704 KAR 3:292
Studies, required program of; 704 KAR 3:304
Teacher certification
Vocational trade instructors, ranking of; 704 KAR 20:025
Teacher education
Curricula; evaluation, approval; 704 KAR 15:020
Pupil Transportation
Bus drivers; qualifications, responsibilities; 702 KAR 5:080
Rehabilitation Services
Plan, three-year; 706 KAR 1:010

EDUCATION (Cont'd)

School Building Authority
Construction; 723 KAR 1:005; 723 KAR 1:015
Superintendent, Office of
Audits; 701 KAR 5:040
Budgets; 701 KAR 5:030
Teacher Certification
Certificates, for certain subjects; 704 KAR 2:057
Preparation program, plan for; 704 KAR 2:005
Rank I; 704 KAR 20:015
Rank II equivalency; 704 KAR 20:020
Ranking, procedure for; 704 KAR 20:010
Vocational Education
Administration; 705 KAR 1:010
Adult education; 705 KAR 7:040; 705 KAR 7:050
Facilities, equipment; 705 KAR 3:071 to 705 KAR 3:130
Fiscal management; 705 KAR 2:111; 705 KAR 2:030
Instructional programs; 705 KAR 4:010 to 705 KAR 4:180
Management, state-operated schools; 705 KAR 5:031; 705 KAR 5:060
Steering committee; 705 KAR 5:040
Teacher education; 705 KAR 6:010

EDUCATION, HUMANITIES

(See also Education; Higher Education Assistance Authority)
Human Rights
Discrimination, guidelines on; 104 KAR 1:050
Library and Archives
Non-public schools, textbooks for; 725 KAR 2:050
Public libraries; 725 KAR 2:015

ELECTIONS

Absentee Voting
Armed forces, registration of; 31 KAR 1:020

ELECTRICAL INSPECTORS

Certification of; 815 KAR 35:010

EMERGENCY MEDICAL SERVICES

Ambulance, equipment, purchase of; 902 KAR 14:005E
Salary payment; 902 KAR 14:015E

EMPLOYEES, STATE

Personnel Rules
Separations, disciplinary actions; 101 KAR 1:120; 101 KAR 1:120E
Travel
Reimbursement for; 200 KAR 2:006E

ENERGY, DEPT. OF

Conservation
Fuel reserves, set-aside; 115 KAR 3:005

ENERGY REGULATORY COMMISSION

Advertising; 807 KAR 50:020
Consumer information, electric; 807 KAR 50:067
Master metering, prohibition of; 807 KAR 50:066
Procedure, rules of; 807 KAR 25:010

ENVIRONMENTAL PROTECTION

Air Pollution
Administration, general; 401 KAR 50:010; 401 KAR 50:036
Existing sources; 401 KAR 61:005 to 401 KAR 61:165
New sources, non-attainment areas; 401 KAR 59:005 to 401 KAR 59:240
New sources, standards; 401 KAR 59:015 to 401 KAR 59:175

ENVIRONMENTAL PROTECTION (Cont'd)

Hazardous Waste
Recordkeeping, reporting; 401 KAR 2:070
Transportation; 401 KAR 2:085
Water
Construction exemptions; 401 KAR 4:050

EXCEPTIONAL, HANDICAPPED EDUCATION

Programs
Behavior disordered; 707 KAR 1:054
Communication disorders; 707 KAR 1:052
Crippled, health impaired; 707 KAR 1:053
Emotionally disturbed; 707 KAR 1:054
Evaluation; 707 KAR 1:060
Exceptional; 707 KAR 1:051
Home, hospital instruction; 707 KAR 1:055
Identification; 707 KAR 1:060
Learning disabilities, specific; 707 KAR 1:056
Mentally handicapped; 707 KAR 1:057
Multiple handicapped; 707 KAR 1:058
Placement; 707 KAR 1:060
Visually handicapped; 707 KAR 1:059

FINANCE, DEPT. OF

Buildings and Grounds
Vehicle parking, traffic control; 200 KAR 3:010
Occupations, Professions
Accountancy; 201 KAR 1:065
Dentistry; 201 KAR 8:251
Hairdressers, cosmetologists; 201 KAR 12:020 to 201 KAR 12:161
Medical licensure; 201 KAR 9:005
Nursing; 201 KAR 20:056
Pharmacy; 201 KAR 2:020
Physical therapy; 201 KAR 22:010; 201 KAR 22:110
Podiatry; 201 KAR 25:021; 201 KAR 25:031
Psychologists; 201 KAR 26:010 to 201 KAR 26:080
Real estate; 201 KAR 11:140; 201 KAR 11:147
Social work; 201 KAR 23:070
Policy and Management
Local government assistance funds; 200 KAR 4:005
Property
Floodplain management; 200 KAR 6:040
Leased; 200 KAR 6:035
Purchasing
Small purchases, procedure for; 200 KAR 5:308E
Social Security
Reports; 200 KAR 13:010
Travel
Employee's reimbursement; 200 KAR 2:006E

FIRE DEPARTMENTS, LOCAL

Education incentive; 815 KAR 45:035

FIRE MARSHAL

(See also Housing, Buildings and Construction)
Mobile homes; 815 KAR 25:010

FISH AND WILDLIFE

Fishing
Boats, motors, size limits; 301 KAR 1:015
Bow; 301 KAR 1:090
License fees; 301 KAR 3:021
Hunting
Birds, migratory; 301 KAR 2:085
Deer gun, archery, specific areas; 301 KAR 2:112
Deer, turkey hunting; special areas; 301 KAR 2:111
Dove, etc.; season for; 301 KAR 2:029E
License fees; 301 KAR 3:021
Small game, birds; season, limits; 301 KAR 2:045; 301 KAR 2:047
Turkey, wild, season for; 301 KAR 3:053
Year-round season, some birds and animals; 301 KAR 3:030
Wildlife
Taxidermists, sales by; 301 KAR 4:040

FOOD STAMPS

Eligibility for; 904 KAR 3:020
Hearings
Fair; 904 KAR 3:070
Fraud; 904 KAR 3:060
Issuance procedures; 904 KAR 3:040

FUEL RESERVES

(See Energy, Dept. of)

HAIRDRESSERS, COSMETOLOGISTS

Education requirements; 201 KAR 12:083
Examination; 201 KAR 12:020
License, instructor's; 201 KAR 12:055
Reciprocity; 201 KAR 12:050
Repeals; 201 KAR 12:161
Salons, inspection of; 201 KAR 12:065
Schools
Advertising by; 201 KAR 12:085
Instruction, course of; 201 KAR 12:082
Services, fees for; 201 KAR 12:130

HANDICAPPED, EDUCATION FOR

(See Exceptional, Handicapped)

HARNESS RACING

(See Racing)

HAZARDOUS WASTE

Recordkeeping, reporting; 401 KAR 2:070
Transportation; 401 KAR 2:085

HEALTH SERVICES

Certificate of need, licensure; 902 KAR 20:006 to 902 KAR 20:130
Drug formulary; 902 KAR 1:005 to 902 KAR 1:333
Emergency medical services; 902 KAR 14:005E; 902 KAR 14:015E
Vital statistics; 901 KAR 5:031

HIGHER EDUCATION**ASSISTANCE AUTHORITY**

Authority
Board, meetings of; 11 KAR 4:010
Purpose, name of programs; 11 KAR 5:010
Loans and grants
Loans, insurance for; 11 KAR 3:020

HIGHWAYS

Traffic
Highways, classification of; 603 KAR 5:096
Louisville hill, trucks prohibited on; 603 KAR 5:077; 603 KAR 5:077E
Trucks, weight limits for; 603 KAR 5:066

HOMES, MOBILE

Mobile home standards; 815 KAR 25:010

HOUSING, BUILDINGS, CONSTRUCTION

Boilers, pressure vessels; 815 KAR 15:010 to 815 KAR 15:070
Building Code
Accessibility standards; 815 KAR 7:050
Administration, enforcement; 815 KAR 7:010
Code; 815 KAR 7:020
Manufactured dwelling systems; 815 KAR 7:040
Electrical inspectors; 815 KAR 35:010
Fire departments, local; 815 KAR 45:035
Mobile homes, RV's; 815 KAR 25:010
Plumbing; 815 KAR 20:030E to 815 KAR 20:191

HUMAN RESOURCES

Administration
Controlled substances; 901 KAR 1:015 to 901 KAR 1:070
Laetile, manufacturing standards for; 900 KAR 1:015
Health Services
Certificate of need, licensure; 902 KAR 20:006 to 902 KAR 20:127
Drug formulary; 902 KAR 1:005 to 902 KAR 1:333

HUMAN RESOURCES (Cont'd)

Emergency medical services; 902 KAR 14:005E; 902 KAR 14:015E
 Vital statistics; 901 KAR 5:031
 Social Insurance
 Food stamps; 904 KAR 3:060; 904 KAR 3:070
 Medical assistance; 904 KAR 1:003E to 904 KAR 1:091E
 Public assistance; 904 KAR 2:008 to 904 KAR 2:088; 904 KAR 2:007E to 904 KAR 2:088E
 Unemployment insurance; 904 KAR 5:120; 904 KAR 5:120E; 904 KAR 5:130

HUMAN RIGHTS

Discrimination, guidelines on; 104 KAR 1:050
 Notices; posting, distribution of; 104 KAR 1:010

HUNTING, FISHING

(See Fish and Wildlife)

INCOME TAX

Withholding
 Current month's remittance; 103 KAR 18:130

INDUSTRIAL DEVELOPMENT AUTHORITY

Repeals; 305 KAR 1:011; 305 KAR 2:011

INSTRUCTION, EDUCATION

Day schools; approval, attendance; 704 KAR 6:010
 Health, PE Programs
 School health, comprehensive; 704 KAR 4:020
 Instructional Services
 Counseling services; 703 KAR 3:010
 Counselor units; 703 KAR 3:030
 Credits, recognition of; 704 KAR 3:307
 Implementation plan; 704 KAR 3:005
 In-service plan, annual; 704 KAR 3:035
 Migrant plan, Title I; 704 KAR 3:292
 Paraprofessionals, volunteers; 704 KAR 15:080
 Studies, required program of; 704 KAR 3:304
 Private, Parochial
 Day schools; approval, attendance; 704 KAR 6:010

INSURANCE

Life policy replacements; 806 KAR 12:031
 Medicare supplement policies; 806 KAR 17:060

JUSTICE, DEPT. OF

Corrections
 Parole board; 501 KAR 1:011 to 501 KAR 1:020

KLEC

Certification, basic training; 503 KAR 1:040
 Certification, schools'; 503 KAR 1:020
 Schools; certified graduates; 503 KAR 1:050

KLEF

Eligibility; 503 KAR 5:030
 Incentive plan; 503 KAR 5:040
 Participation, requirements for; 503 KAR 5:020
 Salary provisions; 503 KAR 5:050

LABOR

Occupational safety, health; 803 KAR 2:016; 803 KAR 2:020; 803 KAR 2:021; 803 KAR 2:030
 Pay provisions, equal; 803 KAR 1:025
 Workers' compensation; 803 KAR 25:010; 803 KAR 25:025

LAETRILE

Manufacturing standards; 900 KAR 1:015

LAW ENFORCEMENT COUNCIL

Graduates
 Basic training certification; 503 KAR 1:040
 Certified; 503 KAR 1:050
 Schools
 Certification; 503 KAR 1:020
 In-service; 503 KAR 1:050

LAW ENFORCEMENT FOUNDATION PROGRAM

Eligibility; training, educational; 503 KAR 5:030
 Incentive plan, educational; 503 KAR 5:040
 Participation, requirements for; 503 KAR 5:020
 Salary, provisions for; 503 KAR 5:050

LEGISLATIVE RESEARCH COMMISSION

Capital Construction and Equipment Purchase
 Oversight committee; procedure; records; 1 KAR 3:005
 Contracts, Personal Service
 Subcommittee, procedure, records; 1 KAR 2:010

LIBRARY AND ARCHIVES

Non-public Schools
 Textbooks for; 725 KAR 2:050
 Public Libraries
 Services, facilities for; 725 KAR 2:015

LIVESTOCK

(See Agriculture)

LOCAL GOVERNMENT

Grants
 Economic assistance; 200 KAR 4:005

MEDICAL ASSISTANCE

Drugs, payment for; 904 KAR 1:020
 Eligibility; 904 KAR 1:003; 904 KAR 1:003E
 Hearing, vision; services for; 904 KAR 1:038; 904 KAR 1:038E
 HEAP; 904 KAR 2:088E
 Heat, assistance for; 904 KAR 1:091E
 Home health, payments for; 904 KAR 1:031
 Hospital, in-patient services; 904 KAR 1:012; 904 KAR 1:012E
 Intermediate care; 904 KAR 1:021E; 904 KAR 1:024; 904 KAR 1:024E; 904 KAR 1:036; 904 KAR 1:036E
 Mental health centers; 904 KAR 1:044; 904 KAR 1:044E; 904 KAR 1:045; 904 KAR 1:045E
 Needy; resource, income standard of; 904 KAR 1:004E
 Nursing, skilled; 904 KAR 1:022; 904 KAR 1:022E; 904 KAR 1:036; 904 KAR 1:036E
 Pharmacy services; 904 KAR 1:019
 Physicians; payments, services; 904 KAR 1:009; 904 KAR 1:009E; 904 KAR 1:010; 904 KAR 1:010E
 Screening, diagnosis, treatment; 904 KAR 1:034; 904 KAR 1:034E
 Screening, payment for; 904 KAR 1:035; 904 KAR 1:035E
 SSI; 904 KAR 2:015E
 Transportation; 904 KAR 1:060; 904 KAR 1:061

MEDICAL LICENSURE

Conduct, ethical; 201 KAR 9:005

MERIT SYSTEM

(See Personnel)

MILITARY AFFAIRS

Disaster, emergency services; 106 KAR 1:020
 Educational encouragement fund; 106 KAR 1:010

MOTOR VEHICLES

(See Vehicle Regulation; Transportation)

NATIONAL GUARD

Disaster, emergency services; 106 KAR 1:020
 Educational encouragement fund; 106 KAR 1:010

NATURAL RESOURCES

Environmental Protection
 Air pollution; 401 KAR 50:010 to 401 KAR 61:165
 Hazardous waste; 401 KAR 2:070; 401 KAR 2:085
 Water; 401 KAR 4:050

NURSING

Nurse practitioner, advanced; 201 KAR 20:056

OCCUPATIONAL SAFETY, HEALTH

Carcinogens, occupational; 803 KAR 2:021
 Industry, construction; 803 KAR 2:016
 Industry, general; 803 KAR 2:020
 Repeal; 803 KAR 2:017
 29 CFR Part 1910; 803 KAR 2:020
 29 CFR Part 1926; 803 KAR 2:030

OCCUPATIONS, PROFESSIONS

Accountancy; 201 KAR 1:035; 201 KAR 1:065
 Architects; 201 KAR 19:025; 201 KAR 19:035; 201 KAR 19:040; 201 KAR 19:085
 Dentistry; 201 KAR 8:251
 Hairdressers, cosmetologists; 201 KAR 12:020 to 201 KAR 12:161
 Medical licensure; 201 KAR 9:005
 Nursing; 201 KAR 20:056
 Pharmacy; 201 KAR 2:020
 Physical therapy; 201 KAR 22:010 to 201 KAR 22:110
 Podiatry; 201 KAR 25:021; 201 KAR 25:031
 Psychologists; 201 KAR 26:010 to 201 KAR 26:080
 Real estate; 201 KAR 11:140; 201 KAR 11:147
 Social work; 201 KAR 23:070

PAROLE BOARD

(See Corrections)

PERSONAL SERVICE CONTRACTS

(See Contracts, Personal Service)

PERSONNEL

Separations, disciplinary actions; 101 KAR 1:120; 101 KAR 1:120E

PHARMACY

Examinations; 201 KAR 2:020

PHYSICAL THERAPY

Assistant, board representative for; 201 KAR 22:125
 Endorsement; 201 KAR 22:061
 Foreign trained, requirements for; 201 KAR 22:070
 Licensing, Certification
 Application for; 201 KAR 22:020
 Certification, assistant's; 201 KAR 22:101 to 201 KAR 22:110
 Refusal, revocation, suspension; 201 KAR 22:051; 201 KAR 22:052
 Renewal of; 201 KAR 22:040
 Procedure; 201 KAR 22:031
 Name, change of; 201 KAR 22:035
 Objectives; 201 KAR 22:010

PLUMBING

Fixtures, minimum requirements; 815 KAR 20:191
 Installations, permits for; 815 KAR 20:050
 License application, examination; 815 KAR 20:030E; 815 KAR 20:030
 Plastic pipe; storage, installation; 815 KAR 20:071
 Sewage disposal systems, subsurface; 815 KAR 20:141
 Soil, waste, vent systems; 815 KAR 20:090
 Water; supply, distribution; 815 KAR 20:120

PODIATRY

Continuing education; 201 KAR 25:031
Licenses, fees, renewal notice for; 201 KAR 25:021

PROPERTY

Floodplain management; 200 KAR 6:040
Leased; 200 KAR 6:035

PSYCHOLOGISTS

Exclusions from licensure, certification; 902 KAR 26:050
Licensure; 201 KAR 26:010
Limited practice; 201 KAR 26:080
Reciprocity; 201 KAR 26:030
Titles; 201 KAR 26:070

PUBLIC ASSISTANCE

AFDC; need, amount standards; 904 KAR 2:010; 904 KAR 2:010E
AFDC, technical requirements for; 904 KAR 2:005
Aged, blind, disabled; supplemental for; 904 KAR 2:015; 904 KAR 2:015E
COPE (crisis oriented program for emergencies); 904 KAR 2:081; 904 KAR 2:081E
COPE, repeal of; 904 KAR 2:082E
ECAP, repeal of; 904 KAR 2:084
Eligibility, determination of; 904 KAR 2:040
Emergency assistance, program for; 904 KAR 2:008; 904 KAR 2:008E
Home energy assistance program; 904 KAR 2:088
Oaths, affirmations; 904 KAR 2:060
Pharmacy services; 904 KAR 1:020E
Repeal; 904 KAR 1:092

PUBLIC PROTECTION

Alcoholic Beverage Control
Signs, inside; 804 KAR 2:007
Claims, Board of
Hearings; 108 KAR 1:020
Crime Victims' Compensation
Reciprocal agreement; 107 KAR 1030
Housing, Buildings, Construction
Boilers, pressure vessels; 815 KAR 15:010 to 815 KAR 15:070
Buildings; 815 KAR 7:010 to 815 KAR 7:050
Electrical inspectors; 815 KAR 35:010
Fire departments, local; 815 KAR 45:035
Mobile homes, RV's; 815 KAR 25:010; 815 KAR 25:020
Plumbing; 815 KAR 20:030E to 815 KAR 20:191
Insurance
Life policy replacements; 806 KAR 12:031
Medicare supplement; 806 KAR 17:060
Labor
Occupational safety, health; 803 KAR 2:020; 803 KAR 2:021
Pay provisions, equal; 803 KAR 1:025
Workers' compensation; 803 KAR 25:010; 803 KAR 25:025
Public service commission; 807 KAR 5:067; 807 KAR 5:001E to 807 KAR 5:071E
Energy regulatory; 807 KAR 50:005 to 807 KAR 50:067
Utility regulatory; 807 KAR 25:010
Racing
Harness; 811 KAR 1:015 to 811 KAR 1:200
Thoroughbred; 810 KAR 1:002 to 810 KAR 1:021

PUBLIC SERVICE COMMISSION

PSC
Advertising; 807 KAR 5:016E
Electric; 807 KAR 5:041E
Electric consumer information; 807 KAR 5:051E
Fuel adjustment clause; 807 KAR 5:056E
Gas; 807 KAR 5:021E
Gas service, service lines; 807 KAR 5:026E
Gas well determinations; 807 KAR 5:031E
Master metering, prohibition of; 807 KAR 5:046E

PUBLIC SERVICE COMMISSION (Cont'd)

Outdoor lighting, gas; 807 KAR 5:036E
Procedure, rules of; 807 KAR 5:001E
Rules, general; 807 KAR 5:006E
Sewage; 807 KAR 5:071E
Tariffs; 807 KAR 5:011E
Water; 807 KAR 5:066E
Water, purchased; 807 KAR 5:067
Energy Regulatory
Electric consumer information; 807 KAR 50:067
Procedure, rules of; 807 KAR 50:005
Utility Regulatory
Procedure, rules of; 807 KAR 25:010

PUPIL TRANSPORTATION

Bus drivers; qualifications, responsibilities; 702 KAR 5:080

PURCHASING

(See Finance, Dept. of)

RACING

Harness
Claiming; 811 KAR 1:035
Eligibility, classification; 811 KAR 1:030
Licenses, fees; 811 KAR 1:180
Officials; 811 KAR 1:015
Pari-mutuel wagering; 811 KAR 1:125
Purses, payments, administration of; 811 KAR 1:200
Review, appeal; 811 KAR 1:105
Stimulants, drugs; 811 KAR 1:090
Timing, records; 811 KAR 1:110
Thoroughbred
Associations; 810 KAR 1:006
Backside improvement commission; 810 KAR 1:021
Commission; 810 KAR 1:002
Entries, subscriptions, declarations; 810 KAR 1:013
Horses; 810 KAR 1:012
Jockeys, apprentices; 810 KAR 1:009
Medication; 810 KAR 1:018

REAL ESTATE

Broker, salesman operating as; 201 KAR 11:140
Salesman, license retention of; 201 KAR 11:147

REFERENDUMS

(See Agriculture)

REVENUE, DEPT. OF

Ad Valorem Tax
Administration; 103 KAR 5:015
Income Tax
Withholding, current month's remittance; 103 KAR 18:130
Sales and Use Tax
Remittance, for current month; 103 KAR 25:120
Severance Tax
DOT contracts; 103 KAR 35:020E

SALES AND USE TAX

Registration, Collection
Current month's remittance; 103 KAR 25:120

SCHOOL BUILDING AUTHORITY

Construction
Eligibility, criteria for; 723 KAR 1:015
Funding, procedures for; 723 KAR 1:005

SOCIAL INSURANCE

Food stamps; 904 KAR 3:020 to 904 KAR 3:070
Medical assistance; 904 KAR 1:003E to 904 KAR 1:091E
Public assistance; 904 KAR 2:008 to 904 KAR 2:088; 904 KAR 2:007E to 904 KAR 2:088E
Unemployment insurance; 904 KAR 5:120; 904 KAR 5:120E; 904 KAR 5:130

SOCIAL SECURITY

Reports; 200 KAR 13:010

SOCIAL WORK

Certification, specialty; 201 KAR 23:070

SUBSTANCES, CONTROLLED

(See Human Resources)

TAXATION

(See Revenue, Dept. of; Specific Tax)

TEACHER CERTIFICATION

Certificates, for certain subjects; 704 KAR 20:057
Preparation program, plan for; 704 KAR 20:005
Rank I; 704 KAR 20:015
Rank II equivalency; 704 KAR 20:020
Ranking, procedure for; 704 KAR 20:010
Vocational trade instructors, ranking of; 704 KAR 20:025

THOROUGHBRED, RACING

(See Racing)

TRANSPORTATION, DEPT. OF

(See also Vehicle Regulation)

Highways
Classifications; 603 KAR 5:096
Louisville hill, prohibitions on; 603 KAR 5:077; 603 KAR 5:077E
Trucks, weight limits for; 603 KAR 5:066
Taxation
Contracts; 103 KAR 35:020E
Vehicle Regulation
Drivers' license; 601 KAR 13:010
Motor carriers; 601 KAR 1:025; 601 KAR 1:090
Procedure, general; 601 KAR 2:010
Tax; motor vehicle, fuel; 601 KAR 9:070; 601 KAR 9:071
Year-round registration; 601 KAR 9:005

TRANSPORTATION, PUPILS

(See Pupil Transportation)

TRAVEL

(See Employee's, State)

UNEMPLOYMENT INSURANCE

Appeals; 904 KAR 5:130
Duration, definition of; 904 KAR 5:120; 904 KAR 5:120E

UTILITY REGULATORY COMMISSION

Procedure; 807 KAR 25:010

VEHICLE REGULATION

Administration
Procedures, general; 601 KAR 2:010
Drivers' License
Medical review board; 601 KAR 13:010
Motor Carriers
Commodities, exemption of; 601 KAR 1:090
Hazardous materials, transporting of; 601 KAR 1:025
Motor Vehicle Tax
Fuel tax licensees, records of; 601 KAR 9:071
Fuel use, tax on; 601 KAR 9:070
Year-round registration; 601 KAR 9:005
State-Owned Grounds
Parking, traffic control; 200 KAR 3:010

VITAL STATISTICS

Termination of pregnancies, reporting of; 901 KAR 5:031

VOCATIONAL EDUCATION

Administration
Program plan, annual; 705 KAR 1:010
Adult Education
Eighth grade equivalency; 705 KAR 7:040

VOCATIONAL EDUCATION (Cont'd)

Facilities, Equipment

Disposal, equipment; 705 KAR 3:130

Inventory, equipment; 705 KAR 3:110

Repeal; 705 KAR 3:071

Fiscal Management

Foundation program units; 705 KAR 2:030

Repeal; 705 KAR 2:111

Instructional Programs

Agribusiness; 705 KAR 4:070

Business, office ed; 705 KAR 4:090

Cooperative program; 705 KAR 4:040

Employment, extended; 705 KAR 4:020

FFA leadership training center; 705 KAR 4:080

Health, PE; 705 KAR 4:100

Home ec; 705 KAR 4:110; 705 KAR 4:120

Industrial ed; 705 KAR 4:131

Marketing, distributive ed; 705 KAR 4:140

Practical arts; 705 KAR 4:151

Public service occupations; 705 KAR 4:160

Secondary vo-ed; 705 KAR 4:060

Special vo-ed; 705 KAR 4:170

Standards, general; 705 KAR 4:010

Management, State-Operated Schools

Live work projects; 705 KAR 5:060

Repeal; 705 KAR 5:031

Steering committee; 705 KAR 5:040

Rehabilitation Services

Plan, three-year; 706 KAR 1:010

Supporting Services

Teacher education; 705 KAR 6:010

VOTING

Absentee

Military personnel, registration of; 31 KAR 1:020

WATER

(See Environmental Protection)

WORKERS' COMPENSATION

Procedure; 803 KAR 25:010

Self insurers, joint; 803 KAR 25:025