

216.718 Definitions for KRS 216.718 to 216.728.

As used in KRS 216.718 to 216.728:

- (1) "Assisted living community" has the same meaning as in KRS 194A.700;
- (2) "Cabinet" means the Cabinet for Health and Family Services;
- (3) "Controlling person" means:
 - (a) A corporation, partnership, or other business entity, or an officer, program administrator or director thereof, whose responsibilities include the direction of the management or policies of a health care services agency; or
 - (b) An individual who, directly or indirectly, beneficially owns an interest in a corporation, partnership, or other business entity that is a health care services agency;
- (4) "Direct care service" means a service provided to a resident in an assisted living community, a resident in a long-term care facility, or a patient in a hospital, by direct care staff;
- (5) "Health care services agency" means any person, firm, corporation, partnership, or other business entity engaged in the business of referring temporary direct care staff to render temporary direct care services to an assisted living community, a long-term care facility, or a hospital but does not include a health care services agency operated by an assisted living community, a long-term care facility, a hospital, or any affiliates thereof, solely for the purpose of procuring, furnishing, or referring temporary direct care staff for employment at that assisted living community, long-term care facility, hospital, or any affiliates thereof;
- (6) "Hospital" means a facility licensed pursuant to KRS Chapter 216B as an acute-care hospital, psychiatric hospital, rehabilitation hospital, or chemical dependency treatment facility;
- (7) "Long-term care facilities" has the same meaning as in KRS 216.510;
- (8) "Permanent direct care staff" means an individual who contracts with or is employed by a health care services agency on a nontemporary basis to provide direct care services to residents in assisted living communities, residents in long-term care facilities, or patients in hospitals; and
- (9) "Temporary direct care staff" means an individual who contracts with or is employed by a health care services agency for an undefined duration or a duration of less than twenty-four (24) continuous months exclusive of any extension to provide direct care services to residents in assisted living communities, residents in long-term care facilities, or patients in hospitals.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 61, sec. 1, effective June 29, 2023. -- Created 2022 Ky. Acts ch. 110, sec. 1, effective July 14, 2022.

Legislative Research Commission Note (6/29/2023). Under the authority of KRS 7.136(1), the Reviser of Statutes has renumbered certain subsections in this statute during codification to place the terms in alphabetical order. The words in the text were not changed.

Legislative Research Commission Note (7/14/2022). Under the authority of KRS 7.136(1), the Reviser of Statutes has altered the punctuation of the definition in

subsection (1) of this statute during codification to reflect changes made to the internal reference to KRS 194A.700 in 2022 Ky. Acts ch. 20, sec. 1. The words in the text were not changed.