

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the September Meeting

September 11, 2018

Call to Order and Roll Call

The September meeting of the Administrative Regulation Review Subcommittee was held on Tuesday, September 11, 2018, at 1:00 PM, in Room 149 of the Capitol Annex. Senator Ernie Harris, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Ernie Harris, Co-Chair; Representative David Hale, Co-Chair; Senators Perry B. Clark, and Alice Forgy Kerr; Representatives Mary Lou Marzian, Jason Petrie, and Tommy Turner.

Guests: Kathryn Gabhart, Michael Board, Executive Branch Ethics Commission; Kristen Green, Alan Harrison, Darrell Johnson, UK Division of Regulatory Services; Travis Powell, Council on Postsecondary Education; Kevin Winstead, Attorney General's Office of Consumer Protection; David Trimble, Department of Professional Licensing; Julie Campbell, Board of Cosmetology; Beth Gamble, Pamela Hagan, Megan LaFollette, Board of Nursing; Louis Kelly, Board of Physical Therapy; Amber Arnett, Ron Brooks, Department for Fish and Wildlife; Lesly Davis, Michael Mullins, Bruce Scott, Energy and Environment Cabinet; Pete Goodmann, Tony Hatton, Division of Water Todd Allen, Amanda Ellis, Wayne Lewis, Department of Education; Steve Humphress, Marc Manley, Alcoholic Beverage Control; Patrick O'Connor, Department of Insurance; Erica Brakefield, Julie Brooks, Department of Public Health; Stephanie Brammer Barnes, Steve Davis, Office Inspector General; Jennifer Burt, Pam Hendren, Anita Travis, Division of Public Health Protection and Safety.

LRC Staff: Sarah Amburgey, Stacy Auterson, Emily Caudill, Betsy Cupp, Ange Darnell, Emily Harkenrider, Karen Howard, and Carrie Klaber.

The Administrative Regulation Review Subcommittee met on Tuesday, September 11, 2018, and submits this report:

Administrative Regulations Reviewed by the Subcommittee:

FINANCE AND ADMINISTRATION CABINET: Executive Branch Ethics Commission

009 KAR 001:015 & E. Pre-administrative proceedings. Michael Board, general counsel, and Katie Gabhart, executive director, represented the commission.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

009 KAR 001:030 & E. Administrative hearings.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1, 4, 6, 7, and 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

AGRICULTURAL EXPERIMENT STATION: Commercial Feeds

012 KAR 002:006. Definitions for 12 KAR Chapter 2. Kristen Green, registration specialist, University of Kentucky; Alan Harrison, feed director; and Darrell Johnson, executive director, represented the experiment station.

012 KAR 002:011. Label format.

012 KAR 002:016. Brand and product names.

In response to a question by Co-Chair Harris, Mr. Harrison stated that 12 KAR 2:016 and 2:031 were amended to clarify that raw milk may be used as an ingredient in pet food.

A motion was made and seconded to approve the following amendment: to amend Section 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendment was approved.

012 KAR 002:017. Product purpose statement.

012 KAR 002:018. Guaranteed analysis.

A motion was made and seconded to approve the following amendments: to amend Sections 12 and 13 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

012 KAR 002:021. Expression of guarantees.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3, and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

012 KAR 002:026. Ingredients.

In response to a question by Co-Chair Harris, Mr. Harrison stated that mineral percentages were based on national standards.

A motion was made and seconded to approve the following amendments: to amend Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

012 KAR 002:031. Directions for use and precautionary statements.

A motion was made and seconded to approve the following amendment: to amend Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendment was approved.

012 KAR 002:036. Non-protein.

A motion was made and seconded to approve the following amendments: to amend Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

012 KAR 002:041. Drug and feed additives.

012 KAR 002:046. Poisonous or deleterious substances.

012 KAR 002:051. Manufacturing conditions.

012 KAR 002:056. List of manufacturers.

A motion was made and seconded to approve the following amendments: to amend Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

012 KAR 002:061. Registration.

012 KAR 002:066. Suitability.

A motion was made and seconded to approve the following amendments: to amend Section 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

COUNCIL ON POSTSECONDARY EDUCATION: Public Educational Institutions

013 KAR 002:020. Guidelines for admission to the state-supported postsecondary education institutions. Travis Powell, general counsel and associate vice president, represented the council.

In response to questions by Senator Kerr, Mr. Powell stated that, prior to these amendments, achievement requirements, with some exceptions, consisted of the minimum graduation requirements and a passing score on the examination. This administrative regulation established a minimum GPA requirement to increase student success rates. As GPA increased, the rate of retention increased distinctly and substantially. Students who entered college with less than a 2.0 GPA had only a thirty-three (33) percent retention rate. Students who entered college with a GPA of 2.0 to 2.49 had a forty-four and seven tenths (44.7) percent retention rate. Students who entered college with a GPA of 2.5 to 2.9 had a fifty-five (55) percent retention rate, and students who entered college with a GPA of 3.0 to 3.5 had a sixty-eight (68) percent retention rate. Students who entered college with more than a 3.5 GPA had an eighty-six (86) percent retention rate. Students who did not meet the minimum GPA requirements could be placed in KCTCS programs and transfer on to traditional four (4) year institutions after completing remedial work. Remediation continued to be emphasized at traditional four (4) year institutions. This administrative regulation established placement provisions, based on the co-requisite model for developmental education, for students not yet ready for traditional four (4) year institutions. This program placed students in credit-bearing courses in applicable degree pathways and with outside support systems, such as tutoring or mentoring, to foster student success.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3, and 5 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

OFFICE OF THE ATTORNEY GENERAL: Office of Consumer Protection

40 KAR 002:345 & E. Visual aid glasses seller annual registration requirements. Kevin Winstead, staff attorney, represented the office.

In response to questions by Co-Chair Harris, Mr. Winstead stated that ten (10) to twenty (20) registrants were estimated to be affected annually. That estimate was developed based on the current registration of out-of-state contact sellers. The authorizing

statute applied to sellers outside of Kentucky that sold contacts and glasses to Kentucky patients.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 4 and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

PUBLIC PROTECTION CABINET: Department of Professional Licensing – Kentucky Athlete Agent Registry: Division of Occupations and Professions, Athlete Agents

200 KAR 030:011. Repeal of 200 KAR 030:010, 030:020, 030:030, 030:040, and 030:070. David Trimble, general counsel, represented the division.

BOARDS AND COMMISSIONS: Board of Cosmetology

201 KAR 012:251. Repeal of 201 KAR 12:085, 201 KAR 12:088, 201 KAR 12:120, 201 KAR 12:180, and 201 KAR 12:250. Julie Campbell, director, represented the board.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 012:280. Esthetic practices restrictions.

A motion was made and seconded to approve the following amendments: (1) to amend the STATUTORY AUTHORITY paragraph and Sections 1, 3, 4, 6, and 7 to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) to amend Section 1 to: (a) clarify the definition for “cosmetic resurfacing exfoliating procedures; and (b) add definitions for “direct supervision; (3) to amend Section 2 to clarify that: (a) medical procedures shall not be performed by an esthetics or cosmetology licensee; and (b) services allowed under the direct supervision of a licensed health care practitioner shall fall within the category of cosmetic resurfacing exfoliating procedures; (4) to amend Section 4 to clarify that “direct supervision” shall be required; and (5) to amend Section 6 to clarify when the benefits and risks of all procedures shall be disclosed. Without objection, and with agreement of the agency, the amendments were approved.

Board of Nursing

201 KAR 020:490. Licensed practical nurse infusion therapy scope of practice. Pamela Hagan, acting executive director, represented the board.

Amends the STATUTORY AUTHORITY paragraph and Sections 1, 2, and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Board of Physical Therapy

201 KAR 022:020. Eligibility and credentialing procedure. Louis Kelly, general counsel, represented the board.

201 KAR 022:040. Procedure for renewal or reinstatement of a credential for a physical therapist or physical therapist assistant.

201 KAR 022:170. Physical Therapy Compact Commission.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

TOURISM, ARTS AND HERITAGE CABINET: Department of Fish and Wildlife:
Fish

301 KAR 001:201. Taking of fish by traditional fishing methods. Amber Arnett, staff attorney, and Ron Brooks, fisheries director, represented the department.

In response to questions by Co-Chair Hale, Mr. Brooks stated that the statewide creel limit for walleye and sauger was six (6), with a size limit of fourteen (14) inches. The limits were agreed to by the Ohio River Fish Management Team. The muskie size limit at Buckhorn Lake was previously thirty-six (36) inches and was being revised to forty (40) inches. Fishermen were not seeing many large sunfish, which could be the result of overharvesting. The public had not submitted feedback regarding changes to carnico limits.

In response to a question by Co-Chair Harris, Mr. Brooks stated that it usually took a matter of years after overharvesting to return populations to previous levels. Sunfish typically reached a harvestable size within three (3) to four (4) years.

A motion was made and seconded to approve the following amendment: to amend Section 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendment was approved.

301 KAR 001:410. Taking of fish by nontraditional fishing methods.

In response to a question by Co-Chair Harris, Mr. Brooks stated that hand grabbing of catfish was synonymous with “noodling.”

A motion was made and seconded to approve the following amendment: to amend the agency heading to make a technical correction. Without objection, and with agreement of the agency, the amendment was approved.

ENERGY AND ENVIRONMENT CABINET: Office of the Secretary:
Administration

400 KAR 001:001 & E. Definitions for 400 KAR Chapter 1. Lesly Davis, executive director; Michael Mullins, regulation coordinator; and Bruce Scott, deputy secretary, represented the office.

400 KAR 001:040 & E. Administrative discovery.

A motion was made and seconded to approve the following amendments: to amend Sections 1 through 10 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

400 KAR 001:090 & E. Administrative hearings practice provisions.

A motion was made and seconded to approve the following amendments: to amend Sections 5 and 24 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

400 KAR 001:100 & E. General administrative hearing practice provisions relating to matters brought under KRS Chapters 146, 149, 151, 223, 224, and 353.

A motion was made and seconded to approve the following amendments: to amend Sections 3, 6, 9, and 10 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

400 KAR 001:110 & E. Administrative hearings relating to matters brought under KRS Chapter 350.310 through 351.375.

A motion was made and seconded to approve the following amendments: to amend the TITLE; the NECESSITY, FUNCTION, AND CONFORMITY paragraph; and Sections 1 through 14 to comply with the drafting and formatting requirements of KRS

Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Department for Environmental Protection: Division of Water: Water Quality

401 KAR 005:002. Definitions for 401 KAR Chapter 5. Pete Goodman, director, and Tony Hatton, commissioner, represented the division.

A motion was made and seconded to approve the following amendments: to amend Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:005. Permits to construct, modify, or operate a facility.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 4, 7, 9, 11, 18, 20, 22, 24, and 25 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to amend Section 25(1) to correct a conjunction. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:006. Wastewater planning requirements for regional planning agencies.

A motion was made and seconded to approve the following amendments: to amend Sections 3 and 4 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:015. Releases to be reported to the division.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:037. Groundwater protection plans.

A motion was made and seconded to approve the following amendments: to amend Sections 1 through 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:039. Repeal of 401 KAR 5:035, 5:057, 5:070, and 5:300.

401 KAR 005:045. Treatment requirements; compliance; biochemically degradable wastes.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 and 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:050. General provisions of KPDES permitting program.

401 KAR 005:052. Requirements applicable to cooling water intake structures of facilities regulated by Section 316(b) of the Clean Water Act, 33 U.S.C. 1326(b).

401 KAR 005:055. Scope of applicability of the KPDES program and pretreatment requirements.

A motion was made and seconded to approve the following amendments: to amend Sections 3 and 11 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:060. KPDES application requirements.

401 KAR 005:065. KPDES permit conditions.

401 KAR 005:075. Cabinet review procedures for KPDES permits and permit timetables for 401 KAR Chapter 5.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 14, 15, and 17 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

401 KAR 005:080. Criteria and standards for the Kentucky Pollutant Discharge Elimination System.

401 KAR 005:320. Wastewater Laboratory Certification Program.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 6, 7, 10, and 13 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to delete Section 12, which was a one-time requirement that had already been implemented. Without objection, and with agreement of the agency, the amendments were approved.

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Board of Education: Department of Education: Office of Learning Programs Development: Office of Instruction

704 KAR 003:015. Kentucky All STARS for Preschool Programs. Todd Allen, deputy general counsel; Amanda Ellis, associate commissioner, Office of Teaching and Learning; and Dr. Wayne Lewis, interim commissioner of education, represented the office.

In response to a question by Co-Chair Harris, Dr. Lewis stated that this administrative regulation removed a deficiency from Kentucky's program. Approximately five (5) years ago, Kentucky was awarded a forty-four (44) million dollar Race to the Top Early Learning Challenge Grant. The grant was awarded to establish a unified rating system for Kentucky's early childhood learning programs, such as preschool, headstart, and childcare. The program included incentives to increase the quality of early learning settings.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 8 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

704 KAR 003:306. Kentucky Academic Standards for Historical and Cultural Influences of the Bible Elective Social Studies Course.

In response to questions by Co-Chair Hale, Dr. Lewis stated that the minimum standards established in this administrative regulation applied to all listed courses. These standards were established by administrative regulation, in contrast to curriculum, which was established at the local school level by the applicable School-based Decision-making Council. The elective social studies course on the Hebrew Scriptures, the Old Testament of the Bible, and the New Testament of the Bible, were high school level elective courses.

In response to a question by Senator Clark, Ms. Ellis stated that elective courses in Comparative Religions were also available. Senator Clark stated that it was necessary to be cautious with Bible-related courses, especially regarding consideration of which Bible would be used (the Vulgate, Jerusalem, King James Version, etc.)

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 and 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**PUBLIC PROTECTION CABINET: Department of Alcoholic Beverage Control:
Conduct of Business; Employees**

804 KAR 005:080. Vintage distilled spirits. Steve Humphress, general counsel, and Marc Manley, counsel, represented the department.

ENERGY AND ENVIRONMENT CABINET: Department of Natural Resources:
Division of Oil and Gas

805 KAR 001:210 & E. Comment period for pooling of oil and gas shallow wells. Lesly Davis, executive director; Michael Mullins, regulation coordinator; and Bruce Scott, deputy secretary, represented the office.

Department of Insurance: Health Insurance Contracts

806 KAR 017:020. Disclosure of other coverage in application. Patrick O'Connor, deputy commissioner, represented the department.

806 KAR 017:091. Repeal of 806 KAR 017:010, 806 KAR 017:090, 806 KAR 017:130, 806 KAR 017:310, 806 KAR 017:320, 806 KAR 017:330, 806 KAR 017:440, 806 KAR 017:460, 806 KAR 017:500, 806 KAR 017:540, 806 KAR 017:545, 806 KAR 017:555.

806 KAR 017:300. Provider agreement and risk-sharing agreement filing requirements.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 2 through 4 and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

806 KAR 017:360. Prompt payment of claims.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 7 and 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

PUBLIC PROTECTION CABINET: Department of Professional Licensing – Kentucky Athlete Agent Registry: Division of Occupations and Professions, Athlete Agents: Registry

830 KAR 002:001. Definitions. David Trimble, general counsel, represented the division.

830 KAR 002:010. Registration and fees.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

830 KAR 002:020. Complaints.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO paragraph and Sections 1 through 5 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to amend Section 2 to establish that failure to meet the filing deadline for a response to a complaint alleging a violation may be treated as a default of the obligation to file a response and an admission of the alleged violation, unless good cause is shown. Without objection, and with agreement of the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Division of Public Health Protection and Safety: Sanitation

902 KAR 010:051. Repeal of 902 KAR 10:050. Julie Brooks, regulation coordinator; Erica Brakefield, section supervisor; and Jennifer Burt, branch manager, represented the division.

Office of Inspector General: Division of Healthcare: Health Services and Facilities

902 KAR 020:008 & E. License procedures and fee schedule. Stephanie Brammer – Barnes, regulation coordinator, and Steve Davis, inspector general, represented the division.

In response to a question by Representative Marzian, Mr. Davis stated that these administrative regulations did not pertain to abortion facilities.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 and 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

902 KAR 020:251. Repeal of 902 KAR 020:250.

902 KAR 020:260. Hospital-owned pain management clinics.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 and 6 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

902 KAR 020:275. Freestanding or mobile technology.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Section 2, 3, 5 through 7, 10, and 12 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

902 KAR 020:401E. Repeal of 902 KAR 020:058, 902 KAR 020:145, 902 KAR 020:190, and 902 KAR 020:400.

Department for Public Health: Division of Public Health Protection and Safety:
Food and Cosmetics

902 KAR 045:160. Kentucky food processing, packaging, storage, and distribution operations. Julie Brooks, regulation coordinator; Pam Hendren, branch manager; and Anita Travis, program manager, represented the division.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 10, 11, 15, and 17 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Hazardous Substances

902 KAR 047:071. Repeal of 902 KAR 047:040, 902 KAR 047:050, 907 KAR 047:060, and 902 KAR 047:070. Julie Brooks, regulation coordinator; Erica Brakefield, section supervisor; and Jennifer Burt, branch manager, represented the division.

In response to a question by Senator Clark, Ms. Brakefield stated that these substances were regulated by the Consumer Product Safety Commission and related inspections were within the federal jurisdiction.

Controlled Substances

902 KAR 055:011E. Repeal of 902 KAR 055:010. Stephanie Brammer – Barnes, regulation coordinator, and Steve Davis, inspector general, represented the division.

Office of Inspector General: Inspector General

906 KAR 1:071E. Repeal of 906 KAR 001:050, 906 KAR 001:060, and 906 KAR 001:070. Stephanie Brammer – Barnes, regulation coordinator, and Steve Davis, inspector general, represented the division.

The following administrative regulations were deferred or removed from the September 11, 2018, subcommittee agenda:

STATE BOARD OF ELECTIONS: Forms and Procedures

31 KAR 004:100 & E. Evaluation of precinct election officers.

31 KAR 004:120 & E. Additional and emergency precinct officers.

BOARDS AND COMMISSIONS: Board of Nursing

201 KAR 020:057. Scope and standards of practice of advanced practice registered nurses.

Board of Podiatry

201 KAR 025:090. Prescribing and dispensing controlled substances.

JUSTICE AND PUBLIC SAFETY CABINET: Kentucky Law Enforcement Council

503 KAR 001:110 & E. Department of Criminal justice Training basic training graduation requirements; records.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Administration

601 KAR 002:030 & E. Ignition interlock.

LABOR CABINET: Department of Workers' Claims

803 KAR 025:089 & E. Workers' Compensation Medical Fee Schedule for Physicians.

PUBLIC PROTECTION CABINET: Department of Insurance: Health Insurance Contracts

806 KAR 017:570. Minimum standards for Medicare supplement insurance policies and certificates.

Department of Charitable Gaming

820 KAR 001:001. Definitions.

820 KAR 001:005. Charitable gaming licenses and exemptions.

820 KAR 001:011. Repeal of 820 KAR 1:010, 1:015, 1:016, 1:017, 1:026, 1:027, 1:028, 1:029, 1:033, 1:034, 1:036, 1:044, 1:056, 1:058, 1:100, 1:110, 1:120.

820 KAR 001:025. Reports.

820 KAR 001:032. Pulltabs.

820 KAR 001:042. Bingo.

820 KAR 001:050. Raffles.

820 KAR 001:055. Charity fundraising event standards.

820 KAR 001:057. Recordkeeping.

820 KAR 001:060. Prohibited conduct.

820 KAR 001:125. Gaming inspections.

820 KAR 001:130. Administrative actions.

820 KAR 001:135. Disposal of gaming supplies.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Medicaid Services: Division of Policy and Operations

895 KAR 001:001. Definitions for 895 KAR Chapter 001.

895 KAR 001:010. Eligibility for Kentucky HEALTH program.

895 KAR 001:015. Premium payments within the Kentucky HEALTH programs.

895 KAR 001:020. PATH requirement for the Kentucky HEALTH program.

895 KAR 001:025. Beneficiary premiums.

895 KAR 001:030. Establishment and use of the MyRewards program.

895 KAR 001:035. Covered services within the Kentucky HEALTH program.

895 KAR 001:040. Deductible accounts within the Kentucky HEALTH program.

895 KAR 001:045. Accommodation, modifications, and appeals for beneficiaries participating in the Kentucky HEALTH program.

895 KAR 001:050. Enrollment and reimbursement for providers in the Kentucky HEALTH program.

895 KAR 001:055. Designation or determination of medically frail status or accommodation due to temporary vulnerability in the Kentucky HEALTH program.

Office of Inspector General: Division of Certificate of Need: State Health Plan

900 KAR 005:020 & E. State Health Plan for facilities and services.

Radiology

902 KAR 100:018. Repeal of 902 KAR 100:017, 902 KAR 100:060, and 902 KAR 100:090.

902 KAR 100:022. Licensing requirements for land disposal of radioactive waste.

902 KAR 100:052. Specific domestic licenses of broad scope for byproduct material.

902 KAR 100:070. Packaging and transportation of radioactive material.

902 KAR 100:072. Medical use of byproduct material.

902 KAR 100:100. Licenses for industrial radiography and radiation safety requirements for industrial radiographic operations.

902 KAR 100:142. Licenses and radiation safety requirements for well logging.

Office of Inspector General

906 KAR 001:190. Kentucky National Background Check Program (NBCP).

Department for Medicaid Services

907 KAR 001:642. Adult group 07-2018 benefit plan and copayments.

Department for Community Based Services: Division of Family Support:
Supplemental Nutrition Assistance Program

921 KAR 003:025. Technical requirements.

921 KAR 003:035. Certification process.

Division of Protection and Permanency: Child Welfare

922 KAR 001:560 & E. Putative father registry and operating procedures.

The subcommittee adjourned at 1:50 p.m. The next meeting is tentatively scheduled for October 9, 2018, at 1 p.m.