

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the March Meeting

March 11, 2019

Call to Order and Roll Call

The March meeting of the Administrative Regulation Review Subcommittee was held on Monday, March 11, 2019, at 1:00 PM, in Room 149 of the Capitol Annex. Representative David Hale, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen West, Co-Chair; Representative David Hale, Co-Chair; Senator Alice Forgy Kerr; Representatives Deanna Frazier, Mary Lou Marzian, and Tommy Turner.

Guests: Emily Dennis, John Steffen, Registry of Election Finance; Todd Renner, Department of Revenue; Mike West, Board of Nursing; Scott Majors, Board of Physical Therapy; Tony Cotto, Jason Smith, Cindy Stinnett, Boxing and Wrestling Commission; Bryan Morrow, Board of Licensure for Marriage and Family Therapist; Steven Fields, Rich Storm, Karen Waldrop, Department of Fish and Wildlife Resources; Dana Feldman, Clint Quarles, Michael Williams, Department of Agriculture; Amy Barker, Justice Cabinet; William Codell, Department of Juvenile Justice; Brian Black, Kristi Redmon, Labor Cabinet; B. Dale Hamblin, Robert Swisher, Department of Workers' Claims; Joe Donohue, Charles Vice, Department of Financial Institutions; David Trimble, Department of Professional Licensing; Jonathan Scott, Department for Medicaid Services; Shannon Gadd, Janet Hall, Department for Aging and Independent Living; Laura Begin, Leitha Harris, Todd Trapp, Department for Community Based Services; Bruce Linder, Kentucky Association of Health Care Facilities.

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 Monday, March 11, 2019, and submits this report:

Administrative Regulations Reviewed by the Subcommittee:

DEPARTMENT OF STATE: Kentucky Registry of Election Finance: Reports and Forms

32 KAR 1:050 & E. Political organization registration. Emily Dennis, general counsel, and John Steffen, executive director, represented the registry.

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.

32 KAR 1:070 & E. Waiver from filing candidate election finance statement.

FINANCE AND ADMINISTRATION CABINET: Department of Revenue: Income Tax; Corporations

103 KAR 16:151. Repeal of 103 KAR 016:100, 103 KAR 016:110, 103 KAR 016:120, 103 KAR 016:130, 103 KAR 016:145, and 103 KAR 016:150. Todd Renner, executive director, Office of Tax Policy and Regulation, represented the department.

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.

103 KAR 16:270. Apportionment; receipts factor.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO paragraph and Sections 1 and 3 through 6 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to add Section 7 to clarify that this administrative regulation shall apply to tax periods beginning on or after January 1, 2018. Without objection, and with agreement of the agency, the amendments were approved.

BOARDS AND COMMISSIONS: Board of Nursing

201 KAR 20:065. Professional standards for prescribing Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone by APRNs for medication assisted treatment for opioid disorder. Mike West, general counsel, represented the board.

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

Board of Physical Therapy

201 KAR 22:070. Requirements for foreign-educated physical therapists and physical therapist assistants. Scott Majors, executive director, represented the board.

A motion was made and seconded to approve the following amendments: to amend: (1) Section 3 to establish additional requirements for a foreign-educated physical therapist assistant; and (2) Section 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Boxing and Wrestling Commission

201 KAR 27:005. Definitions for 201 KAR Chapter 027. Jason Smith, commissioner, and Cindy Stinnett, executive director, represented the commission.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs 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.

201 KAR 27:008. License requirements and fees.

A motion was made and seconded to approve the following amendments: to amend: (1) the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 4 to comply with the drafting requirements of KRS Chapter 13A; and (2) Section 10 to revise the Physical Report. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 027:011. General requirements for boxing and kickboxing shows.

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 2, 7, and 13 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 27:016. General requirements for mixed martial arts matches, shows, or exhibitions.

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 2, 4, 16, and 18 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 27:020. Tickets.

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

201 KAR 27:022. Repeal of 201 KAR 027:017.

Board of Licensure for Marriage and Family Therapists

201 KAR 32:110. Telehealth. Bryan Morrow, counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend: (1) the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1, 2 through 6, and 8 to comply with the drafting requirements of KRS Chapter 13A; (2) Section 1 to add a definition for “telehealth;” and (3) Section 4 to establish that the client’s identity shall be verified by a valid photo identification. Without objection, and with agreement of the agency, the amendments were approved.

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

301 KAR 2:095 & E. Importation of cervid carcasses and parts. Gabe Jenkins, deer and elk coordinator; Rich Storm, commissioner; and Karen Waldrop, deputy commissioner, represented the department.

DEPARTMENT OF AGRICULTURE: Office of Consumer and Environmental Protection: Agricultural Pest Control

302 KAR 27:010. Definitions for 302 KAR Chapter 027. Dana Feldman, executive director; Clint Quarles, counsel; and Michael Williams, director, Division of Environmental Services, represented the office.

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

302 KAR 27:020. General provisions.

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

302 KAR 27:031. Repeal of 302 KAR 027:030.

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

302 KAR 27:040. Prison inmates.

A motion was made and seconded to approve the following amendments: to amend the TITLE 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.

302 KAR 27:050. Certification.

A motion was made and seconded to approve the following amendments: to amend the TITLE, the RELATES TO paragraph, 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.

302 KAR 27:060. Fine schedule for violation of KRS 217B.120.

A motion was made and seconded to approve the following amendments: to amend: (1) the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 6 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) Sections 2 and 3 to revise fees in order to comply with minimum and maximum fee standards as established in KRS 217B.990. Without objection, and with agreement of the agency, the amendments were approved.

Ornamental Turf Lawn and Interior Plantscape Pest Control

302 KAR 28:010. Definitions for 302 KAR Chapter 028.

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

302 KAR 28:020. General provisions.

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 5 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

302 KAR 28:030. Ornamental and interior plantscape posting.

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

302 KAR 28:040. Prison inmates.

A motion was made and seconded to approve the following amendments: to amend the TITLE 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.

302 KAR 28:050. Certification.

A motion was made and seconded to approve the following amendments: to amend the TITLE, the RELATES TO paragraph, and Sections 1 through 7 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

302 KAR 28:060. Fine schedule for violation of KRS 217B.120.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 and 2 to comply with the drafting requirements of KRS Chapter 13A; (2) to delete Section 5 because the form previously incorporated by reference is already incorporated by reference in another administrative regulation; and (3) to amend Section 2 to revise fees in order to comply with minimum and maximum fee standards as established in KRS 217B.990. Without objection, and with agreement of the agency, the amendments were approved.

Office of Agricultural Marketing: Industrial Hemp

302 KAR 50:090. Enforcement, corrective action plans, and mandatory reporting to state and federal agencies, department to retain growing site information for at least three (3) years.

A motion was made and seconded to approve the following amendments: to amend the TITLE and Sections 2 through 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Weights and Measures

302 KAR 85:010. Requirements to establish fee schedules for calibrations, adjustments, weights, and measures.

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.

JUSTICE AND PUBLIC SAFETY CABINET: Special Law Enforcement Officers

500 KAR 2:020. Filing and processing SLEO commissions. Amy Barker, assistant general counsel, represented the cabinet.

In response to questions by Co-Chair West, Ms. Barker stated that commission revocation provisions were not being amended. This administrative regulation clarified statutory criteria, including first aid, CPR, and firearm proficiency. Additionally, this administrative regulation allowed the secretary to appoint a designee pertaining to this program.

A motion was made and seconded to approve the following amendments: to amend: (1) the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs; Sections 1 through 4, 7, 8, and 11 through 15; and the material incorporated by reference to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) Section 4(1) to specify the required CPR training; (3) Section 4(2) to allow fingerprinting at local law enforcement offices; (4) Section 9(1) to establish procedures for an applicant to obtain approval for training already completed; and (5) Section 9(2) to establish standards for demonstrating proficiency with firearms and first aid. Without objection, and with agreement of the agency, the amendments were approved.

Department of Juvenile Justice: Child Welfare

505 KAR 1:080. Kentucky Educational Collaborative for state agency children. William Codell, attorney, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 2, 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.

LABOR CABINET: Department of Workplace Standards: Division of Occupational Safety and Health Compliance: Division of Occupational Safety and Training

803 KAR 2:320. Toxic and hazardous substances. Brian Black, occupational safety and health standards specialist, and Kristi Redmon, occupational safety and health standards specialist, represented the division.

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

803 KAR 2:505. Cranes and derricks in construction.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY paragraph and Section 1 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 of Workers' Claims

803 KAR 25:290. Continuation of medical benefits. Dale Hamblin, Jr., assistant general counsel, and Robert Swisher, commissioner, represented the department.

In response to questions by Co-Chair West, Mr. Swisher stated that House Bill 2 from the 2018 Regular Session of the General Assembly limited medical benefits for most claims of permanent partial disability from lifetime benefits to 780 weeks from the date of injury or last exposure. This administrative regulation established the process to track claimants and to notify claimants of impending benefits termination at 754 weeks and the right of claimants to file an application for continuation. This administrative regulation also established the processing procedure for applications of continuation and the process for administrative hearings and appeals. Claimants were required to keep a current address on file with the department. Claimants would be notified by mail and, if applicable, email as benefits termination approached. The department used standard mail, rather than certified mail, due to projected future costs and because claimants often rejected certified mail.

In response to questions by Co-Chair Hale, Mr. Swisher stated that the department would notify claimants by mail and, if applicable, email approximately twenty-six (26) weeks prior to the termination of benefits.

A motion was made and seconded to approve the following amendments: to amend Sections 2 and 3 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: Kentucky Department of Financial Institutions: Administration

808 KAR 1:060. Automated teller machines. Joe Donohue, general counsel, and Charles Vice, commissioner, represented the department.

In response to a question by Co-Chair West, Mr. Donohue stated that this package of administrative regulation streamlined and reorganized, but did not substantively change, requirements.

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

808 KAR 1:140. Fees.

A motion was made and seconded to approve the following amendments: to amend: (1) the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 2, 5, 7, and 9 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) Section 2 to establish that the hourly fee for examiners shall be forty-two (42) dollars rather than fifty-five (55) dollars for licensees that are not a state chartered bank or trust company. Without objection, and with agreement of the agency, the amendments were approved.

808 KAR 1:161. Repeal of 808 KAR 001:020, 001:050, 001:090, 001:120, 001:130, 001:150, and 001:160.

808 KAR 1:170. Licensing and registration.

A motion was made and seconded to approve the RELATES TO; STATUTORY AUTHORITY; 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.

Credit Unions

808 KAR 3:050. Conduct of credit unions.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and STATUTORY AUTHORITY paragraphs and Sections 5 and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

808 KAR 3:061. Repeal of 808 KAR 00:020 and 003:060.

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.

Industrial Loans

808 KAR 5:041. Repeal of 808 KAR 005:040.

Consumer Loans

808 KAR 6:095. Mandatory availability for repayment.

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

808 KAR 6:121. Repeal of 808 KAR 006:015, 006:105, 006:115, and 006:120.

A motion was made and seconded to approve the following amendment: 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 amendment was approved.

Check Cashing

808 KAR 9:010. Deferred deposit database compliance.

808 KAR 9:031. Repeal of 808 KAR 009:020 and 009:030.

808 KAR 9:040. Customer account transfers.

A motion was made and seconded to approve the following amendment: to amend Section 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendment was approved.

808 KAR 9:050. Licensee change of control.

Multibank Companies

808 KAR 11:021. Repeal of 808 KAR 011:020.

Mortgage Loan Companies and Mortgage Loan Brokers

808 KAR 12:050. Processing and closing charges for real estate loans to consumers.

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

808 KAR 12:055. Uniform standards for mortgage loan processor applicant employee background checks.

808 KAR 12:111. Repeal of 808 KAR 012:002, 012:021, 012:022, 012:023, 012:024, 012:026, 012:030, and 012:110.

A motion was made and seconded to approve the following amendments: to amend the TITLE; the NECESSITY, FUNCTION, AND CONFORMITY paragraph; and Section 1 to: (1) remove a regulatory citation erroneously listed among those to be repealed; and (2) comply with the formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Administrative Hearing

808 KAR 14:010. Record retention.

A motion was made and seconded to approve the following amendments: to amend: (1) the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 2, 4, and 5 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) Section 5 to add material incorporated by reference. Without objection, and with agreement of the agency, the amendments were approved.

808 KAR 14:020. Annual reporting.

General

808 KAR 15:010. Exceptions to bank lending limits.

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

808 KAR 15:020. Stay of notice of intention to remove from office.

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

808 KAR 15:030. Bank branches, offices, and loan production offices.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 and 3 through 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

808 KAR 15:040. Multibank companies.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs 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.

Department of Professional Licensing: Athlete Agent Registry

830 KAR 2:010. Registration and Fees. David Trimble, general counsel, represented the registry.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Medicaid Services

907 KAR 1:560 & E. Medicaid hearings and appeals regarding eligibility. Jonathan Scott, regulatory and legislative advisor, represented the department.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 2, 5, 6, 9, 10, and 19 to comply with the drafting

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

907 KAR 1:563 & E. Medicaid covered services appeals and hearings unrelated to managed care.

A motion was made and seconded to approve the following amendment: to amend Section 17 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendment was approved.

Department for Aging and Independent Living: Division of Operations and Support

910 KAR 1:240. Certification of assisted-living communities. Shannon Gadd, commissioner, and Janet Hall, director, represented the division. Bruce Linder, executive vice president, Kentucky Association of Health Care Facilities and Kentucky Center for Assisted Living, appeared in support of a proposed amendment to this administrative regulation.

In response to a question by Co-Chair Hale, Mr. Linder stated that the division worked with the Kentucky Association of Health Care Facilities and Kentucky Center for Assisted Living to develop a proposed amendment to this administrative regulation. Ms. Gadd and Ms. Hall agreed to the proposed amendment, which allowed the 2019 annual certification fee to be made in payments over a six (6) month period if there was a documented hardship and if approved by the cabinet.

In response to questions by Co-Chair West, Ms. Gadd stated that fees were established in 2000 and only currently covered approximately one-third (1/3) of expenses. This administrative regulation raised fees to cover processing costs per assisted-living unit.

A motion was made and seconded to approve the following amendments: to amend: (1) the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 2, 3, 7, and 9 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) Section 3 to allow the 2019 annual certification fee to be made in payments over a six (6) month period if there was a documented hardship and if approved by the cabinet. Without objection, and with agreement of the agency, the amendments were approved.

Department for Community Based Services: Division of Family Support: K-TAP, Kentucky Works, Welfare to Work, State Supplementation

921 KAR 2:055 & E. Hearings and appeals. Laura Begin, regulation coordinator; Leitha Harris, branch manager; and Todd Trapp, assistant director, represented the division.

A motion was made and seconded to approve the following amendments: to amend Sections 4 and 12 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Supplemental Nutrition Assistance Program

921 KAR 3:060 & E. Administrative disqualification hearings and penalties.

921 KAR 3:070 & E. Fair hearings.

Other Business: Co-Chair Hale introduced and welcomed Representative Deanna Frazier as a new member of the subcommittee. Representative Frazier, from the eighty-first district in Madison County, stated that she was an audiologist and mother of two (2) sons.

The following administrative regulations were deferred or removed from the March 11, 2019, subcommittee agenda:

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Education Professional Standards Board: Administrative Certificates

16 KAR 3:090. Certifications for advanced educational leaders.

STATE BOARD OF ELECTIONS: Forms and Procedures

31 KAR 4:120. Additional and emergency precinct officers.

FINANCE AND ADMINISTRATION: Teachers' Retirement System: General Rules

102 KAR 1:060. Refunds.

102 KAR 1:163. Collection of life insurance benefits.

102 KAR 1:168. Survivor's benefits.

102 KAR 1:320. Qualified domestic relations orders.

Department for Facilities and Support Services: State-Owned Buildings and Grounds

200 KAR 3:020 & E. Use of State-owned facilities and grounds.

BOARDS AND COMMISSIONS: Board of Medical Licensure

201 KAR 9:270. Professional standards for prescribing or dispensing Buprenorphine-Mono-Product or Buprenorphine-Combined-with Naloxone.

Board of Social Work

201 KAR 23:150. Complaint procedure, disciplinary action, and reconsideration.

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

301 KAR 2:172. Deer hunting seasons, zones, and requirements.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Division of Driver Licensing

601 KAR 2:030 & E. Ignition interlock.

PUBLIC PROTECTION CABINET: Kentucky Claims Commission: Tax Appeals

802 KAR 1:010. Tax appeal procedures.

LABOR CABINET: Department of Workplace Standards: Department of Workers' Claims

803 KAR 25:270 & E. Pharmaceutical formulary.

PUBLIC PROTECTION CABINET: Department of Insurance: Administration

806 KAR 2:092. Disclosure of local government taxes and collection fee.

806 KAR 2:100. Disclosure of insurance premium surcharge.

806 KAR 2:121. Repeal of 806 KAR 002:120 and 806 KAR 002:150.

Kinds of Insurance; Limits of Risk; Reinsurance

806 KAR 5:011. Repeal of 806 KAR 005:010 and 806 KAR 005:020.

Surplus Lines

806 KAR 10:030. Surplus lines reporting and tax payment structure.

PUBLIC PROTECTION CABINET: Kentucky Department of Financial Institutions

808 KAR 1:180. Use of special restricted funds.

Horse Racing Commission: Thoroughbred Racing

810 KAR 1:301. Repeal of 810 KAR 001:004, 810 KAR 001:005, 810 KAR 001:007, 810 KAR 001:008, 810 KAR 001:009, 810 KAR 001:010, 810 KAR 001:012, 810 KAR 001:014, 810 KAR 001:015, 810 KAR 001:016, 810 KAR 001:017, 810 KAR 001:018, 810 KAR 001:021, 810 KAR 001:024, 810 KAR 001:026, 810 KAR 001:027, 810 KAR 001:028, 810 KAR 001:029, 810 KAR 001:030, 810 KAR 001:037, 810 KAR 001:040, 810 KAR 001:050, 810 KAR 001:060, 810 KAR 001:070, 810 KAR 001:080, 810 KAR 001:090, 810 KAR 001:100, 810 KAR 001:110, 810 KAR 001:130, 810 KAR 001:140, 810 KAR 001:145, 810 KAR 001:150, and 810 KAR 001:300.

General

810 KAR 2:001. Definitions.

810 KAR 2:010. Racing commission and administrative staff.

810 KAR 2:020. Thoroughbred and flat racing officials.

810 KAR 2:030. Chemical dependency.

810 KAR 2:040. Stewards.

810 KAR 2:050. Judges and Standardbred racing officials.

810 KAR 2:060. Owners' authorized agents and jockey agents.

810 KAR 2:070. Thoroughbred and other flat racing associations.

810 KAR 2:080. Standardbred racing associations.

Licensing

810 KAR 3:001. Definitions.

810 KAR 3:010. Licensing of racing associations.

810 KAR 3:020. Licensing of racing participants.

810 KAR 3:030. Licensing totalizator companies.

810 KAR 3:040. Advance deposit account wagering.

810 KAR 3:050. Simulcast facilities.

Flat and Steeplechase Racing

810 KAR 4:001. Definitions.

810 KAR 4:010. Horses.

810 KAR 4:020. Weights.

810 KAR 4:030. Entries, subscriptions, and declarations.

810 KAR 4:040. Running of the race.

810 KAR 4:050. Claiming races.

810 KAR 4:060. Objections and complaints.

810 KAR 4:070. Jockeys and apprentices.

810 KAR 4:080. Steeplechase racing.

810 KAR 4:090. Owners.

810 KAR 4:100. Trainers.

Standardbred Racing

810 KAR 5:001. Definitions.

810 KAR 5:010. Registration and identification of horses.

810 KAR 5:020. Eligibility and classification.

810 KAR 5:030. Claiming races.

810 KAR 5:040. Farm, corporate, or stable name.

810 KAR 5:050. Stakes and futurities.

810 KAR 5:060. Entries and starters.

810 KAR 5:070. Running of the race.

810 KAR 5:080. Harness racing and county fairs.

Pari-Mutuel Wagering

810 KAR 6:020. Calculation of payouts and distribution of pools.

Incentive and Development Funds

810 KAR 7:010. Backside improvement fund.

810 KAR 7:020. Kentucky thoroughbred breeders' incentive fund.

810 KAR 7:030. Kentucky thoroughbred development fund.

810 KAR 7:040. Kentucky Standardbred development fund and Kentucky Standardbred breeders' incentive fund.

810 KAR 7:060. Kentucky Quarter Horse, Paint Horse, Appaloosa, and Arabian development fund.

810 KAR 7:070. Violations, discipline, disputes, and investigation.

Medication Guidelines

810 KAR 8:010. Medication; testing procedures; prohibited practices.

810 KAR 8:020. Drug, medication, and substance classification schedule and withdrawal guidelines.

810 KAR 8:030. Disciplinary measures and penalties.

810 KAR 8:040. Out-of-competition testing.

810 KAR 8:050. International medication protocol as condition of a race.

810 KAR 8:060. Post-race sampling and testing procedures.

Hearings and Appeals

810 KAR 9:010. Hearings, reviews and appeals.

Harness Racing

811 KAR 1:301. Repeal of 811 KAR 001:010, 811 KAR 001:015, 811 KAR 001:020, 811 KAR 001:025, 811 KAR 001:030, 811 KAR 001:035, 811 KAR 001:037, 811 KAR 001:040, 811 KAR 001:045, 811 KAR 001:050, 811 KAR 001:055, 811 KAR 001:060, 811 KAR 001:065, 811 KAR 001:070, 811 KAR 001:075, 811 KAR 001:080, 811 KAR 001:085, 811 KAR 001:90, 811 KAR 001:093, 811 KAR 001:095, 811 KAR 001:100, 811 KAR 001:105, 811 KAR 001:110, 811 KAR 001:115, 811 KAR 001:120, 811 KAR 001:130, 811 KAR 001:140, 811 KAR 001:150, 811 KAR 001:185, 811 KAR 001:215, 811 KAR 001:220, 811 KAR 001:225, 811 KAR 001:230, 811 KAR 001:240, 811 KAR 001:260, 811 KAR 001:280, 811 KAR 001:285, 811 KAR 001:290, and 811 KAR 001:300.

Quarter Horse, Paint Horse, Appaloosa, and Arabian Racing

811 KAR 2:301. Repeal of 811 KAR 002:015, 811 KAR 002:020, 811 KAR 002:030, 811 KAR 002:035, 811 KAR 002:040, 811 KAR 002:045, 811 KAR 002:050, 811 KAR 002:056, 811 KAR 002:065, 811 KAR 002:070, 811 KAR 002:075, 811 KAR 002:080, 811 KAR 002:085, 811 KAR 002:090, 811 KAR 002:093, 811 KAR 002:096, 811 KAR 002:100, 811 KAR 002:105, 811 KAR 002:110, 811 KAR 002:130, 811 KAR 002:140, 811 KAR 002:150, 811 KAR 002:170, 811 KAR 002:180, 811 KAR 002:185, 811 KAR 002:190, 811 KAR 002:200, and 811 KAR 002:300.

CABINET FOR HEALTH AND FAMILY SERVICES: Office of Inspector General: Division of Certificate of Need: Certificate of Need

900 KAR 6:075 & E. Certificate of need nonsubstantive review.

Office of Health Data and Analytics: Division of Analytics: Data Reporting and Public Use Data Sets

900 KAR 7:030. Data reporting by health care providers.

Division of Health Benefit Exchange: Kentucky Health Benefit Exchange

900 KAR 10:021. Repeal of 900 KAR 010:010, 900 KAR 010:020, and 900 KAR 010:110.

Department for Medicaid Services: Division of Policy and Operations

907 KAR 1:604 & E. Recipient cost-sharing.

Payments and Services

907 KAR 3:170. Telehealth service coverage and reimbursement.

Division of Program Integrity

907 KAR 5:005. Health Insurance Premium Payment (HIPP) Program.

Division of Fiscal Management: Hospital Service Coverage and Reimbursement

907 KAR 10:820 & E. Disproportionate share hospital distributions.

Department for Behavioral Health, Developmental and Intellectual Disabilities: Division of Behavioral Health: Substance Abuse

908 KAR 1:341. Repeal of 908 KAR 001:340.

908 KAR 1:370. Licensing procedures, fees, and general requirements for nonhospital-based alcohol and other drug treatment entities.

908 KAR 1:372. Licensure of residential alcohol and other drug treatment entities.

908 KAR 1:374. Licensure of nonhospital-based outpatient alcohol and other drug treatment entities.

Department for Community Based Services: Division of Family Support: K-TAP, Kentucky Works, Welfare to Work, State Supplementation

921 KAR 2:015 & E. Supplemental programs for persons who are aged, blind, or have a disability.

Division of Protection and Permanency: Child Welfare

922 KAR 1:140. Foster care and adoption permanency services.

922 KAR 1:305. Licensure of child-caring facilities and child-placing agencies.

922 KAR 1:400. Supporting services.

922 KAR 1:565. Service array for a relative or fictive kin caregiver.

Daycare

922 KAR 2:160 & E. Child Care Assistance Program.

The subcommittee adjourned at 1:45 p.m. The next meeting of the subcommittee is tentatively scheduled for April 9, 2019, at 1 p.m.