

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the March Meeting

March 8, 2021

Call to Order and Roll Call

The March meeting of the Administrative Regulation Review Subcommittee was held on Monday, March 8, 2021, at 10:00 AM, in Room 149 of the Capitol Annex. Senator Stephen West, 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; Senators Julie Raque Adams, Alice Forgy Kerr, and David Yates; Representatives Randy Bridges, Deanna Frazier, and Mary Lou Marzian.

Guests: Eden Davis, Larry Hadley, Board of Pharmacy; Keith Poynter, Board of Physical Therapy; Nicole Bearse, Jay Miller, Board of Social Work; John Hardesty, Tom Veit, Real Estate Appraisers Board; Leah Cooper Boggs, Kevin Winstead, Board of Licensed Diabetes Educators; Brian Clark, Steven Fields, Department of Fish and Wildlife Resources; Dr. Katie Flynn, Clint Quarles, Department of Agriculture; Melissa Duff, Division for Air Quality; Amy Barker, Kieryn Fannin, Department of Corrections; Kenny Bishop, Matthew Cole, Mary Cook, Virginia Day, Jon Johnson, Godwin Onodu, Larisa Plecha, Robin Snook, Department of Transportation; Todd Allen, Thomas Clouse, Elisa Hanley, Micki Ray, Matt Ross, Department of Education; Robin Maples, Chuck Stribling, Occupation Safety and Health; Dale Hamblin, Robert Swisher, Department of Workers' Claims; DJ Wasson, Department of Insurance; Jeb Pinney, Public Service Commission; Marc A. Guilfoil, Dr. Bruce Howard, Jennifer Wolsing, Horse Racing Commission; David Moore, Rick Rand, Benjamin Siegel, Department of Housing, Buildings, and Construction; Sarah Cooper, Donna Little, Medical Review Panels; Angela Billings, Julie Brooks, Department for Public Health; Kara Daniel, Adam Mather, Office of Inspector General; Veronica Judy-Cecil, Leslie Hoffman, Jonathan Scott, Department for Medicaid Services; Michele Blevins, Justin Dearing, Department for Behavioral Health, Developmental and Intellectual Disabilities; Laura Begin, Dr. Sarah Vanover, Department for Community Based Services and Brian Tharpe, Commercial Plumbing Coordinator.

LRC Staff: Stacy Auterson, Emily Caudill, Ange Darnell, Emily Harkenrider, Karen Howard, Carrie Nichols, and Christy Young.

The Administrative Regulation Review Subcommittee met on Monday, March 8, 2021, and submits this report:

Administrative Regulations Reviewed by this Subcommittee:

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 2:410E. Ordering and administering vaccinations. Eden Davis, general counsel, and Larry Hadley, executive director, represented the board.

In response to a question by Co-Chair West, Ms. Davis stated that federal requirements for pharmacist-administered vaccinations were revised several times. A recent federal revision occurred after this emergency administrative regulation was filed and in effect. The new process established by Senate Bill 2 from the 2021 Regular Session of the General Assembly allowed this emergency administrative regulation to be amended, rather than withdrawn and refiled, in order to comply with the federal changes.

Without objection, and with agreement of the agency, the following amendments were approved by the Joint House and Senate Standing Committee meeting on Health and Welfare, February 22, 2021: (1) to delete the provision that pharmacy technicians must be certified; (2) to re-vise immunization training requirements to broaden the pool of vaccinators; (3) to clarify that pharmacy interns and technicians may administer vaccinations under the general supervision of a pharmacist; and (4) to make conforming amendments.

Board of Physical Therapy

201 KAR 22:170. Physical Therapy Compact Commission. Martin Poynter, general counsel, represented the board.

In response to a question by Co-Chair West, Mr. Poynter stated that this administrative regulation was making non-substantive, technical corrections. There were no public comments.

Board of Social Work

201 KAR 23:070. Qualifying education and clinical practice experience under supervision. Justin Miller, chair, and Nicole Bearse, counsel, represented the board.

In response to questions by Co-Chair Hale, Mr. Miller stated that, pertaining to the reduction in clinical supervision hours, Kentucky had unusually high clinical supervision hour requirements compared to other states. Additionally, there did not seem to be a correlation between quality of service and clinical supervision hours. The reduction in clinical supervision hours created a more efficient process for moving members into independent practice in order to meet the statewide shortages. Self-evaluation of the supervision process was added to allow the supervisor and the supervisee to assess the

value of the supervision hours in order to promote quality, not just quantity of the supervision hours, for the purpose of promoting good clinical practice.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 4 and 12 to clarify that the training and refresher courses shall be board approved; and (2) to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph; Sections 4, 5, 8 through 10, and 13; and material incorporated by reference to comply with the drafting and for-matting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Kentucky Real Estate Appraisers Board

201 KAR 30:040. Professional standards of practice and conduct. John Hardesty, general counsel, and Tom Veit, board administrator, represented the board.

In response to a question by Representative Frazier, Mr. Hardesty stated that this administrative regulation did not relate to any legislation currently being considered by the General Assembly.

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

201 KAR 30:190. Certification and licensing requirements.

Board of Licensed Diabetes Educators

201 KAR 45:130. Continuing education. Leah Boggs, executive advisor, represented the board.

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

301 KAR 2:221 & E. Waterfowl seasons and limits. Brian Clark, deputy commissioner; Steven Fields, staff attorney; and Chris Garland, wildlife division director, represented the department.

In response to a question by Co-Chair West, Mr. Garland stated that a scaup was a diving bluebill duck associated with deep water.

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 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.

GENERAL GOVERNMENT CABINET: Department of Agriculture: Agriculture Tax Credits

302 KAR 4:010. Renewable Chemical Production Program. Dr. Katie Flynn, state veterinarian, and Clint Quarles, attorney, represented the department.

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 3 and 5 through 9 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Livestock, Poultry, and Fish

302 KAR 22:150. Cervids.

In response to questions by Representative Frazier, Mr. Quarles stated that this administrative regulation was amended to address situations in which a cervid escaped captivity. Management of an escaped cervid was based on the amount of time of escape and a determination by the state veterinarian. A deceased cervid would be tested for Chronic Wasting Disease. Movement of cervids required a permit; therefore, cervids were essentially always quarantined. Dr. Flynn stated that cervid herds were certified, routine surveillance was conducted for Chronic Wasting Disease and other diseases, and biosecurity management practices were used. Indiana was the primary state from which Kentucky received cervids; however, states that complied with Kentucky standards could apply to send cervids under very stringent requirements. The movement of cervids into Kentucky was under seal so that cervids could not comingle.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3 through 7, 9, 14, 16, 19, and 20 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

ENERGY AND ENVIRONMENT CABINET: Department for Environmental Protection: New Source Performance Standards

401 KAR 60:005. 40 C.F.R. Part 60 standards of performance for new stationary sources. Melissa Duff, director, represented the department.

In response to a question by Co-Chair West, Ms. Duff stated that these administrative regulations did not change air quality standards. Sources were already federally required to comply with these standards.

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.

General Standards of Performance

401 KAR 63:002. 40 C.F.R. Part 63 national emission standards for hazardous pollutants.

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.

JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections: Office of the Secretary

501 KAR 6:080 & E. Department of Corrections manuals. Amy Barker, assistant general counsel, and Kieryn Fannin, division director, represented the department.

In response to questions by Co-Chair West, Ms. Barker stated that this administrative regulation was filed as an emergency because it impacted public health through requirements pertaining to the placement of inmates. Additionally, the emergency was related to a new prison that was opening.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Motor Carriers

601 KAR 1:113. Transportation Network Company. Kenny Bishop, legislative director; Matthew Cole, commissioner; Mary Cook, assistant director; Virginia Day, section supervisor; Jon Johnson, assistant general counsel; Godwin Onodu, division director; Larisa Plecha, staff attorney; and Robin Snook, branch manager, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 1 through 4, 8, and 10 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Certification of Title

601 KAR 23:030. Motor vehicle speed title process exceptions.

In response to questions by Co-Chair West, Mr. Onodu stated that the speed title process was being amended to establish an exception to the forty-eight (48) hour requirement for the department to process a title. The exception would cover situations in which, for example, a title application was submitted late on a Friday or before a holiday, which made it very difficult for the department to comply with the deadline. Under the exception, a speed title would be processed the next workday after a weekend or holiday.

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

EDUCATION AND WORKFORCE DEVELOPMENT CABINET: Department of Education: Pupil Transportation

702 KAR 5:080. Bus drivers' qualifications, responsibilities, and training. Todd Allen, general counsel, and Micki Ray, policy advisor, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 8 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.

Academic Standards

704 KAR 8:110. Kentucky Academic Standards for World Language.

In response to a question by Representative Marzian, Ms. Ray stated that these standards were the minimum World Language requirements for a course for grades K through 12.

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.

LABOR CABINET: Department of Workplace Standards: Occupational Safety and Health

803 KAR 2:010. Board procedures. Robin Maples, occupational safety and health standards specialist, and Chuck Stribling, occupational safety and health standards coordinator, represented the department.

In response to a question by Co-Chair West, Mr. Stribling stated that these procedures governed the process to be followed by the Standards Board. The amendments were technical and non-substantive.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 6, and 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Department of Workers' Claims

803 KAR 25:300. Mediation Program. Dale Hamblin, assistant general counsel, and Robert Swisher, commissioner, represented the department.

In response to questions by Co-Chair Hale, Mr. Hamblin stated that changes to this administrative regulation were in accordance with KRS 342.276, which authorized a formal process for parties involved in workers' compensation litigation to request that claims be referred for mediation in order to expedite the process. Once a claim was filed and assigned to an administrative law judge, parties could opt for mediation to attempt resolution of the claim. This was an adjunct to the existing litigation claims process. This change provided an opportunity to attempt a faster mediated settlement, rather than pursuing the claim through the entire traditional claims process.

In response to a question by Co-Chair West, Mr. Hamblin stated that this change was made as a direct result of KRS 342.276 and was not a cabinet-initiated procedure change.

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 5 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 Insurance: Agents, Consultants, Solicitors, and Adjustors

806 KAR 9:360. Pharmacy benefit manager license. DJ Wasson, deputy commissioner, represented the department.

In response to a question by Co-Chair West, Ms. Wasson stated that this administrative regulation was the result of legislation. Amendments were clarifications to the program.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph, Sections 1 through 4, and material incorporated by reference to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

ENERGY AND ENVIRONMENT CABINET: Public Service Commission:
Utilities

807 KAR 5:056. Fuel adjustment clause. Jeb Pinney, acting general counsel, represented the commission.

In response to questions by Co-Chair West, Mr. Pinney stated that ongoing litigation related to this program involved a constitutional challenge pertaining to Section 3(5) of this administrative regulation. This case was considered by the Eastern District for the U.S. Courts and was brought by an Illinois coal company. The company asserted that removing coal severance taxes of any jurisdiction from considerations pertaining to the fuel adjustment clause violated the Dormant Commerce Clause of the U.S. Constitution by creating an unfair advantage in that some states, including Illinois, did not have coal severance taxation. Prior to the inclusion of Section 3(5) of this administrative regulation, the commission did not consider coal severance taxes in making determinations regarding the fuel adjustment clause. The fuel adjustment clause allowed electricity-generating utilities to consider cost recovery on a monthly basis. If fuel costs were above a certain limit, then the electric utility could issue a charge on customers' bills. If fuel costs were below a certain limit, then the electric utility could issue a credit on customers' bills. The commission traditionally had considered related costs other than just fuel itself, such as transportation. In 2019, in response to a joint resolution from the General Assembly, the commission amended several provisions of the fuel adjustment clause, including Section 3(5) of this administrative regulation, to incentivize coal use in electricity-generating utilities. After initial concerns were raised about the constitutionality of the coal severance tax usage in determining the reasonableness of fuel costs for purposes of the fuel adjustment clause, the commission sought an opinion from the Kentucky Attorney General. The Attorney General's opinion was that the situation was constitutional. The Illinois coal company proceeded to file a challenge in March 2020. The commission prevailed against a motion for temporary injunction; however, as the case proceeded, the commission determined that a settlement might be the best option due to the possible costs if the plaintiff were successful. The settlement included removing the language in Section 3(5) of this administrative regulation. Without that language, coal severance taxes would be a non-differentiated part of overall fuel costs under consideration to determine the reasonable-

ness of costs for purposes of the fuel adjustment clause. The commission retained plenary authority in considering the reasonableness of costs.

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.

PUBLIC PROTECTION CABINET: Horse Racing Commission: General

810 KAR 2:020. Thoroughbred and flat racing officials. Marc Guilfoil, executive director; Dr. Bruce Howard, equine medical director; and Jennifer Wolsing, general counsel, represented the commission.

Flat and Steeplechase Racing

810 KAR 4:010. Horses.

A motion was made and seconded to approve the following amendment: to amend Section 3(3)(b) to permit verification by a successor to the Thoroughbred Racing Protective Bureau. Without objection, and with agreement of the agency, the amendment was approved.

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

Medication Guidelines

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

Department of Housing, Buildings and Construction: Plumbing

815 KAR 20:150. Inspections and tests. David Moore, division director; Rick Rand, commissioner; and Benjamin Siegel, general counsel, represented the department. Brian Tharpe, commercial plumbing coordinator, Kentucky Association of Master Contractors, appeared in support of this administrative regulation.

Co-Chair Hale and Representative Frazier thanked the department for making further amendments to this administrative regulation. Mr. Siegel thanked Representative Frazier for her helpful recommendations for amendment.

In response to a question by Co-Chair West, Mr. Tharpe stated that the Kentucky Association of Master Contractors supported this administrative regulation.

Without objection, and with agreement of the agency, the following amendments were approved by this subcommittee at the January 13, 2021 meeting: to amend Section 3

to: (1) comply with the drafting requirements of KRS Chapter 13A; and (2) clarify due process procedures.

A motion was made and seconded to approve the following amendments: to amend Section 3 to: (1) disallow photographs (video only) for virtual inspections; (2) clarify that medical gas installations and installations that require multiple visits from inspectors are examples of work that is too complex for virtual inspection; (3) clarify that inspections in areas of inconsistent or unreliable cellular or internet connectivity, poor video quality, and technical issues that would prevent clear inspection, are examples of situations that are not feasible or practical for virtual inspection; and (4) clarify that underground plumbing installations that require more than one (1) inspection and final installations on new construction are examples of situations that would not provide adequate inspection if done virtually. Without objection, and with agreement of the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES: Office of the Secretary:
Medical Review Panels

900 KAR 11:011. Repeal of 900 KAR 011:010. Donna Little, deputy executive director, Office of Legislative and Regulatory Affairs, represented the cabinet.

Department for Public Health: Sanitation

902 KAR 10:010. Public restrooms. Angela Billings, section supervisor, and Julie Brooks, regulation coordinator, represented the department.

In response to a question by Co-Chair West, Ms. Brooks stated that most of the administrative regulations in this package had not been updated since the 1990s. Many of the changes were for compliance with KRS Chapter 13A. Ms. Billings stated that 902 KAR 10:010 authorized local health departments to inspect public restrooms for which there was no active permit. There were no associated fees. 902 KAR 10:110 had not been updated since 1992; therefore, the existing permitting fee was inadequate. 902 KAR 10:140 represented a certified septic system installer program that had been nationally recognized and duplicated by other states. Other administrative regulations in this package updated inspection provisions.

902 KAR 10:110. Issuance of on-site sewage disposal system permits.

902 KAR 10:131. Repeal of 902 KAR 010:060 and 902 KAR 010:130.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph to cross reference 902 KAR 10:110 and 902 KAR 10:170, into which some of the provisions are relocated from

the administrative regulations being repealed. Without objection, and with agreement of the agency, the amendments were approved.

902 KAR 10:140. On-site sewage disposal system installer certification program standards.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 2, 4, 6, and 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.

902 KAR 10:150. Domestic septage disposal site approval procedures.

In response to a question by Co-Chair West, Ms. Billings stated that this administrative regulation limited a farmer to spreading up to 2,000 gallons of septage from that farm alone and not including other septage from, for example, other farms without first obtaining a permit.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 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 10:160. Domestic septage disposal site operation.

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, 6, and 8 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

902 KAR 10:170. Septic tank servicing.

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, 3, 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.

Office of Inspector General: Health Services and Facilities

902 KAR 20:160 & E. Chemical dependency treatment services and facility specifications. Adam Mather, inspector general, and Kara Daniel, deputy inspector general, represented the office.

In response to a question by Representative Frazier, Mr. Mather stated that an emergency administrative regulation was required because the opioid epidemic had been exacerbated by the coronavirus (COVID-19) pandemic. Additionally, federal funding would be impacted if there were a delay of implementation.

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

902 KAR 20:440 & E. Facilities specifications, operation and services; residential crisis stabilization units.

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, the amendment was approved.

Department for Public Health: Food and Cosmetics

902 KAR 45:160. Kentucky food and cosmetic processing, packaging, storage, and distribution operations. Julie Brooks, regulation coordinator, represented the department.

In response to a question by Co-Chair Hale, Ms. Brooks stated that this administrative regulation did not affect fees.

902 KAR 45:190. Hemp-derived cannabidiol products and labeling requirements.

A motion was made and seconded to approve the following amendments: (1) to amend the TITLE; the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs; and Sections 1 through 4 to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) to amend Section 2 to: (a) add two (2) definitions; and (b) clarify one (1) definition; and (3) to amend Section 3 to delete a redundant labeling font requirement. Without objection, and with agreement of the agency, the amendments were approved.

Department for Medicaid Services: Behavioral Health

907 KAR 15:070 & E. Coverage provisions and requirements regarding services provided by residential crisis stabilization units. Veronica Judy – Cecil, senior deputy commissioner; Leslie Hoffman, chief behavioral health officer; and Jonathan Scott, regulatory and legislative advisor, represented the department.

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.

907 KAR 15:080 & E. Coverage provisions and requirements regarding chemical dependency treatment center services.

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

Department for Behavioral Health, Developmental and Intellectual Disabilities:
Mental Health

908 KAR 2:270. Community behavioral health training. Michele Blevins, assistant director, and Justin Dearing, regulation coordinator, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 2 and 3 to: (1) delete language that repeated statutory provisions; and (2) comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Department for Community Based Services: Supplemental Nutrition Assistance
Program

921 KAR 3:010. Definitions. Laura Begin, regulation coordinator, and Dr. Sarah Vanover, division director, represented the department.

In response to questions by Co-Chair West, Ms. Begin stated that these changes were necessary for compliance with federal requirements. Unused SNAP benefits would be removed from future benefit eligibility, and the unused duration was being reduced from twelve (12) to nine (9) months. The department was required to give ample notification that benefits were being re-moved. Undocumented immigrants were not eligible to receive benefits unless the person were sponsored.

In response to a question by Representative Yates, Ms. Begin stated that benefits were not removed due to lack of housing; however, lack of housing might cause the department notification to the recipient to be delayed.

921 KAR 3:045. Issuance procedures.

Daycare

922 KAR 2:120. Child-care center health and safety standards.

922 KAR 2:230. Director's Credential.

922 KAR 2:240. Kentucky Early Care and Education Trainer's Credential and training approval.

922 KAR 2:250. Commonwealth Child Care Credential.

The following administrative regulations were deferred or removed from the March 8, 2021, subcommittee agenda:

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 2:380. Board authorized protocols.

Board of Social Work

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

DEPARTMENT OF AGRICULTURE: Regulation and Inspection; Motor Fuel

302 KAR 79:011. Motor fuel quality testing and inspection program.

302 KAR 79:012. Motor fuel quality standards and specifications.

ENERGY AND ENVIRONMENT CABINET: Department for Environmental Protection: Existing Source Standards

401 KAR 61:036. Emission guidelines and compliance times for municipal solid waste (MSW) landfills.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Administration

601 KAR 2:231. Repeal of 601 KAR 002:030.

601 KAR 2:232 & E. Kentucky Ignition Interlock Program.

LABOR CABINET: Department of Workplace Standards: Occupational Safety and Health

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

803 KAR 2:050. Scope.

803 KAR 2:080. Advance notice of inspections.

803 KAR 2:090. Complaint inspections.

803 KAR 2:096. Repeal of 803 KAR 002:095 and 803 KAR 002:430.

803 KAR 2:100. Imminent danger.

803 KAR 2:115. Penalties.

803 KAR 2:240. Time for filing discrimination complaint.

803 KAR 2:314. Machinery and machine guarding.

803 KAR 2:413. Helicopters, hoists, elevators, and conveyers.

803 KAR 2:420. Blasting and use of explosives.

Department of Workers' Claims

803 KAR 25:091. Workers' compensation hospital fee schedule.

803 KAR 25:092. Workers' compensation pharmacy fee schedule.

803 KAR 25:170. Filing of claims information with the Office of Workers' Claims.

803 KAR 25:175. Filing of insurance coverage and notice of policy change or termination.

803 KAR 25:185. Procedure for E-mail notification of cancellation or removal of location of specific workers' compensation coverage.

PUBLIC PROTECTION CABINET: Department of Insurance: Agents, Consultants, Solicitors, and Adjustors

806 KAR 9:025. Licensing process.

Trade Practices and Frauds

806 KAR 12:120. Suitability in annuity transactions.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Radon

902 KAR 95:040. Radon Contractor Registration Program.

Department for Community Based Services: Supplemental Nutrition Assistance Program

921 KAR 3:035. Certification process.

Daycare

922 KAR 2:410E. Enhanced requirements for certified and licensed child care and limited duration child care programs as result of a declared state of emergency.

The subcommittee adjourned at 11:40 a.m. The next meeting of this subcommittee is tentatively scheduled for April 13, 2021, at 1 p.m.