

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE

Minutes of the February Meeting

February 14, 2023

Call to Order and Roll Call

The February meeting of the Administrative Regulation Review Subcommittee was held on Tuesday, February 14, 2023, at 8:00 AM, in Room 171 of the Capitol Annex. Representative Derek Lewis, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen West, Co-Chair; Representative Derek Lewis, Co-Chair; Senators Julie Raque Adams and Damon Thayer; and Representatives Randy Bridges, Deanna Frazier Gordon, and Daniel Grossberg.

Guests: Dianna Barber, Kentucky Higher Education Assistance Authority; Stephen Humphress and Christopher Thacker, Office of the Attorney General; Stafford Easterling, Personnel Board; Jessica Beaubien and Carrie Bass, Kentucky Retirement Systems; Eden Davis and Christopher Harlow, Board of Pharmacy; Misty Stutz, Kentucky Pharmacists Association; Cory Meadows, Kentucky Medical Association; Jeffrey Allen and Ann-Tyler Morgan, Board of Dentistry; Leanne Diakov, Board of Medical Licensure; Kelly Jenkins and Jeffrey Prather, Board of Nursing; Marc Kelly, Board of Social Work; Steven Fields, Jenny Gilbert, and Rich Storm, Department of Fish & Wildlife Resources; Nathan Goens and Elisha Mahoney, Justice and Public Safety Cabinet; John Ghaelian and Duane Hammons, Department of Workplace Standards; Abigail Gall and Shaun Orme, Department of Insurance; Jonathan Scott, Department for Medicaid Services; Ivy Alexander and Emily Allen, Office for Children with Special Health Care Needs; Laura Begin and Todd Tripp, Department for Community Based Services; Lisa Lee, Department for Medicaid Services.

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

Administrative Regulations Reviewed by this Subcommittee:

KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY: Division of Student and Administrative Services

011 KAR 004:080. Student aid applications. Dianna Barber, interim executive director, represented the division.

In response to questions by Co-Chair West, Ms. Barber stated that changes reflected federal PELL eligibility.

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

KHEAA Grant Programs

011 KAR 005:001. Definitions pertaining to 011 KAR Chapter 005.

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.

011 KAR 005:037. CAP grant student eligibility.

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 Section 1 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

011 KAR 005:145. CAP grant award determination procedure.

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.

OFFICE OF THE ATTORNEY GENERAL: Department of Law: Office of Consumer Protection

040 KAR 002:150. Cremation forms and inspections. Stephen Humphress, assistant attorney general, and Christopher Thacker, assistant deputy attorney general, represented the office.

A motion was made and seconded to approve the following amendments: to amend Sections 1 through 4, 6, 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: Personnel Board

101 KAR 001:325. Probationary periods. Stafford Easterling, general counsel, represented the board.

FINANCE AND ADMINISTRATION CABINET: Kentucky Retirement Systems: General Rules

105 KAR 001:411. Hospital and medical insurance for retired members and Kentucky Retirement Systems Insurance Fund Trust. Carrie Bass, staff attorney supervisor, and Jessica Beaubien, policy specialist, represented the systems.

A motion was made and seconded to approve the following amendments: to amend Section 1 to add a definition for “wellness or wellbeing promise”; to amend Section 10 to clarify procedures if enrollment is not mandatory; and to amend the RELATES TO paragraph and Sections 1, 3, 5, and 7 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.

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 002:360. Naloxone dispensing. Eden Davis, general counsel, and Christopher Har-low, executive director, represented the board.

A motion was made and seconded to approve the following amendments: to amend the TITLE; the NECESSITY, FUNCTION, AND CONFORMITY paragraph; Sections 1 through 6; and material incorporated by reference to change references to “naloxone” to “opioid antagonist” consistent with Senate Bill 56 from the 2022 Regular Session of the General Assembly; and to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph; Sections 3 through 6; and material incorporated by reference to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 002:450. Unprofessional conduct of a pharmacy permit holder.

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 and 2 to comply with the drafting and formatting requirements of KRS Chapter 13A; and to amend Section 1 to add a definition for a “pharmacy permit holder.” Without objection, and with agreement of the agency, the amendments were approved.

Board of Dentistry

201 KAR 008:016. Registration of dental laboratories. Jeffrey Allen, executive director, and Anne-Tyler Morgan, counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

201 KAR 008:520. Fees and fines.

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

201 KAR 008:571. Registration of dental assistants.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and STATUTORY AUTHORITY paragraphs and Sections 3 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.

201 KAR 008:601. Mobile dental facilities and portable dental units.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and STATUTORY AUTHORITY paragraphs and Sections 2 through 4, 6, 7, and 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.

Board of Medical Licensure

201 KAR 009:470. Standardized medical order for scope of treatment form. Leanne Diakov, counsel, represented the board.

Board of Nursing

201 KAR 020:370. Applications for licensure. Kelly Jenkins, executive director, and Jeffrey Prather, general counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend Section 2 to restore the previous language of an application for licensure by endorsement

lapsing within one year from the date of the application form being filed with the board office; and 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.

Board of Social Work

201 KAR 023:051E. Renewal, termination, reinstatement of license. Marc Kelly, executive director, represented the board.

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

301 KAR 002:219. Repeal of 301 KAR 002:224 and 301 KAR 002:226. Jenny Gilbert, legislative liaison, and Steven Fields, staff attorney, represented the department.

301 KAR 002:221. Waterfowl seasons and limits.

A motion was made and seconded to approve the following amendments: to amend Sections 4 and 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

301 KAR 002:228. Sandhill crane hunting requirements.

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

JUSTICE AND PUBLIC SAFETY CABINET: Office of the Secretary

500 KAR 016:010. Funds disbursement from the elder and vulnerable victims trust fund. Nathan Goens, staff attorney, and Elisha Mahoney, executive staff advisor, represented the office.

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, 2, 4, and 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.

EDUCATION AND LABOR CABINET: Department of Workplace Standards: Labor Standards; Wages and Hours

803 KAR 001:081. Board, lodging, gratuities and other allowances. John Ghaelian, general counsel, represented the department.

PUBLIC PROTECTION CABINET: Department of Insurance: Health Insurance Contracts

806 KAR 017:280. Registration, utilization review, and internal appeal. Abigail Gall, executive advisor, and Shaun Orme, executive advisor, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 2, 4, 6, 7, and 9 through 13 and material incorporated by reference to comply with the drafting requirements of KRS Chapter 13A; and to amend Sections 4 and 9 for clarification. Without objection, and with agreement of the agency, the amendments were approved.

806 KAR 017:290. Independent External Review Program.

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

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Medicaid Services

907 KAR 001:680. Vaccines for children program. Lisa Lee, commissioner, and Jonathan Scott, regulation coordinator, represented the department.

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

Payments and Services

907 KAR 003:010. Reimbursement for physicians' services.

Medicaid Eligibility

907 KAR 020:050. Presumptive eligibility.

A motion was made and seconded to approve the following amendments: to add a new Section 9 incorporating the “Presumptive Eligibility Hospital Patient Information Form” by reference; to amend Section 8 to insert Web site links; and to amend the RELATES TO, STATUTORY AUTHORITY, and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 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.

Office for Children with Special Health Care Needs

911 KAR 001:060. Medical staff. Ivy Alexander, executive director, and Emily Allen, regulation coordinator, 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 Sections 4, 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.

911 KAR 001:085. Early Hearing Detection and Intervention Program.

Representative Frazier Gordon thanked the office because Kentucky was a model for the nation regarding early hearing detection and intervention.

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

911 KAR 001:090. Appeals.

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 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 for Community Based Services: K-TAP, Kentucky Works, Welfare to Work, State Supplementation

921 KAR 002:006. Technical requirements for the Kentucky Transitional Assistance Pro-gram (KTAP). Laura Begin, regulation coordinator, and Todd Tripp, division director, represented the department.

At the November 9, 2022, meeting of this subcommittee, a motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 1, 3, 5, 13, 15, and 16 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

921 KAR 002:500. Family Assistance Short Term (FAST).

921 KAR 002:510. Relocation Assistance Program (RAP).

921 KAR 002:520. Work Incentive (WIN).

Other Business: Co-Chair Lewis stated that several members had concerns about some administrative regulations that had been filed by the Department for Medicaid Services. This subcommittee considered these administrative regulations.

The subcommittee determined that the following administrative regulations were deficient pursuant to KRS 13A.030(2)(a):

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Medicaid Services

907 KAR 001:026E. Dental services' coverage provisions and requirements. Lisa Lee, commissioner, and Jonathan Scott, regulation coordinator, represented the department.

In response to a question by Co-Chair Lewis, Ms. Lee stated that communication among the department, MCOs, providers, and recipients had not been optimal. The department had been in contact with stakeholders, especially dental providers, in order to clear up some of the confusion.

In response to questions by Co-Chair West, Ms. Lee stated that this package of administrative regulations did not necessarily represent a large expansion of services. Several other states covered the same services, and this was an effort to offset future costs. Poor dental care was associated with heart disease and pre-term births. Studies had demonstrated that hearing aids helped reduce dementia. During the coronavirus (COVID-19) pandemic, the department was prohibited, except in certain circumstances, from exiting recipients from the program. Now that the public health emergency was expiring, there were those who needed these services who would soon be exiting the program. This package of administrative regulations was intended to help those individuals find success after exiting the program in order to reduce recidivism. The department anticipated a cost of approximately \$89 million, which would be funded by federal and state monies and offset by savings from, for example, emergency room visits related to deferred adult dental

care. The department viewed this as an investment in preventative care in order to reduce costs for more advanced diseases. Ms. Lee was unsure whether or not the department presented this proposal to the Medicaid Oversight Advisory Committee in November 2022. The department continued to work with stakeholders to develop specific reimbursement rates and codes related to preventative services. MCOs have agreed to increase costs to the Medicaid fee schedule. Ms. Lee stated that some legislators had expressed concerns about the department moving forward with this package of administrative regulations without input from the General Assembly. Co-Chair West stated that he understood that some legislators had objected to this package of administrative regulations, and that many providers were not participating due to low reimbursement rates.

Senator Raque Adams stated that most of the feedback she had received was from providers who had concerns about low reimbursement rates. Compensation was inadequate for the care that was currently provided. Expanding services, rather than raising reimbursement rates for existing services, seemed counterintuitive.

Co-Chair Lewis stated that, pertaining to Medicaid, many dental providers were breaking even at best and, in some cases, taking a loss. Transportation was also a major concern. Medicaid reimbursement rates, compared with standard and Medicare rates, were significantly lower. Rates had been stagnant for many years. While the department's goal was a sound one, there might be a more effective way to allocate these funds. Expanding coverage without providers was futile.

Representative Bridges stated that \$89 million was a great expansion. This seemed like an appropriation of funds, which was a legislative prerogative. While this package of administrative regulations seemed well-intentioned, it was prudent to consider adjusting reimbursement rates for existing services first.

Representative Frazier Gordon stated that, as a provider of hearing services, she appreciated the importance of addressing children's hearing needs and in preventing dementia in adults. As an example of problems with the Medicaid hearing component, the current process for providing a hearing aid took many months, and the provider always had a financial loss. This was a good initiative; however, current problems first needed to be addressed.

In response to questions by Co-Chair West, Ms. Lee stated that the department had 22 technical advisory committees that held meetings to discuss specific policies and provide feedback. Most of the feedback pertained to reimbursement and administrative procedures. She was unaware if there was specific budget language regarding how cost savings from Senate Bill 50 were to be allocated. The department believed that the visual, hearing, and dental programs for adults were necessary on an emergency basis to prevent more serious diseases. Mr. Scott stated that he would get back with this subcommittee regarding what documentary evidence was submitted to justify the emergency nature of

this administrative regulation. Co-Chair West stated that the documentary evidence submitted was the Governor's press release on this matter, the authorizing statute, the public notice, and pages from a federal form. This documentary justification seemed insufficient. This seemed like a massive expansion of the program, and the General Assembly should have input in developing these policies. This package of administrative regulations represented an appropriation of funds to a program that was already experiencing significant reimbursement complaints. The reimbursement complaints needed to be addressed first.

Senator Thayer stated that this was another example of Governor Beshear's dismissiveness toward the General Assembly.

Co-Chair West made a motion, seconded by Senator Thayer, to find these administrative regulations deficient. A roll call vote was conducted, and with six votes to find these administrative regulations deficient and one pass vote, these administrative regulations were found deficient.

Representative Bridges explained his vote to find these administrative regulations deficient. This was definitely an appropriation. The timing of these administrative regulations was odd because the General Assembly was currently in a legislative session.

Co-Chair Lewis explained his vote to find these administrative regulations deficient. He stated that he understood the department's intent and appreciated their efforts.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 21 was added to this administrative regulation to reflect the finding of deficiency.

907 KAR 001:026. Dental services' coverage provisions and requirements.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 21 was added to this administrative regulation to reflect the finding of deficiency.

907 KAR 001:038E. Hearing Program coverage provisions and requirements.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 10 was added to this administrative regulation to reflect the finding of deficiency.

907 KAR 001:038. Hearing program coverage provisions and requirements.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 10 was added to this administrative regulation to reflect the finding of deficiency.

907 KAR 001:632E. Vision program coverage provisions and requirements.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 15 was added to this administrative regulation to reflect the finding of deficiency.

907 KAR 001:632. Vision program coverage provisions and requirements.

Compiler's Note: Pursuant to KRS 13A.335(3)(a), a new Section 15 was added to this administrative regulation to reflect the finding of deficiency.

The following administrative regulations were deferred or removed from the February 14, 2023, subcommittee agenda:

BOARDS AND COMMISSIONS: Board of Pharmacy

201 KAR 002:380E. Board authorized protocols. Eden Davis, general counsel, and Christopher Harlow, executive director, represented the board. Misty Stutz, president, Kentucky Pharmacists and Physicians, and dean, Sullivan University School of Pharmacists, appeared in support of these administrative regulations. Cory Meadows, deputy executive vice-president, Kentucky Medical Association, appeared in opposition to these administrative regulations.

In response to a question by Senator Raque Adams, Ms. Stutz stated that these administrative regulations were necessary to expand medical access and to allow quick and efficient responses to emergent, acute, self-limiting public health crises. The medical system of care, including care provided by pharmacists, should be agile. The KRS Chapter 13A regulatory process was slow and did not function quickly enough to address emergent issues. Not all emergent public health issues met the criteria for an emergency administrative regulation, although these public health issues could still have devastating effects on the health of Kentuckians. Research demonstrated that there was an insufficient number of physicians for all patient care that was needed. Pharmacists were highly trained to collaborate with physicians to provide care for acute, minor ailments and to provide preventative care. These services were not intended to replace primary care physicians, but to address gaps in care and to respond to public health threats in a timely manner. Medical oversight was provided regarding the appropriateness of the protocols. Pharmacist care services also provided an entry point into the medical system of care. These administrative regulations were filed upon request by the Department for Medicaid Services to ensure that patients had access to PAXLOVID for the treatment of coronavirus (COVID-19). The board has eliminated the list of specific conditions for which protocols could be developed and strengthened oversight. These administrative regulations established a Protocol Review Committee and a Protocol Registry. Ms. Stutz requested that this subcommittee respectfully allow these administrative regulations to continue through the process without substantive changes.

In response to a question by Co-Chair Lewis, Mr. Meadows stated that Kentucky Medical Association (KMA) was opposed to board authorized protocols. These administrative regulations, in any form, did not represent sound public health policy. Protocols should be specifically authorized by the General Assembly. These changes were unnecessary and did not reflect discussions between the board and the KMA. The board was circumventing the rulemaking process, which provided for emergency administrative regulations. These administrative regulations lacked proper parameters and did not establish transparency. The board was removing the specific list of conditions that could be treated through these protocols, leaving broad authority outside of the rulemaking process and thereby bypassing the General Assembly. These administrative regulations were also removing necessary subject matter training requirements for pharmacists participating in these protocols. Because changes to these administrative regulations was potentially expanding conditions that pharmacists may address, training requirements should be expanded, not deleted. The board should reinstate training requirements in the interest of quality of care and public safety. The Protocol Review Committee, which was to consist of four pharmacists and only one physician, seemed to be authorized only to address issues of process, rather than substance. While the board had referenced a public comment process pertaining to these protocols, that language had not been found in these administrative regulations.

In response to a question by Co-Chair Lewis, Mr. Harlow stated that the board's mission was to ensure public health and patient safety. The changes to these administrative regulations were necessary to improve oversight and ensure that pharmacists were working within their current scope of practice. The purpose of the Protocol Review Committee was to ensure compliance and that protocols were appropriate. Pharmacists were highly educated prior to implementing any protocols. Training was not addressed in these administrative regulations because it was a component of the protocols. Ms. Davis stated that the board's intent was not to bypass the rulemaking process, but to be able to respond to an urgent health crisis. A public health situation that was regional or did not affect the entire state might not qualify for an emergency administrative regulation, and the process for an ordinary administrative regulation to become effective took at least six months.

In response to questions by Co-Chair West, Ms. Davis stated that coronavirus (COVID-19) would be an example of a statewide emergent public health crisis. A regional crisis, such as a localized outbreak of measles, might not reach the criteria for an emergency administrative regulation, but might still need a rapid response. Mr. Harlow stated that opioid and alcohol use disorders might also be examples. Mr. Meadows stated that the emergency administrative regulation process existed to address imminent public health threats. Anything that did not meet the criteria was not an emergency.

In response to a question by Senator Raque Adams, Ms. Davis stated it was unclear if a localized outbreak would qualify for an emergency administrative regulation. Senator Raque Adams stated that a specific outbreak seemed like an event that would comply with

the emergency administrative regulation criteria. When the General Assembly authorized these protocols, there was significant debate regarding this matter. Going beyond the initially authorized health conditions and expanding to include a broad array of other conditions was far afield of the General Assembly's original intent for this program.

Co-Chair Lewis stated that, being from the pharmacy sector, he saw the need for this but also understood some of the members' concerns.

Co-Chair West stated that one of the requirements for an emergency administrative regulation was "protect human health and the environment." That standard seemed broad enough to meet the needs of this program. The fact that an outbreak might be regional, rather than statewide, did not seem to preclude an administrative regulation from meeting the criteria for filing as an emergency administrative regulation. These new protocols seemed to be creating an intermediary step in rulemaking that lacked transparency and oversight.

In response to a question by Co-Chair West, Mr. Harlow stated that the board agreed to defer consideration of these administrative regulations to the March meeting of this subcommittee. Without objection, and with agreement of the agency, these administrative regulations were deferred.

In response to a question by Senator Raque Adams, Co-Chair Lewis stated that the goal of deferral was for stakeholders to meet and attempt to address some of the outstanding concerns regarding these administrative regulations.

201 KAR 002:380. Board authorized protocols.

A motion was made and seconded to approve the following amendments: to amend Section 1 to add a definition for "protocol"; and to amend Sections 1 through 3 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Board of Optometric Examiners

201 KAR 005:002. Board administration and optometric practice.

Board of Licensure for Long-Term Care Administrators

201 KAR 006:060. Fees.

Board of Social Work

201 KAR 023:016. Temporary permission to practice.

201 KAR 023:051. Renewal, termination, reinstatement of license.

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

501 KAR 006:040. Kentucky State Penitentiary.

EDUCATION AND LABOR CABINET: Department of Education: Charter Schools

701 KAR 008:010. Charter school student application, lottery, and enrollment.

701 KAR 008:020. Evaluation of charter school authorizers.

701 KAR 008:030. Charter school appeal process.

701 KAR 008:040. Conversion charter school petition, conversion, and operation.

701 KAR 008:050. Charter school funding.

PUBLIC PROTECTION CABINET: Department of Financial Institutions: General Provisions

808 KAR 001:170. Licensing and registration.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Health Services and Facilities

902 KAR 020:470. Kentucky heart attack response and treatment recognition process.

902 KAR 020:480. Assisted living communities.

Controlled Substances

902 KAR 055:110. Monitoring system for prescription controlled substances.

Department for Medicaid Services

907 KAR 001:082. Coverage provisions and requirements regarding rural health clinic services.

The subcommittee adjourned at 9:25 a.m. The next meeting of this subcommittee was tentatively scheduled for March 7, 2023, at 8 a.m.