

**ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE**  
**Minutes of May 14, 2024**

**Call to Order and Roll Call**

The May meeting of the Administrative Regulation Review Subcommittee was held on Tuesday, May 14, 2024 at 1:00 p.m. in Room 149 of the Capitol Annex. Senator Stephen West, Co-Chair, called the meeting to order, and roll call was taken.

**Present were:**

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

**LRC Staff:** Stacy Auterson, Emily Caudill, Emily Harkenrider, Karen Howard, Anna Latek, and Carrie Nichols.

**Guests:** Cassie Trueblood, Education Professional Standards Board; Jeffrey Allen, Board of Dentistry; Steven Fields, Department of Fish and Wildlife Resources; Amy Barker, Kirstie Willard, Department of Corrections; and Laura Begin, Clifton Bryant, Maurice Lee, Department for Community Based Services.

**The Administrative Regulation Review Subcommittee met on Tuesday, May 14, 2024, and submits this report:**

**EDUCATION AND LABOR CABINET: Education Professional Standards Board: Certification Procedures**

[016 KAR 004:030](#). Out-of-state educator preparation. Cassie Trueblood, counsel, represented the board.

**BOARDS AND COMMISSIONS: Board of Dentistry**

[201 KAR 008:533](#). Licensure of dentists. Jeffrey Allen, executive director, represented the board.

A motion was made and seconded to approve the following amendments: to amend Sections 2, 4 through 12, and 15 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

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

[301 KAR 002:132](#). Elk hunting seasons, permits, zones, and requirements. Steven Fields, staff attorney, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 3 and 15 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**Hunting and Fishing**

[301 KAR 003:030](#). Year-round season for wildlife.

In response to questions by Co-Chair Lewis, Mr. Fields stated that sport hunting of wild pigs was being prohibited because, due to the intelligence and learning capabilities of wild pigs, sport hunting led to behavioral and migratory changes that made the location, control, and tracking of these populations more difficult. Mr. Fields stated that a smaller number of mass trapping events would be the best means to control wild pig populations.

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

[301 KAR 003:130](#). Public use of Conservation Camp Properties.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO, STATUTORY AUTHORITY, 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 1 to: (a) delete two (2) definitions; (b) clarify three (3) definitions; and (c) revise some time-frame requirements because the previous version did not provide for youth between fifteen (15) and eighteen (18) years of age; (3) to amend Section 2 to clarify that a mentee shall be under eighteen (18) years of age or a novice in the specific activity; (4) to amend Section 3 to clarify potential mentor activities; and (5) to amend Section 4 to delete redundant provisions. Without objection, and with agreement of the agency, the amendments were approved.

**JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections: Class D and Class C Felons**

[501 KAR 002:060](#). Procedures for housing of Class C and D felons. Amy Barker, assistant general counsel, and Kirstie Willard, division director, represented the department.

## **Jail Standards for Full-Service Facilities**

[501 KAR 003:010](#). Definitions for 501 KAR Chapter 3.

[501 KAR 003:040](#). Personnel.

[501 KAR 003:060](#). Security; control.

In response to questions by Senator Yates, Ms. Willard stated that 501 KAR 3:060 and 3:100 related to pregnant inmates. While judicial officials utilized options to divert these individuals from incarceration, not all pregnant inmates were candidates for alternatives.

[501 KAR 003:080](#). Sanitation; hygiene.

[501 KAR 003:090](#). Medical services.

[501 KAR 003:100](#). Food services.

[501 KAR 003:140](#). Prisoner rights.

## **Jail Standards for Restricted Custody Center Facilities**

[501 KAR 007:010](#). Definitions for 501 KAR Chapter 7.

[501 KAR 007:040](#). Personnel.

[501 KAR 007:080](#). Sanitation; hygiene.

[501 KAR 007:090](#). Medical services.

## **CABINET FOR HEALTH AND FAMILY SERVICES: Department for Community Based Services: Protection and Permanency: Child Welfare**

[922 KAR 001:140](#). Permanency services. Laura Begin, regulation coordinator; Clifton Bryant, branch manager; and Maurice Lee, relative service array specialist, represented the department.

In response to a question by Co-Chair West, Ms. Begin stated that these administrative regulations included a new initiative to provide an option for subsidized permanent custody for relative or fictive kin caregivers. The goal of this option was to provide ongoing financial assistance for these caregivers and to streamline the custody process in these relative or fictive kin situations.

In response to questions by Senator Yates, Ms. Begin stated that this option was applicable to relative and fictive kin caregivers who had become foster parents and who

had complied with foster home requirements for at least six (6) consecutive months. Mr. Lee stated that minors who entered Kentucky's system from out of state would first be eligible for benefits as established in the state from which they transferred to Kentucky. After six (6) consecutive months of compliance with foster home requirements and if custody was granted, these relatives or fictive kin families would be eligible for benefits under Kentucky's program. Determination was on a case-by-case basis, and the department was available to investigate specific situations.

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.

[922 KAR 001:145](#). Subsidized permanent custody.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 5 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.

[922 KAR 001:495](#). Training requirements for foster parents, adoptive parents, and respite care providers for children in the custody of the cabinet.

[922 KAR 001:565](#). Service array for a relative or fictive kin caregiver.

### **Adult Services**

[922 KAR 005:120](#). Vulnerable adult maltreatment registry and appeals.

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

**The following administrative regulations were deferred or removed from the May 14, 2024, subcommittee agenda:**

### **EDUCATION AND LABOR CABINET: Education Professional Standards Board: Teaching Certificates**

[016 KAR 002:120](#). Emergency certification and out-of-field teaching.

[016 KAR 002:160](#). Probationary certificate for teachers of exceptional children.

**OFFICE OF THE GOVERNOR: Department of Veterans' Affairs: Veterans' Programs**

[017 KAR 006:020](#). Kentucky Women Veterans Program and coordinating committee, administrative procedures.

[017 KAR 006:030](#). Kentucky Wounded or Disabled Veterans Program, administrative procedures.

**KENTUCKY COMMISSION ON HUMAN RIGHTS**

[104 KAR 001:010](#). Posting, distribution and availability of notices and pamphlets.

[104 KAR 001:040](#). Guidelines for advertising employment or licensing opportunities.

[104 KAR 001:050](#). Standards and procedures for providing equal employment opportunities.

[104 KAR 001:080](#). Guidelines on fair housing.

[104 KAR 001:100](#). Nondiscrimination on the basis of disability by a place of public accommodations, licensing agencies and trade organizations.

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

[301 KAR 001:150](#). Waters open to commercial fishing.

**JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections: Jail Standards for Life Safety Facilities**

[501 KAR 013:010](#). Life safety issues.

**TRANSPORTATION CABINET: Department of Vehicle Regulation: Certification of Title**

[601 KAR 023:040](#). Application form to become Kentucky Electronic License Title Entity; and application form for electronic motor vehicle title application submission.

**PUBLIC PROTECTION CABINET: Department of Housing, Buildings and Construction: Kentucky Building Code**

[815 KAR 007:120](#). Kentucky Building Code.

[815 KAR 007:125](#). Kentucky Residential Code.

**CABINET FOR HEALTH AND FAMILY SERVICES: Office of Inspector General: Health Services and Facilities**

[902 KAR 020:036](#). Operation and services; personal care homes.

**Department for Medicaid Services**

[907 KAR 001:044](#). Coverage provisions and requirements regarding community mental health center behavioral health services.

**Behavioral Health**

[907 KAR 015:005](#). Definitions for 907 KAR Chapter 015.

**Department for Aging and Independent Living: Aging Services**

[910 KAR 001:270](#). Hart-Supported Living grant program.

**Office of the Secretary: General**

[915 KAR 001:001](#). Definitions for 915 KAR Chapter 1.

[915 KAR 001:030](#). Cultivator.

[915 KAR 001:040](#). Processor.

[915 KAR 001:050](#). Producer.

[915 KAR 001:060](#). Safety compliance facility.

[915 KAR 001:070](#). Dispensary.

[915 KAR 001:080](#). Transportation and delivery of medicinal cannabis.

[915 KAR 001:090](#). Advertising.

[915 KAR 001:100](#). Packaging and labeling of medicinal cannabis.

[915 KAR 001:110](#). Medicinal cannabis testing.

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

[921 KAR 002:015](#). Supplemental programs for persons who are aged, blind, or have a disability.

**The subcommittee adjourned at 1:20 p.m. The next meeting of this subcommittee was tentatively scheduled for June 11, 2024, at 1 p.m. in Room 149 of the Annex.**