

**ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE**  
**Minutes of November 13, 2024**

**Call to Order and Roll Call**

The November meeting of the Administrative Regulation Review Subcommittee was held on Wednesday, November 13, 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, Deanna Frazier Gordon, and Keturah Herron.

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

**Guests:** Christopher Bowlin, Stephen Humphress, Office of Attorney General; Jamie Caldwell, Rosemary Holbrook, Personnel Cabinet; Beau Barnes, Teachers' Retirement System; Chelsey Couch, Ashely Daily, Finance and Administration Cabinet; Eden Davis, Christopher Harlow, Board of Pharmacy; Jeff Allen, Board of Dentistry; Kyle Elliott, Jake Miller, Board of Licensure for Professional Engineers and Land Surveyors; Sara Janes, Marva Johnson, Board of Interpreters for the Deaf and Hard of Hearing; Samuel Thorner, Kentucky Housing Corporation; Eddie Slone, John Wood, Board of Emergency Medical Services; Seth Fawns, Cyndi Heddleston, Parole Board; Jon Johnson, Tony Youssefi, Transportation Cabinet; Todd Allen, Board of Education; Julie Brooks, Andrea Day, Jay Klein, Rachel Ratliff, Jonathan Scott, Dr. Steven Stack, Todd Trapp, Cabinet for Health and Family Services; Linda Bozeman, certified and licensed interpreter; Shannon Stiglitz, senior vice president, Kentucky Retail Federation; and Delphia and John Taylor, 502 Hemp and Kentucky Hemp Association.

**Administrative Regulations Review by this Subcommittee:**

**OFFICE OF ATTORNEY GENERAL: Office of Regulatory Relief**

[040 KAR 012:010](#). Regulatory sandbox application process and reporting procedures. Christopher Bowlin, executive director, Office of Administrative Hearings, and Stephen Humphress, executive director, Office of Regulatory Relief, represented the office.

**PERSONNEL CABINET: Classified**

[101 KAR 002:086](#). Internship interview preference. Jamie Caldwell, commissioner, and Rosemary Holbrook, general counsel, represented the cabinet.

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

**FINANCE AND ADMINISTRATION CABINET: Teachers' Retirement System: General Rules**

[102 KAR 001:320](#). Qualified domestic relations orders. Beau Barnes, deputy executive secretary and general counsel, represented the system.

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, 8, and 10; and incorporated material to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**State Investment Commission**

[200 KAR 014:011](#). Qualified investments. Chelsey Couch, executive director, and Ashley Daily, staff attorney, represented the cabinet.

A motion was made and seconded to approve the following amendments: to amend Sections 3 and 6 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.

[200 KAR 014:081](#). Repurchase agreement.

A motion was made and seconded to approve the following amendments: to amend Sections 2, 3, 5, and 7 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

[200 KAR 014:091](#). Guidelines for money market instruments.

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

## **Office of the Secretary: Kentucky Private Activity Bond Allocation Committee**

[200 KAR 015:010](#). Formula for allocation of private activity bonds.

In response to questions by Co-Chair West, Ms. Couch stated that this proposed amendment removed specific provisions for the American Recovery and Reinvestment Act to leave a broad framework for any future stimulus.

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, 6, 7, 10, 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.

## **BOARDS AND COMMISSIONS: Board of Pharmacy**

[201 KAR 002:370](#). Pharmacy services in a long-term care facility (LTCF). Eden Davis, general counsel, and Christopher Harlow, executive director, represented the board.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO paragraph and Sections 1 and 3 to comply with the drafting and formatting requirements of KRS Chapter 13A; (2) to amend Section 1 to exclude from the definition for "long-term care facility", assisted living communities, as defined by KRS 194A.710(2)(a); and (3) to amend Section 2 for consistency with the categories of assisted living community licensure as established in KRS 194A.710(2). Without objection, and with agreement of the agency, the amendments were approved.

[201 KAR 002:480](#). Telework and electronic supervision for remote prescription processing.

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

## **Board of Dentistry**

[201 KAR 008:563](#). Licensure of dental hygienists. Jeff Allen, executive director, represented the board.

A motion was made and seconded to approve the following amendments: (1) to amend Section 6 to make a correction that dental hygienist licenses issued by the board expire on December 31 of even-numbered years, as statutorily required; and (2) to amend Sections 1, 5, 8, 11, and 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.

## **Board of Licensure for Professional Engineers and Land Surveyors**

[201 KAR 018:010](#). Classes of applicants. Kyle Elliot, executive director, and Jake Miller, general counsel, represented the board.

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

[201 KAR 018:030](#). In training certificates.

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

[201 KAR 018:115](#). License reinstatement.

A motion was made and seconded to approve the following amendments: 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. Without objection, and with agreement of the agency, the amendments were approved.

[201 KAR 018:192](#). Continuing professional development for professional land surveyors.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 3, 5, 8, and 9 to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 7 and add a Section 10 to incorporate a form by reference. Without objection, and with agreement of the agency, the amendments were approved.

[201 KAR 018:196](#). Continuing professional development for professional engineers.

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, 3, 5, and 8 to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 7 and add a Section 9 to incorporate a form by reference. Without objection, and with agreement of the agency, the amendments were approved.

## **Board of Interpreters for the Deaf and Hard of Hearing**

[201 KAR 039:001](#). Definitions for 201 KAR Chapter 39. Sara Janes, staff attorney, and Marva Johnson, chair, represented the board. Linda Bozeman, certified and licensed interpreter, appeared in opposition to 201 KAR 39:030.

In response to questions by Representative Frazier Gordon, Ms. Johnson stated that there were 533 fully licensed interpreters, 45 temporarily licensed interpreters, and a national shortage.

A motion was made and seconded to approve the following amendments: to amend Section 1 to: (1) delete one definition no longer being used; (2) revise six definitions; and (3) comply with the formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

[201 KAR 039:030](#). Application; qualifications for full licensure; and certification levels.

In response to questions by Co-Chair West, Ms. Janes stated this administrative regulation related to licensure of interpreters, and the proposed amendment was intended to clarify credentialing requirements by removing licensure provisions based on the Educational Interpreter Performance Assessment (EIPA) certificate. Ms. Johnson stated, for full licensure, the board's authorizing statute required certification from a nationally recognized organization. The EIPA was an assessment tool, not a certification, and was no longer nationally recognized because of past confusion regarding certification versus an assessment certificate. The national Registry for Interpreters for the Deaf, Inc., only recognized EIPA as an assessment certificate, not as a credentialing program, and that recognition was only between 2012 and 2017. Ms. Janes stated, in the Amended After Comments version of this administrative regulation, the 22 interpreters currently licensed based on an EIPA certificate would remain licensed if those licensees maintained compliance with established board requirements.

In response to questions by Co-Chair West, Ms. Bozeman stated Kentucky was experiencing a shortage of licensed interpreters and the proposed amendments could make it more difficult for out-of-state interpreters to attain licensure. To combat the shortage, the board should allow any interpreter with an EIPA score of 4.0 to be eligible for full licensure in K through 12 settings.

In response to questions by Co-Chair Lewis, Ms. Janes stated, in May 2024, when the proposed amendments to the administrative regulation were developed, the board consisted of four members and voted unanimously to remove the EIPA as an option for full licensure. Ms. Bozeman stated the vote was split. Ms. Janes stated the May vote was unanimous; the vote in September on the proposed Amended After Comments version of this administrative regulation was not unanimous but did receive majority approval from the board.

In response to questions by Representative Frazier Gordon, Ms. Johnson stated the authorizing statute required a nationally recognized certification for full licensure. Ms. Janes stated research conducted since the original administrative regulation was filed in 2012 led to changes in practice for interpreters, necessitating the restructuring of the licensure process. Statutory changes would be necessary in order for the board to accept an EIPA certificate for full licensure. Ms. Johnson stated the board currently consisted of six members, but had fluctuated in membership in the previous few years.

In response to a question by Senator Yates, Ms. Janes stated an EIPA score of 3.5 or higher would remain part of a pathway towards full licensure. Ms. Johnson stated an EIPA certificate could be utilized for special types of interpreters. Ms. Bozeman stated Kentucky's current licensure requirements exceeded those of seven surrounding states. Ms. Johnson stated conflicts in national and state testing cycles, coupled with complications from the coronavirus (COVID-19) pandemic, caused prolonged delays in previous years, but an interpreter seeking full licensure should now be able to complete all requirements within five years.

In response to questions by Co-Chair West, Ms. Janes stated EIPA had been available as an assessment tool since 2012. In 2017, it was no longer nationally recognized. Ms. Johnson stated EIPA was never recognized as a certification and was an assessment certificate.

In response to questions by Co-Chair West, Ms. Janes stated deferral would create problems because the current version of this administrative regulation included licensure based on examinations that were no longer available.

In response to questions by Senator Yates, Ms. Johnson stated interpreters had been able to be licensed with just an EIPA certificate since 2017. Ms. Janes stated there are multiple paths towards certification. Co-Chair West stated the board could file an agency amendment, defer this administrative regulation to the December meeting of this subcommittee, or allow this administrative regulation to move on to the committee of jurisdiction.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3, and 4 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

#### [201 KAR 039:040](#). Fees.

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.

[201 KAR 039:050](#). Renewal and reinstatement of full licenses.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph, Sections 1 through 4, and incorporated material 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 039:060](#). Reinstatement of full license subject to disciplinary action.

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

[201 KAR 039:070](#). Application and qualifications for temporary licensure and extensions.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph, Sections 1 through 6, and incorporated material 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 039:075](#). Supervision.

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

[201 KAR 039:090](#). Continuing education unit requirements.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 8 and 10 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

[201 KAR 039:100](#). Complaint procedure.

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

[201 KAR 039:120](#). Code of ethics.

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

[201 KAR 039:130](#). Registration for nonresident interpreters.

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

### **INDEPENDENT ADMINISTRATIVE BODIES: Kentucky Housing Corporation**

[202 KAR 002:020](#). Rural Housing Trust Fund. Samuel Thorner, general counsel, represented the corporation.

### **Board of Emergency Medical Services**

[202 KAR 007:201E](#). Emergency medical responders. Eddie Slone, executive director, and John Wood, counsel, represented the board.

[202 KAR 007:301E](#). Emergency medical technician.

[202 KAR 007:330E](#). Advanced emergency medical technician.

[202 KAR 007:401E](#). Paramedics.

[202 KAR 007:560E](#). Ground vehicle staff.

### **JUSTICE AND PUBLIC SAFETY CABINET: Parole Board**

[501 KAR 001:080](#). Parole board policies and procedures. Seth Fawns, staff attorney, and Cyndi Heddleston, chair, represented the board.

### **TRANSPORTATION CABINET: Office for Civil Rights and Small Business Development: Office of Minority Affairs**

[600 KAR 004:010](#). Certification of disadvantaged business enterprises. Jon Johnson, assistant general counsel, and Tony Youssefi, executive director, represented the office.



**EDUCATION AND LABOR CABINET: Board of Education: Department of Education: General Administration**

[702 KAR 001:116](#). Annual in-service training of district board members. Todd Allen, deputy commissioner and general counsel, represented the board.

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

**Facilities Management**

[702 KAR 004:090](#). Property disposal.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 3 through 6, 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.

**Office of Learning Programs Development: Office of Instruction**

[704 KAR 003:305](#). Minimum requirements for high school graduation.

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

**Department for Technical Education: Office of Instruction**

[780 KAR 003:072](#). Attendance, compensatory time, and leave for certified and equivalent service.

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

[780 KAR 003:080](#). Extent and duration of school term, use of school days and extended employment.

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.

**CABINET FOR HEALTH AND FAMILY SERVICES: Office of Human Resource Management: Administration**

[900 KAR 001:009](#). Employee Access to Federal Tax Information (FTI). Jay Klein, assistant director, represented the office.

## **Department for Public Health: Food and Cosmetics**

[902 KAR 045:012](#). Hemp-derived cannabinoid product retail and food service establishment requirements. Julie Brooks, regulation coordinator, and Dr. Steven Stack, commissioner, represented the department. Delphia and John Taylor, Kentucky Hemp Association, and Shannon Stiglitz, senior vice president, Kentucky Retail Association, appeared in opposition to this administrative regulation.

In response to a question by Co-Chair West, Ms. Taylor stated that of her 12,000 customers, none had reported any ill effects from use of hemp-derived cannabinoid products. The proposed amendments to this administrative regulation would be cost-prohibitive to small businesses and, according to House Bill 544 from the 2023 Regular Session, hemp-derived cannabinoid products should not be included as "adult use" products. Fees proposed in this administrative regulation would place an undue financial burden on small businesses and processors.

In response to a question by Co-Chair West, Mr. Taylor stated hemp-derived cannabinoid products helped him with his epilepsy. The proposed amendments to this administrative regulation would place unnecessary restrictions on non-intoxicating, hemp-derived cannabinoid products and would increase the difficulty in maintaining availability of products. The agency needed to maintain administrative and regulatory oversight to maintain quality and efficacy, but these proposed fees could be a burden on the hemp industry.

In response to a question by Co-Chair West, Ms. Stiglitz stated the Kentucky Retail Federation opposed the \$2,000 per-retail-location licensing fee, but would support a lower fee to limit the costs to retailers. The high licensing fee would discourage responsible retailers from participating, and there were approximately 316 retailers currently licensed in the state. Kentucky Retail Federation supported the concept of a tiered fee structure to encourage responsible retailer participation.

In response to questions by Co-Chair West, Dr. Stack stated the cabinet addressed many of the concerns in the agency amendment, and retailers were not required to register more than once. If a manufacturer received licensure for a product, a retailer could sell those products without additional fees. It was necessary that products be registered in order for the cabinet to track the products they were monitoring for compliance and public safety. Ms. Brooks stated the agency amendment changed the previous language regarding total THC (tetrahydrocannabinol) after stakeholder input.

In response to questions by Senator Yates, Ms. Brooks stated the deletion was in reference to THC isomer levels.

In response to questions by Co-Chair West, Dr. Stack stated that concentrations of THC isomers (Delta 8, Delta 9, and Delta 10) in the regulated hemp-derived cannabinoid products were not naturally occurring at high levels in cultivated hemp, but were chemically altered for the final products. There were concerns regarding the proper regulation of these products to ensure that additional chemicals or solvents were not

included in hemp-derived cannabinoid products, and that products were properly and responsibly labelled and tested. The cabinet anticipated exponential growth in registered facilities; therefore, adequate fees were necessary to fund this program. The \$2,000 per-retail-location licensing fee would apply to all retailers selling hemp-derived cannabinoid products, and the \$250 per-product registration fee would not be payable by a retailer if the product was licensed and registered in Kentucky by the manufacturer.

In response to questions by Senator Yates, Ms. Brooks stated language regarding levels of non-intoxicating THC found in trace amounts in CBD (Cannabidiol) oils was deleted in the proposed amendment. Dr. Stack stated enforcement could suffer regarding applicable substances without standardized requirements regarding dosage and other safety matters. A balanced approach was needed.

In response to questions from Co-Chair West, Dr. Stack stated that under this proposed administrative regulation, retailers of hemp-derived cannabinoid products would be charged the \$2,000 license fee for each discreet location selling the products. Ms. Brooks stated criteria used to assess products for approval were established by House Bill 544 from the 2023 Regular Session and by other, broader statutes.

In response to questions by Co-Chair West, Ms. Taylor stated, while she agreed with the cabinet's concerns about "bad actors" in the industry, she was concerned about the language that THC isomers were "synthetic", because trace levels of these chemicals appeared naturally in hemp plants. She was careful with the products she sold because of concerns over efficacy and safety. CBD products should be exempt from this proposed administrative regulation, and restrictions should apply only to adult-use products. Mr. Taylor stated he agreed that the cabinet needed funding to operate this program, and the cabinet should work with stakeholders to develop funding strategies. There was a concern that product analyses were being forged. Ms. Stiglitz stated CBD products were previously regulated by the Department for Agriculture, and the cabinet later assumed this authority. Under House Bill 544 from the 2023 Regular Session, only adult-use intoxicating hemp-derived cannabinoid products were required to be registered. Ms. Brooks stated KRS 217.039 authorized the cabinet to regulate all ingestible and cosmetic cannabinoid products. According to 902 KAR 045:021, processors and manufacturers were required to register annually for a permit and pay the product registration fee, but language was not clear as to whether the registration fee was paid once or yearly. However, that administrative regulation has already been referred to the Interim Joint or Standing Committees on Health Services for further discussion. Co-Chair West stated the cabinet should amend 902 KAR 45:021 to clarify the language regarding registration fees for processors and manufacturers through an amendment at the committee of jurisdiction.

The following amendments were approved by this subcommittee at the October 15 meeting: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 2, and 4 to comply with the drafting and formatting requirements of KRS Chapter 13A.

A motion was made and seconded to approve the following amendments: to amend Sections 1 and 2 to clarify requirements. Without objection, and with agreement of the agency, the amendments were approved.

### **Department for Medicaid Services: Eligibility**

[907 KAR 020:035](#). Spousal impoverishment and nursing facility requirement for Medicaid. Jonathan Scott, chief legislative and regulatory officer, represented the department.

### **Department for Community Based Services: Protection and Permanency: Child Welfare**

[922 KAR 001:050](#). State funded adoption assistance. Andrea Day, director, Child Care Division; Rachael Ratliff, staff assistant; and Todd Trapp, director, Division of Family Support, represented the department.

A motion was made and seconded to approve the following amendments: to amend Section 6 to clarify requirements. Without objection, and with agreement of the agency, the amendments were approved.

[922 KAR 001:060](#). Federal Title IV-E adoption assistance.

A motion was made and seconded to approve the following amendments: to amend Sections 2 and 8 to clarify requirements. Without objection, and with agreement of the agency, the amendments were approved.

[922 KAR 001:470](#). Central registry.

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

### **Daycare**

[922 KAR 002:090](#). Child-care center licensure.

A motion was made and seconded to approve the following amendments: (1) to amend the RELATES TO paragraph and Sections 1, 6, 8 through 11, 13, and 15 to comply with the drafting requirements of KRS Chapter 13A; (2) to amend Section 9 to include drills in the requirement for a written plan and diagram outlining the course of action in the event of a natural or manmade disaster, including to add a requirement to provide this to all staff, volunteers, and visitors; and (3) to amend Section 10 to include staff, volunteers, and visitors under the director's responsibilities pertaining to the development, implementation, and monitoring of program policies and procedures. Without objection, and with agreement of the agency, the amendments were approved.

[922 KAR 002:120](#). Child-care center health safety standards.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 2, 4, 3, 7, 8, 10, 12, and 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.

**Other Business: [501 KAR 6:410](#):** In response to a question by Representative Frazier Gordon, Co-Chair West stated the Department of Corrections refused the subcommittee's request to appear and discuss 501 KAR 6:410. This administrative regulation had been deferred prior to this subcommittee meeting. This administrative regulation was tentatively on the December meeting agenda.

In response to a question by Co-Chair West, Senator Thayer stated taxpayers should not be expected to fund transgender surgeries for those criminally convicted and incarcerated.

**The following administrative regulations were deferred or removed from the November 13, 2024, subcommittee agenda:**

**COUNCIL ON POSTSECONDARY EDUCATION: Public Educational Institutions**

[013 KAR 002:120](#). Comprehensive funding model for the allocation of state general fund appropriations to public universities.

[013 KAR 002:130](#). Comprehensive funding model for the allocation of state general fund appropriations to the Kentucky Community and Technical College System institutions.

**Aerospace**

[013 KAR 006:010](#). Aviation training scholarships.

[013 KAR 006:020](#). Aviation equipment grants.

**PERSONNEL CABINET: Classified**

[101 KAR 002:210E](#). 2024 and 2025 Plan year handbooks for the Public Employee Health Insurance Program.

**FINANCE AND ADMINISTRATION CABINET: Department of Revenue: Ad Valorem Tax; Administration**

[103 KAR 005:200](#). Valuation of multi-unit rental housing subject to government restriction on use.

**BOARDS AND COMMISSIONS: Board of Pharmacy**

[201 KAR 002:030](#). License transfer and Non-Resident Pharmacist License.

[201 KAR 002:050](#). License and permits; fees.

[201 KAR 002:210](#). Patient records, drug regimen review, patient counseling, and final product verification.

[201 KAR 002:465](#). Non-Resident Pharmacy applications and waivers.

**Board of Dentistry**

[201 KAR 008:610](#). Dental community health workers.

**Board of Nursing**

[201 KAR 020:057](#). Scope and standards of practice of advanced practice registered nurses.

**ENERGY AND ENVIRONMENT CABINET: Department for Natural Resources: Division of Mine Permits: Bond and Insurance Requirements**

[405 KAR 010:001](#). Definitions for 405 KAR Chapter 010.

[405 KAR 010:015](#). General bonding provisions.

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

[501 KAR 006:410](#). Corrections policies and procedures: inmate life and issues.

**EDUCATION AND LABOR CABINET: Board of Education: Department of Education: Office of Learning Programs Development: Office of Instruction**

[704 KAR 003:535](#). Full-time enrolled online, virtual, and remote learning programs.

**PUBLIC PROTECTION CABINET: Department of Financial Institutions: Credit Unions**

[808 KAR 003:050](#). Conduct of credit unions.

## **General**

[808 KAR 015:050](#). Out-of-state trust companies operating in Kentucky.

## **CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Sanitation**

[902 KAR 010:120](#). Kentucky public swimming and bathing facility operations.

[902 KAR 010:122](#). Repeal of 902 KAR 010:121 and 902 KAR 010:190.

[902 KAR 010:123](#). Kentucky public swimming and bathing facilities construction requirements.

[902 KAR 010:125](#). Kentucky public swimming and bathing facility safety requirements.

[902 KAR 010:127](#). Kentucky public beach requirements.

## **Kentucky Early Intervention System**

[902 KAR 030:200](#). Coverage and payment for services.

## **Department for Medicaid Services**

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

## **Hospital Service Coverage and Reimbursement**

[907 KAR 010:015](#). Payments for outpatient hospital services.

## **Behavioral Health**

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

## **Department for Community Based Services: Family Support: Supplemental Nutrition Assistance Program**

[921 KAR 003:030](#). Application process. Andrea Day, director, Child Care Division; Rachael Ratliff, staff assistant; and Todd Trapp, director, Division of Family Support, represented the department.

In response to a question by Co-Chair West, Ms. Ratliff agreed to defer consideration of this administrative regulation to the December meeting.

A motion was made and seconded to defer this administrative regulation. Without objection, and with agreement of the agency, this administrative regulation was deferred.

**Protection and Permanency: Child Welfare**

[922 KAR 001:490](#). Background checks for foster and adoptive parents and relative and fictive kin caregivers.

**Adult Services**

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

**The subcommittee adjourned at 3:35 PM. The next meeting of this subcommittee is tentatively scheduled for December 9, 2024, at 1 PM in Room 149 of the Annex.**