

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE
Minutes of April 13, 2026

Call to Order and Roll Call

The April meeting of the Administrative Regulation Review Subcommittee was held on Monday, April 13, 2026, at 1 PM in Room 149 of the Capitol Annex. Senator Stephen West, Chair, called the meeting to order, and roll call was taken.

Present were:

Members: Senator Stephen West, Co-Chair; Representative Derek Lewis, Co-Chair; Senator Mike Wilson; and Representatives Randy Bridges and Deanna Gordon.

LRC Staff: Karen Howard, Emily Harkenrider, Carrie Nichols, Laura Begin, Ange Darnell, Anna Latek, and Callie Lewis.

Guests: Christy Kinney, Director, Office of Individual Income Tax, Department of Revenue (DOR); Bethany Atkins Rice, General Counsel, Finance and Administration Cabinet (FAC); Carole Catalfo, Policy Specialist, Kentucky Public Pensions Authority (KPPA); Nathan Goodrich, Staff Attorney Supervisor, KPPA; Leanne Diakov, General Counsel, Board of Medical Licensure (KBML); Steven Fields, Staff Attorney, Department of Fish and Wildlife Resources (KDFWR); Jenny Gilbert, Legislative Liaison, KDFWR; Susie Edwards, Deputy Executive Director, Office of Vocational Rehabilitation (OVR), Education and Labor Cabinet (ELC); Bernadette Leveridge, Staff Attorney, ELC; Cora McNabb, Executive Director, OVR, ELC; Greg Higgins, Executive Director, Office of Unemployment Insurance (OUI), ELC; Jamie H. Eads, President and CEO, Horse Racing and Gaming Corporation (KHRGC); George Haydon, Director of Licensing, KHRGC; Joey Went, Staff Attorney, KHRGC; Julie Brooks, Policy Specialist, Department for Public Health (DPH), Cabinet for Health and Family Services (CHFS); Krista Hamilton, Branch Manager, Local Health Personnel Branch, DPH, CHFS; Valerie Moore, Policy Specialist, Office of Inspector General (OIG), CHFS; Peyton Sands, Deputy Inspector General, OIG, CHFS; Justin Dearing, Director, Division of Health Care Policy, Department for Medicaid Services (DMS), CHFS; and Jonathan Scott, Executive Advisor, DMS, CHFS.

Approval of March 9, 2026, Minutes

A motion was made by Representative Gordon and seconded by Representative Lewis to approve the minutes of the March 9, 2026, meeting. Minutes were approved by voice vote without objection.

Administrative Regulations Reviewed by this Subcommittee:

FINANCE AND ADMINISTRATION CABINET: Department of Revenue

103 KAR 019:010. Computation of income; estates and trusts.

KENTUCKY PUBLIC PENSIONS AUTHORITY

105 KAR 001:160. Sick leave plans.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph, certification statement, and Sections 2 through 4, 6, and 7 to correct statutory references and comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

105 KAR 001:170. Membership form 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 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

105 KAR 001:261. Repeal of 105 KAR 001:260.

105 KAR 001:330. Purchase of service credit.

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, 2, 5, and 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

105 KAR 001:400. Federal taxation limitation year.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 2, 7, 8, 9, 14, and 16 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

105 KAR 001:430. General compliance with federal tax laws.

BOARDS AND COMMISSIONS: Board of Medical Licensure

201 KAR 009:086. License renewal and registration; reregistration of inactive license for physician assistants.

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

201 KAR 009:305. License renewal and registration; reregistration of inactive licenses; and continuing education requirements for athletic trainers.

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

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

301 KAR 003:012. Public use of Otter Creek Outdoor Recreation Area.

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

301 KAR 003:013. Peabody Wildlife Management Area use requirements and restrictions.

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

EDUCATION AND LABOR CABINET: Department of Workforce Development: Office of Vocational Rehabilitation

781 KAR 001:001E. Definitions.

781 KAR 001:010E. Office of Vocational Rehabilitation appeal procedures.

781 KAR 001:020E. General provisions for operation of the Office of Vocational Rehabilitation.

In response to Representative Gordon, Susie Edwards, Deputy Executive Director, OVR, ELC, stated there is financial participation, meaning income is considered in determining benefits. Previously, this consideration was temporarily suspended.

781 KAR 001:030E. Order of selection.

781 KAR 001:040E. Provision of Vocational Rehabilitation Services.

Office of Unemployment Insurance

787 KAR 0001:370. Professional Employer Organization Contribution and Reporting Requirements.

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

KENTUCKY HORSE RACING AND GAMING CORPORATION: Licensing

810 KAR 003:020. Licensing of racing participants.

In response to Chair West, Jamie Eads, President and CEO, KHRGC, stated recent legislative changes require the KHRGC to license everyone on the backside of the race track. The Kentucky Board of Veterinary Examiners (KBVE) does not agree with the equine therapist licensing requirement. Ms. Eads explained the regulation establishes a guardrail, which requires a KBVE-licensed veterinarian to sign off on an equine therapist application.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph, the NECESSITY, FUNCTION, AND CONFORMITY paragraph, and Sections 3, 8, 15, 17, 19, and 21 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES: Department for Public Health: Division of Administration and Financial Management

902 KAR 008:060. Salary adjustments for local health departments.

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

902 KAR 008:070. Recruitment, examination, and certification of eligible applicants for local health departments.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 1 and 4 through 6 to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend to re-insert Section 7 and the incorporated application

form. Without objection, and with agreement from the agency, the amendments were approved.

902 KAR 008:080. Initial appointment, probationary period, layoffs, performance evaluation, and the resignation of employees of local health departments.

A motion was made and seconded to approve the following amendments: to amend Sections 2 through 6, 8, 9, 11, and 12 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

902 KAR 008:096. Local health department employee performance evaluation program.

A motion was made and seconded to approve the following amendments: to amend Sections 1 through 3, 5, 8, 9, and 11, and incorporated material to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

902 KAR 008:120. Leave provisions applicable to employees of local health departments.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 2 and 3 to comply with the drafting and formatting requirements of KRS Chapter 13A; and (2) to amend Section 21 to delete the provision that employees dismissed for cause may have unused compensatory time forfeited in lieu of payment. Without objection, and with agreement from the agency, the amendments were approved.

Office of Inspector General: Division of Audits and Investigations

902 KAR 055:095. Prescription for Schedule II controlled substance - authorization of oral prescriptions for immediate administration, facsimile transmission, or partial filling.

Representative Gordon commented on chronic pain patients who have difficulty getting a prescription filled, either because it is not submitted or the pharmacy does not have enough medication in stock. These medications cannot be transferred to another pharmacy location, and holidays and weekends pose challenges. This population feels villainized in the process, and she hopes the regulation helps them.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY paragraph, the NECESSITY, FUNCTION, AND CONFORMITY paragraph, and Sections 1 and 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

Department for Medicaid Services: Division of Health Care Policy

907 KAR 003:005. Coverage of physicians' services.

In response to Chair West, Justin Dearing, Director, Division of Health Care Policy, DMS, CHFS, stated the regulation requires all genetic testing to have prior authorization confirming medical necessity. This change mitigates rising costs of the tests. The preauthorization takes two to five calendar days. Most delays are due to incomplete or inaccurate information. DMS has a program to notify and educate physicians on providing information for timely decisions, which has improved preauthorization time by 30 percent.

In response to Co-Chair Lewis, Mr. Dearing stated he is not aware of GLP-1 treatment for sleep apnea. Covered products and services mostly consist of C-PAP machines and sleep studies.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3, 6, and 11 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

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

The following administrative regulations were DEFERRED OR REMOVED from the April 13, 2026, subcommittee agenda:

KENTUCKY PUBLIC PENSIONS AUTHORITY

105 KAR 001:380. Minimum distribution.

BOARDS AND COMMISSIONS: Board of Optometric Examiners

201 KAR 005:021E. Licensure Compliance Review.

Board of Veterinary Examiners

201 KAR 016:767. Registered veterinary facilities – Duties of registered responsible parties and veterinarian managers.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Division of Motor Carriers

601 KAR 001:114. Peer-to-peer services.

Division of Motor Vehicle Licensing

601 KAR 009:120. Accessible online insurance verification system.

Division of Driver Licensing

601 KAR 012:130. Third-party issuance of identity documents.

EDUCATION AND LABOR CABINET: Department of Education

702 KAR 005:130. Non-school bus passenger vehicles.

Department of Workforce Development: Office of Vocational Rehabilitation

781 KAR 001:001. Definitions.

781 KAR 001:010. Office of Vocational Rehabilitation appeal procedures.

781 KAR 001:020. General provisions for operation of the Office of Vocational Rehabilitation.

781 KAR 001:030. Order of selection.

781 KAR 001:040. Provision of Vocational Rehabilitation Services.

PUBLIC PROTECTION CABINET: Department of Alcoholic Beverage Control: Tobacco Enforcement

804 KAR 013:010. Tobacco enforcement and administration.

804 KAR 013:020. Tobacco, nicotine, or vapor product license application form.

804 KAR 013:030. Causes for denial of tobacco, nicotine, or vapor product license.

804 KAR 013:040. Notice of intention to apply for tobacco, nicotine, or vapor product transitional license.

Department of Insurance: Health, Life, Managed Care

806 KAR 017:595. Dental Benefits Assignment.

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

902 KAR 020:150. Freestanding Birthing Centers.

Division of Audits and Investigations

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

Department for Medicaid Services: Division of Long-Term Services and Supports

907 KAR 002:720. 1915(c) Kentucky's Community Health for Improved Lives and Development (CHILD) Waiver Program Requirements.

907 KAR 002:725. 1915(c) Kentucky's Community Health for Improved Lives and Development (CHILD) Waiver Reimbursement.

The subcommittee adjourned at 1:25 PM. The next meeting of this subcommittee is tentatively scheduled for May 12, 2026, at 1 PM in Room 149 of the Annex.