

ADMINISTRATIVE REGULATION REVIEW SUBCOMMITTEE
Minutes of September 9, 2026

Call to Order and Roll Call

The September meeting of the Administrative Regulation Review Subcommittee was held on Wednesday, September 9, 2026, at 1:00 PM ET/12:00 PM CT in Room 149 of the Capitol Annex. Representative Derek Lewis, Chair, called the meeting to order, and roll call was taken.

Present were:

Members: Representative Derek Lewis, Co-Chair; Senator Stephen West, Co-Chair; Senator Julie Raque Adams; and Representatives Randy Bridges and Mary Lou Marzian.

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

Guests: Cassie Trueblood Fields, Deputy General Counsel, Council on Postsecondary Education (CPE); Travis Powell, Vice President/General Counsel, CPE; Leslie Saunders, General Counsel, Registry of Election Finance (KREF); John Steffen, Executive Director, KREF; Bethany Atkins-Rice, Executive Director, Office of Legal Services (OLS), Finance and Administration Cabinet (FAC); Richard Dobson, Executive Director, Office of Sales and Excise Taxes (OSET), Department of Revenue (DOR), FAC; Kyle Elliott, Executive Director, Board of Licensed Professional Engineers and Land Surveyors (KYBOELS); Jake R. Miller, General Counsel, KYBOELS; Catherine Falconer, General Counsel, Board of Licensure for Occupational Therapy (KBLOT); Rhonda Phelps, Board Chair, KBLOT; Elizabeth Morgan, Executive Director, Board of Medical Imaging and Radiation Therapy (KBMIRT); Jenny Gilbert, Legislative Liaison, Department of Fish and Wildlife Resources (KDFWR); Steven Fields, Staff Attorney, KDFWR; Nathan Goens, Deputy General Counsel, Justice and Public Safety Cabinet (KJPSC); Mindy Masden, Administrative Branch Manager, Department of Corrections (DOC), KJPSC; Jon Johnson, Assistant General Counsel, Transportation Cabinet (KYTC); Tom McDaniel, Director, Division of Motor Carriers (DMC), Department of Vehicle Regulation (DVR), KYTC; Todd G. Allen, General Counsel, Kentucky Department of Education (KDE), Education and Labor Cabinet (ELC); Leah Cooper Boggs, General Counsel, Department of Workforce Development (DWD), ELC; Alisher Burikhanov, Executive Director, Kentucky Workforce Innovation Board (KWIB); Joe Martz, Counsel, Department of Alcoholic Beverage Control (ABC), Public Protection Cabinet (PPC); Scotty Tracy, Commissioner, ABC, PPC; Shelby Lewis, Executive Policy Advisor, Office of Medical Cannabis (OMC), Cabinet for Health and Family Services (CHFS); and Oran McFarlan, Deputy Executive Director, OMC, CHFS.

Approval of August 11, 2026 Minutes

A motion was made by Co-Chair West and seconded by Representative Marzian to approve the minutes of the August 11, 2026, meeting. Minutes were approved by voice vote without objection.

Administrative Regulations Reviewed by this Subcommittee:

COUNCIL ON POSTSECONDARY EDUCATION: Public Educational Institutions. Cassie Trueblood Fields, Deputy General Counsel, CPE; and Travis Powell, Vice President/General Counsel, CPE, represented the council.

013 KAR 002:140. Research consortiums.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO, STATUTORY AUTHORITY, and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 and 3 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.

REGISTRY OF ELECTION FINANCE: Practice and Procedure. Leslie Saunders, General Counsel, OLS, KREF; and John Steffen, Executive Director, KREF; represented the registry.

032 KAR 002:050. Conciliation.

032 KAR 002:200. Allowable campaign expenditures.

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 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.

032 KAR 002:240. Administrative hearing procedures.

FINANCE AND ADMINISTRATION CABINET: Department of Revenue. Bethany Atkins-Rice, Executive Director, OLS, FAC; and Richard Dobson, Executive Director, OSET, DOR, FAC, represented the department.

103 KAR 027:030. Brokers, lienors and fiduciaries.

103 KAR 028:051. Leases and rentals.

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

103 KAR 030:280. Sales to water haulers.

103 KAR 044:060. Motor vehicle usage tax valuation.

BOARDS AND COMMISSIONS: Board of Licensure for Professional Engineers and Land Surveyors. Kyle Elliott, Executive Director, KYBOELS; and Jake R. Miller, General Counsel, KYBOELS, represented the board.

201 KAR 018:120. Replacement of license certificates and business entity permit certificates.

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

201 KAR 018:150. Standards of practice for professional land surveyors.

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, 8 through 10, 12, and 13 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

Board of Licensure for Occupational Therapy. Catherine Falconer, General Counsel, KBLOT; and Rhonda Phelps, Board Chair, KBLOT, represented the board.

201 KAR 028:240E. Occupational Therapy Licensure Compact.

Board of Medical Imaging and Radiation Therapy. Elizabeth Morgan, Executive Director, KBMIRT, represented the board.

201 KAR 046:035. Practice standards, scopes of practice, and ethical standards.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 1 through 4 to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 5 to revise incorporated material. Without objection, and with agreement from the agency, the amendment was approved.

TOURISM, ARTS AND HERITAGE CABINET: Department of Fish and Wildlife Resources: Game. Jenny Gilbert, Legislative Liaison, KDFWR; and Steven Fields, Staff Attorney, KDFWR, represented the department.

301 KAR 002:222. Waterfowl hunting requirements on public lands.

In response to Representative Marzian, Ms. Gilbert stated "WMA" stands for "Wildlife Management Area." The waterfowl hunting provisions relating to Ballard County are for consistency and compliance with federal guidelines.

JUSTICE AND PUBLIC SAFETY CABINET: Department of Corrections. Nathan Goens, Deputy General Counsel, KJPSC; and Mindy Masden, Administrative Branch Manager, DOC, KJPSC, represented the department.

501 KAR 006:230. Little Sandy Correctional Complex.

TRANSPORTATION CABINET: Department of Vehicle Regulation: Motor Carriers. Jon Johnson, Assistant General Counsel, KYTC; and Tom McDaniel, Director, DMC, DVR, KYTC, represented the department.

601 KAR 001:200. Administration of taxes imposed in KRS 138.655 through 138.7291.

A motion was made and seconded to approve the following amendments: (1) to amend Section 10 to change the email address where Refund Request forms are sent; (2) to amend Section 11 to update the Refund Request form's name and edition date; and (3) to amend the "Tax Overpayment/Credit Refund Application" to add 3 new fields to assist in processing refunds. Without objection, and with agreement from the agency, the amendments were approved.

EDUCATION AND LABOR CABINET: Department of Education. Todd G. Allen, General Counsel, KDE, ELC, represented the department.

701 KAR 005:090. Teacher disciplinary hearings.

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

Department of Workforce Development: Office of Kentucky Workforce Innovation Board. Leah Cooper Boggs, General Counsel, DWD, ELC; and Alisher Burikhanov, Executive Director, KWIB, represented the department.

787 KAR 002:050E. General provisions for operation of the Workforce Pell Program.

PUBLIC PROTECTION CABINET: Department of Alcoholic Beverage Control: Tobacco Enforcement. Joe Martz, Counsel, ABC, PPC; and Scotty Tracy, Commissioner, ABC, PPC, represented the department.

804 KAR 013:011. Tobacco, nicotine, and vapor product enforcement and administration.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1, 3, and 7 through 9 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement from the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES: Office of Medical Cannabis. Shelby Lewis, Executive Policy Advisor, OMC, CHFS; and Oran McFarlan, Deputy Executive Director, OMC, CHFS, represented the office.

915 KAR 002:050. Qualifying Medical Conditions.

A motion was made and seconded to approve the following amendments: to amend the 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 from the agency, the amendments were approved.

The following administrative regulations were DEFERRED OR REMOVED from the September 9, 2026, subcommittee agenda:

OFFICE OF THE GOVERNOR: Department of Workers' Claims

120 KAR 001:089E. Workers' compensation medical fee schedule for physicians.

BOARDS AND COMMISSIONS: Board of Optometric Examiners

201 KAR 005:010. Application for licensure; endorsement.

Board of Physical Therapy

201 KAR 022:130. Per diem of board members.

201 KAR 022:135. Fees.

Board of Social Work

201 KAR 023:020. Fees.

201 KAR 023:072. Examination requirements.

201 KAR 023:120. Equivalency standard.

201 KAR 023:140. Per diem compensation for board members.

Real Property Appraisers Board

201 KAR 050:010E. Fees.

201 KAR 050:020E. General requirements for certification and licensure.

201 KAR 050:050E. Examinations.

201 KAR 050:060E. Reciprocity.

201 KAR 050:070E. Temporary practice permit.

201 KAR 050:110E. Renewal and reinstatement of certificates and licenses.

201 KAR 050:120E. Inactive status and reactivation of certification and licenses.

201 KAR 050:140E. Education course approval, renewal, and standards.

201 KAR 050:170E. Appraisal Management Company registration.

201 KAR 050:180E. Appraisal Management Company registration renewal.

201 KAR 050:200E. Appraisal Management Company roster and reporting.

201 KAR 050:210E. Appraiser roster and reporting.

CABINET FOR ECONOMIC DEVELOPMENT: Kentucky Film Office

307 KAR 001:080E. Kentucky Entertainment Incentive Program.

JUSTICE AND PUBLIC SAFETY CABINET: Parole Board

501 KAR 001:030. Determining parole eligibility.

TRANSPORTATION CABINET: Department of Vehicle Regulation

601 KAR 001:018. Special overweight or overdimensional motor vehicle load permits.

601 KAR 009:085. Procedures for becoming a certified motor vehicle inspector.

601 KAR 009:090. Procedures for inspecting vehicles.

EDUCATION AND LABOR CABINET: Department of Education

701 KAR 005:170. Waiver requests.

PUBLIC PROTECTION CABINET: Department of Alcoholic Beverage Control: Licensing

804 KAR 004:400. Applications incorporated by reference.

The subcommittee adjourned at 1:20 PM ET/12:20 PM CT. The next meeting of this subcommittee is tentatively scheduled for October 13, 2026, at 1:00 PM ET/12:00 PM CT in Room 149 of the Annex.