

1 AN ACT relating to the Kentucky Board of Emergency Medical Services.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 311A.015 is amended to read as follows:

- 4 (1) The Kentucky Board of Emergency Medical Services is created and shall be  
5 attached to the ***Public Protection Cabinet***~~[Kentucky Community and Technical  
6 College System]~~.
- 7 (2) The board shall consist of eighteen (18) members who are residents of Kentucky  
8 appointed by the Governor in conjunction with recognized state emergency medical  
9 services related organizations. Membership shall be made up of the following:
- 10 (a) One (1) paramedic who works for a government agency but is not serving in  
11 an educational, management, or supervisory capacity;
- 12 (b) One (1) emergency medical technician~~[basic]~~ who works for a government  
13 agency but is not serving in an educational, management, or supervisory  
14 capacity;
- 15 (c) One (1) ***advanced emergency medical technician***~~[first responder]~~ who is not  
16 serving in an educational, management, or supervisory capacity;
- 17 (d) One (1) physician licensed in Kentucky having a primary practice in the  
18 delivery of emergency medical care selected from a list of three (3) physicians  
19 submitted by the Kentucky Medical Association;
- 20 (e) One (1) physician licensed in Kentucky serving as medical director of an  
21 advanced life support ambulance service selected from a list of three (3)  
22 physicians submitted by the Kentucky Medical Association;
- 23 (f) One (1) physician licensed in Kentucky who routinely is involved in the  
24 emergency care of ill and injured children selected from a list of three (3)  
25 physicians submitted by the Kentucky Medical Association;
- 26 (g) One (1) trauma surgeon licensed in Kentucky selected from a list of three (3)  
27 physicians submitted by the Kentucky Medical Association;

- 1 (h) One (1) citizen having no present or past involvement in the delivery of  
 2 medical or emergency services, and no current financial interest in the  
 3 practice or business regulated by the board;
- 4 (i) One (1) emergency medical services educator certified by the board and  
 5 employed by a government-operated training and education institute;
- 6 (j) One (1) emergency medical services educator certified by the board and  
 7 employed by a privately operated training and educational institute;
- 8 (k)(j) One (1) mayor of a city or county judge/executive that operates, either  
 9 directly or through contract services, a licensed Class I ground ambulance  
 10 service;
- 11 ~~[(k) One (1) county judge/executive from a county that operates, whether directly~~  
 12 ~~or through contract services, a licensed Class I ground ambulance service;~~
- 13 ~~(l) One (1) volunteer staffed, licensed Class I ground ambulance service~~  
 14 ~~administrator who is a certified emergency medical technician or a licensed~~  
 15 ~~paramedic;]~~
- 16 (l)(m) One (1) fire-service-based, licensed Class I ground ambulance service  
 17 administrator who is a certified emergency medical technician or a licensed  
 18 paramedic;
- 19 (m)(n) One (1) licensed air ambulance service administrator or paramedic for a  
 20 licensed air ambulance service headquartered in Kentucky;
- 21 (n)(o) One (1) private licensed Class 1 ground ambulance service administrator  
 22 who is a certified emergency medical technician or a licensed paramedic who  
 23 is a resident of Kentucky;
- 24 (o)(p) One (1) hospital administrator selected from a list of five (5) nominees  
 25 submitted by the Kentucky Hospital Association;
- 26 ~~[(q) One (1) basic life support, licensed Class I government-operated ground~~  
 27 ~~ambulance service administrator who is a certified emergency medical~~

1           ~~technician or a licensed paramedic; and]~~

2           

~~(p)~~~~(r)~~ One (1) ~~[advanced life support, ]~~government-operated ambulance  
3           service administrator who is a certified emergency medical technician or a  
4           licensed paramedic **and who is not related to a fire service; and**

5           

**(q) Two (2) members at large who are currently licensed or certified by the**  
6           **board, selected from a list of five (5) nominees submitted by the Kentucky**  
7           **Ambulance Provider's Association.**

8           (3) No board member shall serve more than two (2) consecutive terms. A member  
9           appointed to a partial term vacancy exceeding two (2) years shall be deemed to have  
10          served a full term. A former member may be reappointed following an absence of  
11          one (1) term.

12          (4) The board shall annually:

13           (a) Meet at least six (6) times a year;

14           (b) At the first meeting of the board after September 1, elect a chair and vice chair  
15           by majority vote of the members present; and

16           (c) Set a schedule of six (6) regular meetings for the next twelve (12) month  
17           period.

18          (5) The board shall adopt a quorum and rules of procedure by administrative regulation.

19          (6) (a) A member of the board who misses three (3) regular meetings in one (1) year  
20           shall be deemed to have resigned from the board and his or her position shall  
21           be deemed vacant.

22           (b) The failure of a board member to attend a special or emergency meeting shall  
23           not result in any penalty.

24           (c) The year specified in this subsection shall begin with the first meeting missed  
25           and end three hundred sixty-five (365) days later or with the third meeting  
26           missed, whichever occurs earlier.

27           (d) **The Governor may remove any member from the board for:**

- 1            1. Neglect of duty;  
 2            2. Incompetence; or  
 3            3. Unprofessional or dishonorable conduct.

4            (e) The Governor shall appoint a person of the same class to fill the vacancy  
 5            within ninety (90) days.

6            ~~(f)(e)~~ The person removed under this subsection shall not be reappointed to  
 7            the board for ten (10) years.

8            (7) Members of the board shall be entitled to reimbursement for actual and necessary  
 9            expenses when carrying out official duties of the board in accordance with state  
 10            administrative regulations relating to travel reimbursement. The board shall meet at  
 11            least six (6) times each year.

12            (8) Annual reports and recommendations from the board shall be sent by September 1  
 13            each year to the Governor~~[, the president of the Kentucky Community and~~  
 14            ~~Technical College System,]~~ and the Legislative Research Commission~~[General~~  
 15            ~~Assembly].~~

16            ➔Section 2. KRS 311A.020 is amended to read as follows:

17            (1) The board shall:

18            (a) Exercise all of the administrative functions of the state not regulated by the  
 19            Board of Medical Licensure or Cabinet for Health and Family Services in the  
 20            regulation of the emergency medical services system and the practice of  
 21            emergency medical~~[first]~~ responders, emergency medical technicians,  
 22            paramedics, ambulance services, and emergency medical services training  
 23            institutions~~[, with the exception of employment of personnel as described in~~  
 24            ~~subsections (5) and (6) of this section];~~

25            (b) Issue any licenses or certifications authorized by this chapter;

26            (c) Oversee the operations and establish the organizational structure of the Office  
 27            of the Kentucky Board of Emergency Medical Services, which is created and

1 shall be attached to the board for administrative purposes. The office shall be  
2 headed by the executive director appointed under paragraph (d) of this  
3 subsection and shall be responsible for:

- 4 1. Personnel and budget matters affecting the board;
- 5 2. Fiscal activities of the board, including grant writing and disbursement  
6 of funds;
- 7 3. Information technology, including the design and maintenance of  
8 databases;
- 9 4. Certification and recertification of emergency medical~~first~~ responders;
- 10 5. Certification and recertification of emergency medical technicians;
- 11 6. Licensure and relicensure of ambulances and ambulance services;
- 12 7. Licensure and relicensure of paramedics;
- 13 8. Certification and recertification of paramedic course coordinators;
- 14 9. Investigation of and resolution of quality complaints and ethics issues;  
15 and
- 16 10. Other responsibilities that may be assigned to the executive director by  
17 the board;

18 (d) Employ an executive director and deputy executive director and fix the  
19 compensation. The executive director and deputy executive director shall  
20 serve at the pleasure of the board, administer the day-to-day operations of the  
21 Office of the Kentucky Board of Emergency Medical Services, and supervise  
22 all directives of the board. The director and deputy executive director shall  
23 possess a baccalaureate degree and shall have no less than five (5) years of  
24 experience in public administration or in the administration of an emergency  
25 medical services program;

26 (e) Employ or contract with a physician licensed in Kentucky who is board  
27 certified in emergency medicine and fix the compensation. The physician shall

1 serve at the pleasure of the board and as the medical advisor to the Kentucky  
2 Board of Emergency Medical Services and the staff of the board;

3 (f) Employ or contract with an attorney licensed to practice law in Kentucky and  
4 fix the compensation. The attorney shall serve at the pleasure of the board and  
5 have primary assignment to the board;

6 (g) Employ personnel sufficient to carry out the statutory responsibilities of the  
7 board.

8 1. Personnel assigned to investigate an emergency medical~~[a first]~~  
9 responder program complaint or regulate the emergency medical~~[first]~~  
10 responder programs shall be certified emergency medical~~[first]~~  
11 responders, emergency medical technicians, or licensed paramedics.

12 2. Personnel assigned to investigate an emergency medical technician  
13 program complaint or regulate the emergency medical technician  
14 program shall be certified emergency medical technicians or paramedics.

15 3. Personnel assigned to investigate a paramedic program complaint or  
16 regulate the paramedic program shall be licensed paramedics.

17 4. A person who is employed by the board who is licensed or certified by  
18 the board shall retain his or her license or certification if he or she meets  
19 the in-service training requirements and pays the fees specified by  
20 administrative regulation.

21 5. A person who is employed by the board may instruct in emergency  
22 medical subjects in which he or she is qualified, with the permission of  
23 the board. All instruction shall be rendered without remuneration other  
24 than his or her state salary and the employee shall be considered as on  
25 state duty when teaching.

26 6. A person who is employed by the board may render services for which  
27 the person is qualified at a declared disaster or emergency or in a

1 situation where trained personnel are not available until those personnel  
2 arrive to take over the patient, or where insufficient trained personnel are  
3 available to handle a specific emergency medical incident. All aid shall  
4 be rendered without remuneration other than the employee's state salary  
5 and the employee shall be considered as on state duty when rendering  
6 aid. In cases specified in this paragraph, the state medical advisor shall  
7 serve as the emergency medical services medical director for the  
8 employee;

9 (h) Establish committees and subcommittees and the membership thereof.  
10 Members of committees and subcommittees do not need to be members of the  
11 board;

12 (i) Enter into contracts, apply for grants and federal funds, and disburse funds to  
13 local units of government as approved by the General Assembly. All funds  
14 received by the board shall be placed in a trust and agency account in the State  
15 Treasury subject to expenditure by the board;

16 (j) Administer the Emergency Medical Services for Children Program; and

17 (k) Establish minimum curriculum and standards for emergency medical services  
18 training.

19 (2) The board may utilize materials, services, or facilities as may be made available to it  
20 by other state agencies or may contract for materials, services, or facilities.

21 (3) The board may delegate to the executive director, by written order, any function  
22 other than promulgation of an administrative regulation specified in this chapter.

23 (4) Except for securing funding for trauma centers and the implementation of KRS  
24 311A.170, the board shall not serve as the lead agency relating to the development  
25 or regulation of trauma systems, but shall be a partner with other state agencies in  
26 the development, implementation, and oversight of such systems.

27 (5) (a) **Employees of the Kentucky Community and Technical College System and**

1           *all other persons in administrative and professional positions assigned to*  
 2           *the board prior to the effective date of this Act shall be transferred to the*  
 3           *KRS Chapter 18A personnel system on the effective date of this Act.*  
 4           *Employees and personnel transferred under this paragraph*~~[The Kentucky~~  
 5           ~~Community and Technical College System shall employ personnel for the~~  
 6           ~~work of the board, and the personnel in the positions described in this section~~  
 7           ~~and all other persons in administrative and professional positions shall be~~  
 8           ~~transferred to the personnel system of the Kentucky Community and~~  
 9           ~~Technical College System on July 12, 2006, in the appropriate classification to~~  
 10           ~~carry out the mission of the board. All employees transferred under this~~  
 11           ~~paragraph shall have all employment records and months of service credit~~  
 12           ~~transferred to the Kentucky Community and Technical College System.~~  
 13           ~~Employees of the board transferred under this paragraph who subsequently~~  
 14           ~~return to state employment under KRS Chapter 18A]~~ shall have their  
 15           employment records and months of service credit under the Kentucky  
 16           Community and Technical College System transferred~~[back]~~ to the KRS  
 17           Chapter 18A personnel system, and the employment records and months of  
 18           service credit shall be used in calculations for all benefits under KRS Chapter  
 19           18A.

20           (b) New employees hired or contracted *on or after the effective date of this Act*  
 21           *shall be hired under the provisions of KRS Chapter 18A*~~[after July 12, 2006,~~  
 22           ~~shall be employed or contracted by the Kentucky Community and Technical~~  
 23           ~~College System].~~

24           (6) The board shall appoint a personnel committee consisting of the chair of the board,  
 25           one (1) physician member of the board, one (1) ambulance service provider member  
 26           of the board, one (1) additional member of the board selected by the chair of the  
 27           board, and one (1) representative of the *cabinet*~~[Kentucky Community and~~

1 ~~Technical College System administration~~. The personnel committee shall conduct  
 2 an annual job performance review of the executive director, the medical advisor,  
 3 and the board attorney that ~~conforms with the personnel standards of the Kentucky~~  
 4 ~~Community and Technical College System and~~ includes a recommendation for or  
 5 against continued employment to be presented to the **full board** ~~personnel office of~~  
 6 ~~the Kentucky Community and Technical College System~~.

7 (7) All state general fund moneys appropriated to the board, all federal funds, all  
 8 moneys collected by the board, and all equipment owned by the board shall be  
 9 transferred to the **cabinet on the effective date of this Act** ~~Kentucky Community~~  
 10 ~~and Technical College System on July 1, 2006~~.

11 (8) The board shall develop a proposed biennial budget for all administrative and  
 12 operational functions and duties **and shall submit the budget to the cabinet for**  
 13 **inclusion in the Governor's biennial budget proposal** ~~in conjunction with the~~  
 14 ~~Kentucky Community and Technical College System budget submission process.~~  
 15 ~~The Kentucky Community and Technical College System shall not make changes to~~  
 16 ~~the budget proposal submitted by the board, but may submit written comments on~~  
 17 ~~the board's budget proposal to the board and other agencies in the budget~~  
 18 ~~submission process~~.

19 ➔Section 3. KRS 311A.010 is amended to read as follows:

20 As used in this chapter, unless the context otherwise requires:

21 (1) **"Advanced Emergency Medical Technician" or "AEMT" means a person**  
 22 **certified by the board as an advanced emergency medical technician;**

23 **(2)** "Ambulance" means a vehicle which has been inspected and approved by the board,  
 24 including a helicopter or fixed-wing aircraft, except vehicles or aircraft operated by  
 25 the United States government, that are specially designed, constructed, or have been  
 26 modified or equipped with the intent of using the same, for the purpose of  
 27 transporting any individual who is sick, injured, or otherwise incapacitated who

1           may require immediate stabilization or continued medical response and intervention  
2           during transit or upon arrival at the patient's destination to safeguard the patient's  
3           life or physical well-being;

4     ~~(3)~~~~(2)~~    "Ambulance provider" means any individual or private or public organization,  
5           except the United States government, who is licensed by the board to provide  
6           medical transportation services at either basic life support level or advanced life  
7           support level and who may have a vehicle or vehicles, including ground vehicles,  
8           helicopters, or fixed-wing aircraft to provide such transportation. An ambulance  
9           provider may be licensed as an air ambulance provider, as a Class I ground  
10          ambulance provider, as a Class II ground ambulance provider, or as a Class III  
11          ground ambulance provider;

12    ~~(4)~~~~(3)~~    "Board" means the Kentucky Board of Emergency Medical Services;

13    ~~(5)~~~~(4)~~    "**Cabinet**" means **the Public Protection Cabinet**;

14    ~~(6)~~    "Emergency medical facility" means a hospital or any other institution licensed by  
15          the Cabinet for Health and Family Services that furnishes emergency medical  
16          services;

17    ~~(7)~~    "**Emergency medical responder**" means **a person certified under this chapter as**  
18          **an emergency medical responder or emergency medical responder instructor**;

19    ~~(8)~~~~(5)~~    "Emergency medical services" means the services utilized in providing care  
20          for the perceived individual need for immediate medical care to protect against loss  
21          of life, or aggravation of physiological or psychological illness or injury;

22    ~~(9)~~~~(6)~~    "Emergency Medical Services for Children Program" or "EMSC Program"  
23          means the program established under this chapter;

24    ~~(10)~~~~(7)~~    "Emergency medical services personnel" means persons, certified or licensed,  
25          and trained to provide emergency medical services, and an authorized emergency  
26          medical services medical director, whether on a paid or volunteer basis;

27    ~~(11)~~~~(8)~~    "Emergency medical services system" means a coordinated system of health-

1 care delivery that responds to the needs of acutely sick and injured adults and  
2 children, and includes community education and prevention programs, centralized  
3 access and emergency medical dispatch, communications networks, trained  
4 emergency medical services personnel, medical first response, ground and air  
5 ambulance services, trauma care systems, mass casualty management, medical  
6 direction, and quality control and system evaluation procedures;

7 ~~(12)~~~~(9)~~ "Emergency medical services training or educational institution" means any  
8 person or organization which provides emergency medical services training or  
9 education or in-service training, other than a licensed ambulance service which  
10 provides training, or in-service training in-house for its own employees or  
11 volunteers;

12 ~~(13)~~~~(10)~~ "Emergency medical technician" or "EMT" means a person certified under  
13 this chapter as an EMT-basic, EMT-basic instructor, or EMT-instructor trainer;

14 ~~[(11) "First responder" means a person certified under this chapter as a first responder or  
15 first responder instructor;]~~

16 ~~(14)~~~~(12)~~ "Emergency medical services medical director" means a physician licensed in  
17 Kentucky who is employed by, under contract to, or has volunteered to provide  
18 supervision for a paramedic or an ambulance service, or both;

19 ~~(15)~~~~(13)~~ "Paramedic" means a person who is involved in the delivery of medical  
20 services and is licensed under this chapter;

21 ~~(16)~~~~(14)~~ "Paramedic course coordinator" means a person certified under this chapter to  
22 coordinate a paramedic course. A paramedic course coordinator shall not practice as  
23 a paramedic unless they are also licensed as a paramedic;

24 ~~(17)~~~~(15)~~ "Paramedic preceptor" means a licensed paramedic who supervises a  
25 paramedic student during the field portion of the student's training;

26 ~~(18)~~~~(16)~~ "Prehospital care" means the provision of emergency medical services or  
27 transportation by trained and certified or licensed emergency medical services

1 personnel at the scene or while transporting sick or injured persons to a hospital or  
 2 other emergency medical facility; and

3 (19)~~(17)~~ "Trauma" means a single or multisystem life-threatening or limb-threatening  
 4 injury requiring immediate medical or surgical intervention or treatment to prevent  
 5 death or permanent disability.

6 ➔Section 4. KRS 311A.025 is amended to read as follows:

7 (1) The board shall, subject to the provisions of this chapter, create levels of  
 8 certification or licensure, as appropriate for individuals providing services under  
 9 this chapter. These may consist of but not be limited to:

10 (a) *Emergency medical responder and emergency medical*~~First responder and~~  
 11 ~~first~~ responder instructor;

12 (b) Emergency medical technician-basic, emergency medical technician-basic  
 13 instructor, and emergency medical technician-basic instructor trainer;

14 (c) Paramedic, paramedic course coordinator, paramedic instructor, and  
 15 paramedic preceptor;

16 (d) Emergency medical services medical director who supervises a person or  
 17 organization licensed or certified by the board;

18 (e) Emergency medical service training institution;

19 (f) Emergency medical service testing agency;

20 (g) Ground ambulance service, including categories thereof;

21 (h) Air ambulance service;

22 (i) Medical first response provider;

23 (j) Emergency medical dispatcher, emergency medical dispatch instructor, and  
 24 emergency medical dispatch instructor trainer;

25 (k) Emergency medical dispatch center or public safety answering point; and

26 (l) Any other entity authorized by this chapter.

27 (2) The board shall promulgate administrative regulations for any certification or

1 license the board may create. The administrative regulations shall, at a minimum,  
2 address:

- 3 (a) Requirements for students, if appropriate;
- 4 (b) Requirements for training;
- 5 (c) Eligibility for certification or licensure; and
- 6 (d) Renewal, recertification, and relicensure requirements.

7 (3) The board may authorize a physician licensed to practice in Kentucky to serve as an  
8 emergency medical services medical director if that physician meets the  
9 requirements specified by the board by administrative regulation.

10 ➔Section 5. KRS 311A.050 is amended to read as follows:

11 (1) No person shall:

12 (a) Call or hold himself or herself out as or use the title of emergency medical  
13 technician, emergency medical~~first~~ responder, paramedic, emergency  
14 medical~~first~~ responder instructor or instructor trainer, emergency medical  
15 technician instructor or instructor trainer, or paramedic instructor, paramedic  
16 instructor trainer, or paramedic course coordinator unless licensed or certified  
17 under the provisions of this chapter. The provisions of this subsection shall  
18 not apply if the board does not license or certify a person as an instructor,  
19 instructor trainer, or course coordinator in a particular discipline regulated by  
20 the board;

21 (b) Operate or offer to operate or represent or advertise the operation of a school  
22 or other educational program for emergency medical~~first~~ responders,  
23 emergency medical technicians, paramedics, or instructors or instructor  
24 trainers for emergency medical~~first~~ responders, emergency medical  
25 technicians, or paramedics unless the school or educational program has been  
26 approved under the provisions of this chapter. The provisions of this  
27 paragraph shall not apply to continuing education provided by a licensed

1 ambulance service for anyone certified or licensed by the board given by an  
2 ambulance service for its employees or volunteers; or

3 (c) Knowingly employ an emergency medical~~[a first]~~ responder, emergency  
4 medical technician, paramedic, or an instructor or instructor trainer for  
5 emergency medical~~[first]~~ responders, emergency medical technicians, or  
6 paramedics, or paramedic course coordinator unless that person is licensed or  
7 certified under the provisions of this chapter.

8 (2) No person licensed or certified by the board or who is an applicant for licensure or  
9 certification by the board shall:

10 (a) If licensed or certified, violate any provision of this chapter or any  
11 administrative regulation promulgated by the board;

12 (b) Use fraud or deceit in obtaining or attempting to obtain a license or  
13 certification from the board, or be granted a license upon mistake of a material  
14 fact;

15 (c) If licensed or certified by the board, grossly negligently or willfully act in a  
16 manner inconsistent with the practice of the discipline for which the person is  
17 certified or licensed;

18 (d) Be unfit or incompetent to practice a discipline regulated by the board by  
19 reason of negligence or other causes;

20 (e) Abuse, misuse, or misappropriate any drugs placed in the custody of the  
21 licensee or certified person for administration, or for use of others;

22 (f) Falsify or fail to make essential entries on essential records;

23 (g) Be convicted of a misdemeanor which involved acts that bear directly on the  
24 qualifications or ability of the applicant, licensee, or certified person to  
25 practice the discipline for which the person is an applicant, licensee, or  
26 certified person;

27 (h) Be convicted of a misdemeanor which involved fraud, deceit, breach of trust,

- 1 or physical harm or endangerment to self or others, acts that bear directly on  
2 the qualifications or ability of the applicant, licensee, or certificate holder to  
3 practice acts in the license or certification held or sought;
- 4 (i) Be convicted of a misdemeanor offense under KRS Chapter 510 involving a  
5 patient or be found by the board to have had sexual contact as defined in KRS  
6 510.010(7) with a patient while the patient was under the care of the licensee  
7 or certificate holder;
- 8 (j) Have had his or her license or credential to practice as a nurse or physician  
9 denied, limited, suspended, probated, revoked, or otherwise disciplined in  
10 Kentucky or in another jurisdiction on grounds sufficient to cause a license to  
11 be denied, limited, suspended, probated, revoked, or otherwise disciplined in  
12 this Commonwealth;
- 13 (k) Have a license or certification to practice in any activity regulated by the  
14 board denied, limited, suspended, probated, revoked, or otherwise disciplined  
15 in another jurisdiction on grounds sufficient to cause a license or certification  
16 to be denied, limited, suspended, probated, revoked, or otherwise disciplined  
17 in this Commonwealth;
- 18 (l) Violate any lawful order or directive previously entered by the board;
- 19 (m) Have been listed on the nurse aide abuse registry with a substantiated finding  
20 of abuse, neglect, or misappropriation of property; or
- 21 (n) Be convicted of, have entered a guilty plea to, have entered an Alford plea to a  
22 felony offense, or completed a diversion program for a felony offense.
- 23 (3) It shall be unlawful for an employer of a person licensed or certified by the board  
24 having knowledge of the facts to refrain from reporting to the board any person  
25 licensed or certified by the board who:
- 26 (a) Has been convicted of, has entered a guilty plea to, has entered an Alford plea  
27 to a felony offense, or has completed a diversion program for a felony offense;

- 1 (b) Has been convicted of a misdemeanor or felony which involved acts that bear  
2 directly on the qualifications or ability of the applicant, licensee, or certified  
3 person to practice the discipline for which they are an applicant, licensee, or  
4 certified person;
- 5 (c) Is reasonably suspected of fraud or deceit in procuring or attempting to  
6 procure a license or certification from the board;
- 7 (d) Is reasonably suspected of grossly negligently or willfully acting in a manner  
8 inconsistent with the practice of the discipline for which they are certified or  
9 licensed;
- 10 (e) Is reasonably suspected of being unfit or incompetent to practice a discipline  
11 regulated by the board by reason of negligence or other causes, including but  
12 not limited to being unable to practice the discipline for which they are  
13 licensed or certified with reasonable skill or safety;
- 14 (f) Is reasonably suspected of violating any provisions of this chapter or the  
15 administrative regulations promulgated under this chapter;
- 16 (g) Has a license or certification to practice an activity regulated by the board  
17 denied, limited, suspended, probated, revoked, or otherwise disciplined in  
18 another jurisdiction on grounds sufficient to cause a license or certification to  
19 be denied, limited, suspended, probated, revoked, or otherwise disciplined in  
20 this Commonwealth;
- 21 (h) Is practicing an activity regulated by the board without a current active license  
22 or certification issued by the board;
- 23 (i) Is reasonably suspected of abusing, misusing, or misappropriating any drugs  
24 placed in the custody of the licensee or certified person for administration or  
25 for use of others; or
- 26 (j) Is suspected of falsifying or in a grossly negligent manner making incorrect  
27 entries or failing to make essential entries on essential records.

- 1 (4) A person who violates subsection (1)(a), (b), or (c) of this section shall be guilty of  
2 a Class A misdemeanor for a first offense and a Class D felony for each subsequent  
3 offense.
- 4 (5) The provisions of this section shall not preclude prosecution for the unlawful  
5 practice of medicine, nursing, or other practice certified or licensed by an agency of  
6 the Commonwealth.
- 7 (6) The filing of criminal charges or a criminal conviction for violation of the  
8 provisions of this chapter or the administrative regulations promulgated thereunder  
9 shall not preclude the office of the board from instituting or imposing board  
10 disciplinary action authorized by this chapter against any person or organization  
11 violating this chapter or the administrative regulations promulgated thereunder.
- 12 (7) The institution or imposition of disciplinary action by the office of the board against  
13 any person or organization violating the provisions of this chapter or the  
14 administrative regulations promulgated thereunder shall not preclude the filing of  
15 criminal charges against or a criminal conviction of any person or organization for  
16 violation of the provisions of this chapter or the administrative regulations  
17 promulgated thereunder.
- 18 ➔Section 6. KRS 311A.055 is amended to read as follows:
- 19 (1) In accordance with the provisions of KRS Chapter 13B, all discipline for which the  
20 board is authorized to conduct investigations, hold hearings, and impose  
21 punishments is delegated to the executive director, state medical advisor, board  
22 attorney, and hearing panels as provided herein.
- 23 (2) Any person may make a complaint to the executive director that an entity licensed  
24 or certified by the board, **emergency medical**~~first~~ responder, emergency medical  
25 technician, paramedic, emergency medical services medical advisor or other person  
26 licensed or certified by the board has violated a provision of this chapter, an  
27 administrative regulation promulgated pursuant to this chapter, protocol, practice

- 1 standard, or order of the board.
- 2 (3) Each complaint shall:
- 3 (a) Be in writing;
- 4 (b) Identify specifically the person or organization against whom the complaint is  
5 made;
- 6 (c) Set forth the facts relating to the violation alleged and any other supporting  
7 information which may have a bearing on the matter;
- 8 (d) Contain the name, address, telephone number, facsimile number, and e-mail  
9 address, if available, of the complainant;
- 10 (e) Be subscribed and sworn to as to the truth of the statements contained in the  
11 complaint by the complainant; and
- 12 (f) Be notarized.
- 13 (4) A complaint which is unsigned shall not be acted upon by the executive director. A  
14 complaint which is not subscribed and sworn in the manner specified in subsection  
15 (3) of this section shall be returned to the complainant for completion.
- 16 (5) The executive director of the board may, on behalf of the board, based on  
17 knowledge available to the office of the board, make a complaint against any person  
18 or organization regulated by the board in the same manner as provided in subsection  
19 (3) of this section.
- 20 (6) Upon receipt of a properly completed complaint, the executive director shall assign  
21 the complaint to a staff investigator who shall investigate the complaint and shall  
22 make findings of fact and recommendations to the executive director who shall then  
23 convene a preliminary inquiry board.
- 24 (7) When the executive director assigns a complaint to a staff investigator, he or she  
25 shall notify the person or organization against whom the complaint has been filed  
26 and shall notify the employer of an emergency medical~~[a first]~~ responder,  
27 emergency medical technician, or paramedic and the emergency medical services

1 medical director for the organization and for any paramedic against whom the  
2 complaint is filed and any other person or organization specified in this chapter.

3 (8) The notification shall name the person or organization complained against, the  
4 complainant, the violations alleged, and the facts presented in the complaint and  
5 shall notify the person or organization complained against, the employer, and the  
6 emergency medical services medical director of:

7 (a) The fact that the complaint shall be answered, the steps for answering the  
8 complaint, and the action to be taken if the complaint is not answered;

9 (b) The time frame and steps in the proceedings of a complaint;

10 (c) The rights of the parties, including the right to counsel; and

11 (d) The right to testify at any hearing.

12 (9) Upon the failure of a license or certificate holder to respond to a written accusation  
13 or to request a hearing within twenty (20) days after the sending of the accusation,  
14 the accused shall be considered to have admitted the truth of the facts and the  
15 circumstances in the allegation and appropriate discipline may be imposed.

16 (10) The preliminary inquiry board shall consist of one (1) member of the board selected  
17 by the chair, and two (2) persons representing the same category of certification or  
18 licensure as the defendant who are not members of the board appointed by the  
19 chairman of the board.

20 (11) After reviewing the complaint and results of any investigation conducted on behalf  
21 of the board, the preliminary inquiry board shall consider whether the accusation is  
22 sufficient to remand the matter for a hearing as provided in this section and KRS  
23 Chapter 13B. A majority vote of the members of the preliminary inquiry board shall  
24 be necessary for action to either remand the matter for hearing or dismiss the  
25 complaint without hearing.

26 (12) If the preliminary inquiry board dismisses the complaint, all parties notified  
27 previously shall be notified of the action. If the preliminary inquiry board remands

1 the matter for a hearing, all parties notified previously shall be notified of the  
2 action.

3 (13) Each proceeding to consider the imposition of a penalty which the board is  
4 authorized to impose pursuant to this chapter shall be conducted in accordance with  
5 KRS Chapter 13B.

6 (14) A hearing panel for purposes of making a decision in any disciplinary matter shall  
7 consist of one (1) physician who may be a member of the board or who meets the  
8 qualifications of an emergency medical services medical director; one (1) person  
9 from the category of persons or organizations of the same class as the defendant;  
10 and the hearing officer, who shall not be involved in emergency medical services.

11 (15) The hearing officer may issue subpoenas to compel the attendance of witnesses and  
12 the production of documents in the conduct of an investigation. The subpoenas may  
13 be enforced by any Circuit Court for contempt. Any order or subpoena of the court  
14 requiring the attendance and testimony of witnesses and the production of  
15 documentary evidence may be enforced and shall be valid anywhere in this state.

16 (16) At all hearings the board attorney or, on request of the board, the Attorney General  
17 of this state or one (1) of the assistant attorneys general designated shall appear and  
18 represent the board.

19 (17) The emergency medical services provider or related employer of a person licensed  
20 or certified by the board and the emergency medical services medical director of  
21 such a person who is the defendant in a hearing shall be parties to the action and  
22 may appear and testify in the matter at any deposition or hearing on the matter and  
23 may propose conclusions of law, findings of fact, and penalties to the hearing panel.

24 (18) To make a finding or recommend discipline, the two (2) members of the hearing  
25 panel who are not the hearing officer shall agree on the finding or discipline. In the  
26 event of a tie vote, the hearing officer shall cast the deciding vote.

27 (19) The final order in any disciplinary proceeding shall be prepared by the executive

1 director and sent to all parties in the manner prescribed by law.

2 (20) Any person or entity aggrieved by a final order of the board may appeal to the  
3 Franklin Circuit Court in accordance with the provisions of KRS Chapter 13B.

4 (21) The only discipline that the board may impose against an emergency medical  
5 services medical director is denial, suspension or withdrawal of the board's approval  
6 for that person to serve as an emergency medical services medical director.

7 (22) If the executive director substantiates that sexual contact occurred between a  
8 licensee or certificate holder and a patient while the patient was under the care of or  
9 in a professional relationship with the licensee or certificate holder, the license or  
10 certification may be revoked or suspended with mandatory treatment of the person  
11 as prescribed by the executive director. The executive director may require the  
12 licensee or certificate holder to pay a specified amount for mental health services  
13 for the patient which are needed as a result of the sexual contact.

14 ➔Section 7. KRS 311A.060 is amended to read as follows:

15 (1) If it is determined that an entity regulated by the board, a paramedic, emergency  
16 medical~~first~~ responder, or emergency medical technician has violated a statute,  
17 administrative regulation, protocol, or practice standard relating to serving as an  
18 entity regulated by the board, a paramedic, emergency medical~~first~~ responder, or  
19 emergency medical technician, the office of the board may impose any of the  
20 sanctions provided in subsection (2) of this section. Any party to the complaint shall  
21 have the right to propose findings of fact and conclusions of law, and to recommend  
22 sanctions.

23 (2) The office of the board shall require an acceptable plan of correction and may use  
24 any one (1) or more of the following sanctions when disciplining a paramedic,  
25 emergency medical technician first responder, emergency medical technician, or any  
26 entity regulated by the board:

27 (a) Private reprimand that shall be shared with each of the paramedic's,

- 1           emergency medical~~first~~ responder's, or emergency medical technician's  
2           emergency medical services or related employer and medical director;
- 3           (b) Public reprimand;
- 4           (c) Fines of fifty dollars (\$50) to five hundred dollars (\$500) for a natural person  
5           or fifty dollars (\$50) to five thousand dollars (\$5,000) for a public agency or  
6           business entity;
- 7           (d) Revocation of certification or licensure;
- 8           (e) Suspension of licensure until a time certain;
- 9           (f) Suspension until a certain act or acts are performed;
- 10          (g) Limitation of practice permanently;
- 11          (h) Limitation of practice until a time certain;
- 12          (i) Limitation of practice until a certain act or acts are performed;
- 13          (j) Repassing a portion of the paramedic, first responder, or emergency medical  
14          technician examination;
- 15          (k) Probation for a specified time; or
- 16          (l) If it is found that the person who is licensed or certified by the board has been  
17          convicted of, pled guilty to, entered an Alford plea to a felony offense, or has  
18          completed a diversion program for a felony offense the license or certification  
19          shall be revoked.
- 20        (3) The filing of criminal charges or a criminal conviction for violation of the  
21          provisions of this chapter or the administrative regulations promulgated thereunder  
22          shall not preclude the office of the board from instituting or imposing board  
23          disciplinary action authorized by this chapter against any person or organization  
24          violating this chapter or the administrative regulations promulgated thereunder.
- 25        (4) The institution or imposition of disciplinary action by the office of the board against  
26          any person or organization violating the provisions of this chapter or the  
27          administrative regulations promulgated thereunder shall not preclude the filing of

1 criminal charges against or a criminal conviction of any person or organization for  
2 violation of the provisions of this chapter or the administrative regulations  
3 promulgated thereunder.

4 ➔Section 8. KRS 311A.095 is amended to read as follows:

- 5 (1) A paramedic license, emergency medical~~first~~ responder certification, or  
6 emergency medical technician certification shall be valid for a period of two (2)  
7 years.
- 8 (2) Each paramedic license, emergency medical~~first~~ responder certification, or  
9 emergency medical technician certification shall expire on December 31 of the  
10 second year from its issuance.
- 11 (3) The license or certification of every person issued under the provisions of this  
12 chapter shall be renewed at least biennially except as provided in this section. At  
13 least six (6) weeks before the renewal date the office of the board shall mail an  
14 application for renewal to every person for whom a license or certification was  
15 issued during the current licensure or certification period. The applicant shall fill in  
16 the application form and return it to the office of the board with the renewal fee  
17 prescribed by the board in an administrative regulation before the expiration date of  
18 his or her current license or certification. Upon receipt of the application and fee,  
19 the board shall verify the accuracy of the application to determine whether the  
20 licensee or person seeking certification has met all the requirements as set forth in  
21 this chapter and in the administrative regulations promulgated by the board, and, if  
22 so, shall issue to the applicant a license or certification to practice or engage in the  
23 activity for the ensuing licensure or certification period. Such license or certification  
24 shall render the holder a legal practitioner of the practice or activity specified in the  
25 license or certification for the period stated on it. The board shall prescribe by  
26 administrative regulation the beginning and ending of the licensure or certification  
27 period.

- 1 (4) Any person who is licensed or certified by the board who allows his or her license  
2 or certification to lapse by failing to renew the license or certification as provided in  
3 this section may be reinstated by the board on payment of the current fee for  
4 original licensure or certification and by meeting the requirements of administrative  
5 regulations promulgated by the board.
- 6 (5) An application for renewal of a license or certification shall be sent to the last  
7 known address of each licensee or certified person.
- 8 (6) Any person practicing any practice or activity regulated by the board during the time  
9 his or her license or certification has lapsed shall be considered an illegal  
10 practitioner and shall be subject to the penalties provided for violations of this  
11 chapter.
- 12 (7) Failure to receive the application for renewal of a license or certification shall not  
13 relieve a paramedic, emergency medical~~first~~ responder, or emergency medical  
14 technician from the duty to renew his or her license or certification prior to  
15 December 31 of the year in which the license or certification expires.
- 16 (8) The duration of any license or certification issued by the board may be limited by  
17 disciplinary action of the board.
- 18 (9) Every license or certification issued by the board shall have the seal of the board  
19 affixed. A holder of a license or certification shall retain it in his or her possession  
20 and be prepared to exhibit it upon demand by an employer or anyone to whom the  
21 holder of the license or certification offers emergency medical services or any board  
22 or staff member of the Kentucky Board of Emergency Medical Services.
- 23 (10) Failure or refusal to produce a license or certification upon demand shall be prima  
24 facie evidence that no such license or certification exists.
- 25 (11) In order to assure a proper transition during the implementation of the provisions of  
26 this section, the board may, for a period of three (3) years, extend a license or  
27 certification of any person in order to utilize the expiration date provided for in this

1 section. The board shall, in writing, notify each person whose license or  
2 certification is extended of the extension and the new date of expiration. The  
3 extension shall be without charge.

4 ➔Section 9. KRS 311A.110 is amended to read as follows:

5 The board shall, by administrative regulation, require an applicant for licensure as a  
6 paramedic, certification as **an emergency medical**~~[a first]~~ responder, or certification as an  
7 emergency medical technician to have completed a board-approved educational course on  
8 the transmission, control, treatment, and prevention of the human immunodeficiency  
9 virus and acquired immunodeficiency syndrome with an emphasis on appropriate  
10 behavior and attitude change.

11 ➔Section 10. KRS 311A.120 is amended to read as follows:

12 (1) As a condition of being issued a certificate or license as an emergency medical  
13 technician or **emergency medical**~~[first]~~ responder, the applicant shall have  
14 completed a Kentucky Board of Emergency Medical Services approved educational  
15 course on the transmission, control, treatment, and prevention of the human  
16 immunodeficiency virus and acquired immunodeficiency syndrome with an  
17 emphasis on appropriate behavior and attitude change.

18 (2) The board shall require continuing education for emergency medical technicians or  
19 **emergency medical**~~[first]~~ responders that includes the completion of one and one-  
20 half (1.5) hours of board approved continuing education covering the recognition  
21 and prevention of pediatric abusive head trauma, as defined in KRS 620.020, at  
22 least one (1) time every five (5) years. The one and one-half (1.5) hours required  
23 under this section shall be included in the current number of required continuing  
24 education hours.

25 ➔Section 11. KRS 311A.130 is amended to read as follows:

26 (1) The conduct of proper in-service training, including but not limited to in-house in-  
27 service training, in accordance with the standards specified by this chapter,

- 1 administrative regulations, and the standards of relevant United States Department  
2 of Transportation curricula shall be that of the provider of the in-service training.
- 3 (2) If in-service training is conducted by an ambulance service, emergency medical  
4 services provider, or educational institution, the organization, the instructor, and its  
5 medical director share responsibility for the provision of training which meets or  
6 exceeds the requirements of subsection (1) of this section.
- 7 (3) Persons and organizations providing in-service training for emergency  
8 medical~~first~~ responders, emergency medical technicians, or paramedics shall keep  
9 the records required by the board by administrative regulation and shall make them  
10 available to a representative of the board upon request.
- 11 (4) Failure to keep a record required by the board by administrative regulation or  
12 required to be kept by statute, falsifying a record, or grossly negligently maintaining  
13 a record required to be kept by administrative regulation or statute shall be subject  
14 to action by the office of the board.
- 15 (5) Providing in-service training not meeting or exceeding the requirements specified in  
16 subsections (1) and (2) of this section shall be subject to action of the office of the  
17 board.
- 18 (6) Penalties specified in this section shall be in addition to any action which the board  
19 may be permitted to take against the license or certification of any person or  
20 organization.
- 21 (7) The board may refuse to recognize any in-service training not conducted in  
22 accordance with the provisions of this chapter, United States Department of  
23 Transportation curricula, or administrative regulations promulgated pursuant to this  
24 chapter. If the board determines that in-service training will not be accepted, the  
25 denial of credit shall be extended to all persons who completed that specific in-  
26 service training.
- 27 ➔Section 12. KRS 311A.150 is amended to read as follows:

1 A paramedic licensed pursuant to this chapter and *an emergency medical*~~[a first]~~  
2 responder certified pursuant to this chapter shall have the privileges and immunities  
3 specified in KRS 411.148, subject to the provisions of that statute.

4 ➔Section 13. KRS 311A.160 is amended to read as follows:

- 5 (1) *An emergency medical*~~[A first]~~ responder may, subject to the provisions of this  
6 section, perform any procedure:
- 7 (a) Specified in the most recent curriculum of the United States Department of  
8 Transportation training course for *emergency medical*~~[first]~~ responders; and
- 9 (b) Any additional procedure authorized by the board by administrative  
10 regulation.
- 11 (2) When there is a change in the United States Department of Transportation  
12 curriculum for *emergency medical*~~[first]~~ responders or the board approves an  
13 additional skill or procedure by administrative regulation, no person who was not  
14 trained under that curriculum shall perform any activity or procedure authorized by  
15 the new curriculum or administrative regulation unless the person has been trained  
16 according to the new curriculum or administrative regulation and demonstrates  
17 competency in the new knowledge or skill. Competency in a new skill shall be  
18 demonstrated through a return demonstration to a competent evaluator. If the board  
19 adopts the new procedure or skill, the board shall promulgate an administrative  
20 regulation specifying the new procedure, training requirements, examination  
21 requirements, and a time period during which the *emergency medical*~~[first]~~  
22 responder shall successfully complete the new material or lose his or her  
23 certification as *an emergency medical*~~[a first]~~ responder.
- 24 (3) Except as provided in subsection (2) of this section, nothing in this section shall  
25 prevent an employer from exercising reasonable fiscal control over the costs of  
26 providing emergency medical services to its citizens nor to prevent the employer  
27 from exercising any reasonable control over *emergency medical*~~[first]~~ responders

1 providing emergency medical care on behalf of a licensed entity or other provider.

2 (4) Nothing in this section shall be construed to permit utilization of any certified  
3 emergency medical~~[first]~~ responder for the purpose of such individual working  
4 with primary responsibility and duties limited to hospitals, physician's offices,  
5 clinics, or other definitive care facilities, except as an emergency medical~~[a first]~~  
6 responder trainee or as a full-time instructor of emergency medical~~[first]~~  
7 responders.

8 ➔Section 14. KRS 311A.175 is amended to read as follows:

9 (1) No emergency medical~~[first]~~ responder shall perform any act or procedure which  
10 exceeds the scope of practice of an emergency medical~~[a first]~~ responder as  
11 specified in this chapter and in administrative regulations promulgated by the board.

12 (2) No emergency medical technician shall perform any act or procedure which exceeds  
13 the scope of practice of an emergency medical technician as specified in this chapter  
14 and in administrative regulations promulgated by the board.

15 (3) No paramedic shall perform any act or procedure which exceeds the scope of  
16 practice of a paramedic as specified in this chapter, administrative regulations  
17 promulgated by the board, protocol, standing order, or other document approved by  
18 the board.

19 (4) An emergency medical~~[A first]~~ responder, emergency medical technician, or  
20 paramedic is presumed to know the standards of practice for his or her level of  
21 certification or licensure.

22 (5) It is the legal duty of an emergency medical~~[a first]~~ responder, emergency medical  
23 technician, or paramedic to refuse to perform any act or procedure which is beyond  
24 his or her scope of practice regardless of whether that act or procedure is ordered by  
25 a physician, physician assistant, medical director, advanced practice registered  
26 nurse, registered nurse, or supervisor.

27 (6) No employer or organization for which an emergency medical~~[a first]~~ responder,

1 emergency medical technician, or paramedic has volunteered shall reprimand,  
 2 discipline, or dismiss *an emergency medical*~~[a first]~~ responder, emergency medical  
 3 technician, or paramedic who has refused to perform an act or procedure which the  
 4 *emergency medical*~~[first]~~ responder, emergency medical technician, or paramedic  
 5 knows is in violation of the provisions of this section. Violation of this section by  
 6 an employer or by an organization for which *an emergency medical*~~[a first]~~  
 7 responder has volunteered shall be grounds for a legal action for wrongful discipline  
 8 or wrongful discharge, as appropriate.

9 (7) The provisions of this section shall not apply to an order to perform an act or  
 10 procedure:

- 11 (a) For which a license or certification by the board is not required and which  
 12 otherwise do not constitute the unlawful practice of medicine; or
- 13 (b) For which no license or certification is required and does not involve medical  
 14 care or treatment; or
- 15 (c) For which a license or certification issued by an agency other than the board is  
 16 required and the *emergency medical*~~[first]~~ responder, emergency medical  
 17 technician, or paramedic holds such a license or certification.

18 ➔Section 15. KRS 311A.200 is amended to read as follows:

19 (1) The provisions of KRS 311A.050 relating to the certification and licensure of a  
 20 felon as *an emergency medical*~~[a first]~~ responder, emergency medical technician, or  
 21 paramedic to the contrary notwithstanding, the board may issue a limited  
 22 certification as *an emergency medical*~~[a first]~~ responder or emergency medical  
 23 technician or a limited license as a paramedic to a convicted felon who is currently  
 24 serving a sentence for a felony and is in a facility operated by or under contract to  
 25 the Department of Corrections.

26 (2) A felon with a limited certification or license shall be limited to performing his or  
 27 her services only upon other inmates, visitors, or staff of an institution operated by

1 or under contract to the Department of Corrections.

2 (3) Upon release by expiration of sentence, probation, shock probation, parole, or other  
3 form of early release or upon the escape of the inmate from confinement the license  
4 or certification shall automatically terminate. If the inmate has escaped from  
5 confinement he or she shall never be issued a future limited certification or license.

6 (4) All other provisions of this chapter relating to emergency medical~~[first]~~ responders,  
7 emergency medical technicians, paramedics, and their employment and supervision  
8 shall apply to convicted felons with a limited license or certification.

9 (5) An inmate who violates the provisions of this section shall be guilty of a Class D  
10 felony.

11 ➔Section 16. KRS 39F.010 is amended to read as follows:

12 The following definitions apply in this chapter unless the context otherwise requires:

13 (1) "Developmental disability" has the same meaning as in KRS 387.510;

14 (2) "General rescue squad" means a rescue squad which performs one (1) or more of  
15 the following functions as a stated mission of the organization:

16 (a) Light duty rescue;

17 (b) Extrication of persons from vehicles;

18 (c) Water rescue and recovery operations not utilizing divers;

19 (d) Search for lost, trapped, or missing persons not utilizing dogs;

20 (e) Low angle rescue and recovery operations; and

21 (f) High angle rescue and recovery operations;

22 (3) "Impaired person" means a person who has a known or reported:

23 (a) Developmental disability, including but not limited to autism, or traumatic  
24 brain injury and whose disappearance poses a credible threat to the health or  
25 safety of the person, as determined by the Department of Kentucky State  
26 Police or a local law enforcement agency; or

27 (b) Physical, mental, or cognitive impairment or organic brain disorder, including

- 1 but not limited to Alzheimer's disease, and whose disappearance poses a  
2 credible threat to the health or safety of the person, as determined by the  
3 Department of Kentucky State Police or a local law enforcement agency;
- 4 (4) "Reports and notification" means the reporting and notification of any search and  
5 rescue mission to the appropriate agency or person in the manner as specified by  
6 this chapter;
- 7 (5) "Rescue" means gaining access, rendering appropriate care, and transporting of a  
8 person or persons by whatever means, to a safe environment for appropriate care;
- 9 (6) "Rescue squad" means any organization which engages in the search for lost  
10 persons, rescue of persons, rescue of persons who are trapped or who are in need of  
11 rescue services, search for and recovery of drowned persons, or any other rescue  
12 related activity. "Rescue squad" shall not include the rescue of persons from a fire  
13 by a fire department, the extrication of persons from a vehicle or other activities  
14 which an emergency medical technician, emergency medical~~[a technician first]~~  
15 responder, or paramedic is authorized to perform pursuant to applicable statutes and  
16 administrative regulations, if the activities are performed by a person for an  
17 ambulance service or in the role of an emergency medical~~[a first]~~ responder. If  
18 these activities are performed other than as an emergency medical~~[a first]~~  
19 responder or in the role of an ambulance service and are involved in rescue  
20 operations, they come within the purview of activities of a rescue squad;
- 21 (7) "Search" means the process of looking for a person or persons whose location is not  
22 precisely known, and who may be in distress;
- 23 (8) "Search and rescue" ("SAR") means the process of looking for a lost, missing, or  
24 overdue person or persons who may be in distress, and rendering care with the use  
25 of appropriately trained and adequately equipped personnel;
- 26 (9) "Search and rescue mission" includes, but is not limited to, searching for a missing  
27 or lost person or persons, cave rescue, high angle or rough terrain rescue, urban

1 search and rescue, dive rescue and recovery of drowning victims, inland water  
2 search, rescue, and recovery. "Search and rescue" may also include any mission  
3 permitted pursuant to this chapter. A "search and rescue mission" does not include  
4 mine rescue missions under the jurisdiction of the Department for Natural  
5 Resources pursuant to KRS Chapter 351;

- 6 (10) "Specialized rescue squad" means a rescue squad which performs one (1) or more  
7 of the following functions as the primary or sole mission of the organization:
- 8 (a) Cave rescue;
  - 9 (b) Search utilizing dogs for lost, trapped or missing persons;
  - 10 (c) Search for lost, trapped or missing persons, aircraft, or vehicles, utilizing  
11 aircraft, but does not apply to licensed air ambulances, active or reserve  
12 military organizations, the National Guard, or the Civil Air Patrol; and
  - 13 (d) Water rescue and recovery operations utilizing divers;
- 14 (11) "Traumatic brain injury" has the same meaning as in KRS 211.470; and  
15 (12) "Victim recovery" means the search for and the removal to the jurisdiction of the  
16 coroner of the remains of a person known or believed to be dead. If the person is  
17 found alive, it includes rescue of the person.

18 ➔Section 17. KRS 42.734 is amended to read as follows:

19 The Kentucky Wireless Interoperability Executive Committee is hereby created to address  
20 communications interoperability, a homeland security issue which is critical to the ability  
21 of public safety emergency medical~~first~~ responders to communicate with each other by  
22 radio. The committee shall advise and make recommendations to the executive director of  
23 the Commonwealth Office of Technology regarding strategic wireless initiatives to  
24 achieve public safety voice and data communications interoperability.

25 ➔Section 18. KRS 95A.262 is amended to read as follows:

- 26 (1) The Commission on Fire Protection Personnel Standards and Education shall, in  
27 cooperation with the Cabinet for Health and Family Services, develop and

1 implement a continuing program to inoculate every paid and volunteer firefighter in  
2 Kentucky against hepatitis B. The program shall be funded from revenues allocated  
3 to the Firefighters Foundation Program fund pursuant to KRS 136.392 and 42.190.  
4 Any fire department which has inoculated its personnel during the period of July 1,  
5 1991 to July 14, 1992, shall be reimbursed from these revenues for its costs incurred  
6 up to the amount allowed by the Cabinet for Human Resources for hepatitis B  
7 inoculations.

8 (2) Except as provided in subsection (3) of this section, the Commission on Fire  
9 Protection Personnel Standards and Education shall allot on an annual basis a share  
10 of the funds accruing to and appropriated for volunteer fire department aid to  
11 volunteer fire departments in cities of all classes, fire protection districts organized  
12 pursuant to KRS Chapter 75, county districts established under authority of KRS  
13 67.083, and volunteer fire departments created as nonprofit corporations pursuant to  
14 KRS Chapter 273. The commission shall allot eight thousand dollars (\$8,000)  
15 annually to each qualifying department, and beginning on July 1, 2001, the  
16 commission shall allot eight thousand two hundred fifty dollars (\$8,250) annually to  
17 each qualifying department. Any qualifying department which fails to participate  
18 satisfactorily in the Kentucky fire incident reporting system as described in KRS  
19 304.13-380 shall forfeit annually five hundred dollars (\$500) of its allotment. If two  
20 (2) or more qualified volunteer fire departments, as defined in KRS 95A.500 to  
21 95A.560, merge after January 1, 2000, then the allotment shall be in accordance  
22 with the provisions of KRS 95A.500 to 95A.560. Administrative regulations for  
23 determining qualifications shall be based on the number of both paid firefighters  
24 and volunteer firemen within a volunteer fire department, the amount of equipment,  
25 housing facilities available, and such other matters or standards as will best effect  
26 the purposes of the volunteer fire department aid law. A qualifying department shall  
27 include at least twelve (12) firefighters, a chief, and at least one (1) operational fire

1 apparatus or one (1) on order. Fifty percent (50%) of the firefighters shall have  
2 completed at least one-half (1/2) of one hundred fifty (150) training hours, or as  
3 otherwise established by the commission under KRS 95A.240(6), toward  
4 certification within the first six (6) months of the first year of the department's  
5 application for certification, and there shall be a plan to complete the one hundred  
6 fifty (150) training hours, or as otherwise established by the commission by KRS  
7 95A.240(6), within the second year. These personnel, equipment, and training  
8 requirements shall not be made more stringent by the promulgation of  
9 administrative regulations. No allotment shall exceed the total value of the funds,  
10 equipment, lands, and buildings made available to the local fire units from any  
11 source whatever for the year in which the allotment is made. A portion of the funds  
12 provided for above may be used to purchase group or blanket health insurance and  
13 shall be used to purchase workers' compensation insurance, and the remaining funds  
14 shall be distributed as set forth in this section.

15 (3) There shall be allotted two hundred thousand dollars (\$200,000) of the insurance  
16 premium surcharge proceeds accruing to the Firefighters Foundation Program fund  
17 that shall be allocated each fiscal year of the biennium to the firefighters training  
18 center fund, which is hereby created and established, for the purposes of  
19 constructing new or upgrading existing training centers for firefighters. If any  
20 moneys in the training center fund remain uncommitted, unobligated, or  
21 unexpended at the close of the first fiscal year of the biennium, then such moneys  
22 shall be carried forward to the second fiscal year of the biennium, and shall be  
23 reallocated to and for the use of the training center fund, in addition to the second  
24 fiscal year's allocation of two hundred thousand dollars (\$200,000). Prior to funding  
25 any project pursuant to this subsection, a proposed project shall be approved by the  
26 Commission on Fire Protection Personnel Standards and Education as provided in  
27 subsection (4) of this section and shall comply with state laws applicable to capital

1 construction projects.

2 (4) Applications for funding low-interest loans and firefighters' training centers shall be  
3 submitted to the Commission on Fire Protection Personnel Standards and Education  
4 for their recommendation, approval, disapproval, or modification. The commission  
5 shall review applications periodically, and shall, subject to funds available,  
6 recommend which applications shall be funded and at what levels, together with any  
7 terms and conditions the commission deems necessary.

8 (5) Any department or entity eligible for and receiving funding pursuant to this section  
9 shall have a minimum of fifty percent (50%) of its personnel certified as recognized  
10 by the Commission on Fire Protection Personnel Standards and Education.

11 (6) Upon the written request of any department, the Commission on Fire Protection  
12 Personnel Standards and Education shall make available a certified training  
13 program in a county of which such department is located.

14 (7) The amount of reimbursement for any given year for costs incurred by the Kentucky  
15 Community and Technical College System for administering these funds, including  
16 but not limited to the expenses and costs of commission operations, shall be  
17 determined by the commission and shall not exceed five percent (5%) of the total  
18 amount of moneys accruing to the Firefighters Foundation Program fund which are  
19 allotted for the purposes specified in this section during any fiscal year.

20 (8) The commission shall withhold from the general distribution of funds under  
21 subsection (2) of this section an amount which it deems sufficient to reimburse  
22 volunteer fire departments for equipment lost or damaged beyond repair due to  
23 hazardous material incidents.

24 (9) Moneys withheld pursuant to subsection (8) of this section shall be distributed only  
25 under the following terms and conditions:

26 (a) A volunteer fire department has lost or damaged beyond repair items of  
27 personal protective clothing or equipment due to that equipment having been

- 1           lost or damaged as a result of an incident in which a hazardous material (as  
2           defined in any state or federal statute or regulation) was the causative agent of  
3           the loss;
- 4           (b) The volunteer fire department has made application in writing to the  
5           commission for reimbursement in a manner approved by the commission and  
6           the loss and the circumstances thereof have been verified by the commission;
- 7           (c) The loss of or damage to the equipment has not been reimbursed by the person  
8           responsible for the hazardous materials incident or by any other person;
- 9           (d) The commission has determined that the volunteer fire department does not  
10          have the fiscal resources to replace the equipment;
- 11          (e) The commission has determined that the equipment sought to be replaced is  
12          immediately necessary to protect the lives of the volunteer firefighters of the  
13          fire department;
- 14          (f) The fire department has agreed in writing to subrogate all claims for and rights  
15          to reimbursement for the lost or damaged equipment to the Commonwealth to  
16          the extent that the Commonwealth provides reimbursement to the department;  
17          and
- 18          (g) The department has shown to the satisfaction of the commission that it has  
19          made reasonable attempts to secure reimbursement for its losses from the  
20          person responsible for the hazardous materials incident and has been  
21          unsuccessful in the effort.
- 22   (10) If a volunteer fire department has met all of the requirements of subsection (9) of  
23          this section, the commission may authorize a reimbursement of equipment losses  
24          not exceeding ten thousand dollars (\$10,000) or the actual amount of the loss,  
25          whichever is less.
- 26   (11) Moneys which have been withheld during any fiscal year which remain unexpended  
27          at the end of the fiscal year shall be distributed in the normal manner required by

1 subsection (2) of this section during the following fiscal year.

2 (12) No volunteer fire department may receive funding for equipment losses more than  
3 once during any fiscal year.

4 (13) The commission shall make reasonable efforts to secure reimbursement from the  
5 responsible party for any moneys awarded to a fire department pursuant to this  
6 section.

7 (14) There shall be allotted each year of the 1992-93 biennium one million dollars  
8 (\$1,000,000), and each year of the 1994-95, 1996-97, 1998-99, and 2000-01  
9 bienniums one million dollars (\$1,000,000) of the insurance premium surcharge  
10 proceeds accruing to the Firefighters Foundation Program fund for the purpose of  
11 creating a revolving low-interest loan fund, which shall thereafter be self-sufficient  
12 and derive its operating revenues from principal and interest payments. The  
13 commission, in accordance with the procedures in subsection (4) of this section,  
14 may make low-interest loans, and the interest thereon shall not exceed three percent  
15 (3%) annually or the amount needed to sustain operating expenses of the loan fund,  
16 whichever is less, to volunteer fire departments for the purposes of major equipment  
17 purchases and facility construction. Loans shall be made to departments which  
18 achieve the training standards necessary to qualify for volunteer fire department aid  
19 allotted pursuant to subsection (2) of this section, and which do not have other  
20 sources of funds at rates which are favorable given their financial resources. The  
21 proceeds of loan payments shall be returned to the loan fund for the purpose of  
22 providing future loans. If a department does not make scheduled loan payments, the  
23 commission may withhold any grants payable to the department pursuant to  
24 subsection (2) of this section until the department is current on its payments. Money  
25 in the low-interest loan fund shall be used only for the purposes specified in this  
26 subsection. Any funds remaining in the fund at the end of a fiscal year shall be  
27 carried forward to the next fiscal year for the purposes of the fund.

- 1 (15) For fiscal year 2004-2005 and each fiscal year thereafter, there is allotted one  
2 million dollars (\$1,000,000) from the fund established in KRS 95A.220 to be used  
3 by the commission to conduct training-related activities.
- 4 (16) If funding is available from the fund established in KRS 95A.220, the Commission  
5 on Fire Protection Personnel Standards and Education may implement the  
6 following:
- 7 (a) A program to prepare emergency service personnel for handling potential  
8 man-made and non-man-made threats. The commission shall work in  
9 conjunction with the state fire marshal and other appropriate agencies and  
10 associations to identify and make maps of gas transmission and hazardous  
11 liquids pipelines in the state;
- 12 (b) A program to provide and maintain a mobile test facility in each training  
13 region established by the Commission on Fire Protection Personnel Standards  
14 and Education with equipment to administer Comprehensive Physical  
15 Aptitude Tests (CPAT) to ascertain a firefighter's ability to perform the  
16 physical requirements necessary to be an effective and safe firefighter;
- 17 (c) A program to provide defensive driving training tactics to firefighters. The  
18 commission shall purchase, instruct in the use of, and maintain mobile  
19 equipment in each of the training regions, and fund expenses related to  
20 equipment replacement;
- 21 (d) A program to annually evaluate equipment adequacy and to provide for annual  
22 physical examinations for instructors, adequate protective clothing and  
23 personal equipment to meet NFPA guidelines, and to establish procedures for  
24 replacing this equipment as needed;
- 25 (e) A program to establish a rotational expansion and replacement program for  
26 mobile fleet equipment currently used for training and recertification of fire  
27 departments;

- 1 (f) A program to expand and update current EMS, emergency medical~~first~~  
2 responder, EMT, and paramedic training and certification instruction; and
- 3 (g) A program to purchase thermal vision devices to comply with the provisions  
4 of KRS 95A.400 to 95A.440.

5 ➔Section 19. KRS 160.445 is amended to read as follows:

- 6 (1) (a) The Kentucky Board of Education or organization or agency designated by the  
7 board to manage interscholastic athletics shall require each interscholastic  
8 coach to complete a sports safety course consisting of training on how to  
9 prevent common injuries. The content of the course shall include but not be  
10 limited to emergency planning, heat and cold illnesses, emergency  
11 recognition, head injuries including concussions, neck injuries, facial injuries,  
12 and principles of first aid. The course shall also be focused on safety  
13 education and shall not include coaching principles.
- 14 (b) The state board or its agency shall:
- 15 1. Establish a minimum timeline for a coach to complete the course;
- 16 2. Approve providers of a sports safety course;
- 17 3. Be responsible for ensuring that an approved course is taught by  
18 qualified professionals who shall either be athletic trainers, registered  
19 nurses, physicians, or physician's assistants licensed to practice in  
20 Kentucky; and
- 21 4. Establish the minimum qualifying score for successful course  
22 completion.
- 23 (c) A course shall be reviewed for updates at least once every thirty (30) months  
24 and revised if needed.
- 25 (d) A course shall be able to be completed through hands-on or online teaching  
26 methods in ten (10) clock hours or less.
- 27 (e) 1. A course shall include an end-of-course examination with a minimum

1           qualifying score for successful course completion established by the  
2           board or its agency.

3           2. All coaches shall be required to take the end-of-course examination and  
4           shall obtain at least the minimum qualifying score.

5           (f) Beginning with the 2009-2010 school year, and each year thereafter, at least  
6           one (1) person who has completed the course shall be at every interscholastic  
7           athletic practice and competition.

8           (2) (a) Beginning with the 2012-2013 school year, and each year thereafter, the state  
9           board or its agency shall require each interscholastic coach to complete  
10          training on how to recognize the symptoms of a concussion and how to seek  
11          proper medical treatment for a person suspected of having a concussion. The  
12          training shall be approved by the state board or its agency and may be  
13          included in the sports safety course required under subsection (1)(a) of this  
14          section.

15          (b) The board or its agency shall develop guidelines and other pertinent  
16          information or adopt materials produced by other agencies to inform and  
17          educate student athletes and their parents or legal guardians of the nature and  
18          risk of concussion and head injury, including the continuance of play after  
19          concussion or head injury. Any required physical examination and parental  
20          authorization shall include acknowledgement of the education information  
21          required under this paragraph.

22          (c) Upon request, the board or its agency shall make available to the public any  
23          training materials developed by the board or agency used to satisfy the  
24          requirements of paragraph (a) of this subsection. The board or its agency shall  
25          not be held liable for the use of any training materials so disseminated.

26          (3) (a) A student athlete suspected by an interscholastic coach, school athletic  
27          personnel, or contest official of sustaining a concussion during an athletic

1 practice or competition shall be removed from play at that time and shall not  
2 return to play prior to the ending of the practice or competition until the  
3 athlete is evaluated to determine if a concussion has occurred. The evaluation  
4 shall be completed by a physician or a licensed health care provider whose  
5 scope of practice and training includes the evaluation and management of  
6 concussions and other brain injuries. A student athlete shall not return to play  
7 on the date of a suspected concussion absent the required evaluation.

8 (b) A student athlete may return to play if it is determined no concussion has  
9 occurred.

10 (c) A student athlete deemed to be concussed shall not return to participate in any  
11 athletic practice or competition occurring on the day of the injury. The injured  
12 student athlete shall not be allowed to participate in any subsequent practice or  
13 athletic competition unless written clearance from a physician is provided.

14 (4) (a) The state board or its agency shall adopt rules governing interscholastic  
15 athletics conducted by local boards of education to require each school that  
16 participates in interscholastic athletics to develop a venue-specific emergency  
17 action plan to deal with serious injuries and acute medical conditions in which  
18 the condition of the patient may deteriorate rapidly. The plan shall:

19 1. Include a delineation of role, methods of communication, available  
20 emergency equipment, and access to and plan for emergency transport;  
21 and

22 2. Be in writing, reviewed by the principal of the school, distributed to all  
23 appropriate personnel, posted conspicuously at all venues, and reviewed  
24 and rehearsed annually by all licensed athletic trainers, emergency  
25 medical~~[first]~~ responders, coaches, school nurses, athletic directors, and  
26 volunteers for interscholastic athletics.

27 (b) Each school shall submit annual written verification of the existence of a

1 venue-specific emergency action plan to the state board or its agency.

2 (5) Each school shall maintain complete and accurate records of its compliance with  
3 this section and shall make the records available for review by the state board or its  
4 agency upon request.

5 ➔Section 20. KRS 311.550 is amended to read as follows:

6 As used in KRS 311.530 to 311.620 and KRS 311.990(4) to (6):

- 7 (1) "Board" means the State Board of Medical Licensure;
- 8 (2) "President" means the president of the State Board of Medical Licensure;
- 9 (3) "Secretary" means the secretary of the State Board of Medical Licensure;
- 10 (4) "Executive director" means the executive director of the State Board of Medical  
11 Licensure or any assistant executive directors appointed by the board;
- 12 (5) "General counsel" means the general counsel of the State Board of Medical  
13 Licensure or any assistant general counsel appointed by the board;
- 14 (6) "Regular license" means a license to practice medicine or osteopathy at any place in  
15 this state;
- 16 (7) "Limited license" means a license to practice medicine or osteopathy in a specific  
17 institution or locale to the extent indicated in the license;
- 18 (8) "Temporary permit" means a permit issued to a person who has applied for a regular  
19 license, and who appears from verifiable information in the application to the  
20 executive director to be qualified and eligible therefor;
- 21 (9) "Emergency permit" means a permit issued to a physician currently licensed in  
22 another state, authorizing the physician to practice in this state for the duration of a  
23 specific medical emergency, not to exceed thirty (30) days;
- 24 (10) Except as provided in subsection (11) of this section, the "practice of medicine or  
25 osteopathy" means the diagnosis, treatment, or correction of any and all human  
26 conditions, ailments, diseases, injuries, or infirmities by any and all means,  
27 methods, devices, or instrumentalities;

- 1 (11) The "practice of medicine or osteopathy" does not include the practice of Christian  
2 Science, the domestic administration of family remedies, the rendering of first aid  
3 or medical assistance in an emergency in the absence of a person licensed to  
4 practice medicine or osteopathy under the provisions of this chapter, the use of  
5 automatic external defibrillators in accordance with the provisions of KRS 311.665  
6 to 311.669, the practice of podiatry as defined in KRS 311.380, the practice of a  
7 midlevel health care practitioner as defined in KRS 216.900, the practice of  
8 dentistry as defined in KRS 313.010, the practice of optometry as defined in KRS  
9 320.210, the practice of chiropractic as defined in subsection (2) of KRS 312.015,  
10 the practice as a nurse as defined in KRS 314.011, the practice of physical therapy  
11 as defined in KRS 327.010, the performance of duties for which they have been  
12 trained by paramedics licensed under KRS Chapter 311A, emergency medical~~first~~  
13 responders~~[-]~~ or emergency medical technicians certified under Chapter 311A, the  
14 practice of pharmacy by persons licensed and registered under KRS 315.050, the  
15 sale of drugs, nostrums, patented or proprietary medicines, trusses, supports,  
16 spectacles, eyeglasses, lenses, instruments, apparatus, or mechanisms that are  
17 intended, advertised, or represented as being for the treatment, correction, cure, or  
18 relief of any human ailment, disease, injury, infirmity, or condition, in regular  
19 mercantile establishments, or the practice of midwifery by women. KRS 311.530 to  
20 311.620 shall not be construed as repealing the authority conferred on the Cabinet  
21 for Health and Family Services by KRS Chapter 211 to provide for the instruction,  
22 examination, licensing, and registration of all midwives through county health  
23 officers;
- 24 (12) "Physician" means a doctor of medicine or a doctor of osteopathy;
- 25 (13) "Grievance" means any allegation in whatever form alleging misconduct by a  
26 physician;
- 27 (14) "Charge" means a specific allegation alleging a violation of a specified provision of

- 1           this chapter;
- 2   (15) "Complaint" means a formal administrative pleading that sets forth charges against  
3           a physician and commences a formal disciplinary proceeding;
- 4   (16) As used in KRS 311.595(4), "crimes involving moral turpitude" shall mean those  
5           crimes which have dishonesty as a fundamental and necessary element, including  
6           but not limited to crimes involving theft, embezzlement, false swearing, perjury,  
7           fraud, or misrepresentation;
- 8   (17) "Telehealth" means the use of interactive audio, video, or other electronic media to  
9           deliver health care. It includes the use of electronic media for diagnosis,  
10          consultation, treatment, transfer of medical data, and medical education;
- 11   (18) "Order" means a direction of the board or its panels made or entered in writing that  
12          determines some point or directs some step in the proceeding and is not included in  
13          the final order;
- 14   (19) "Agreed order" means a written document that includes but is not limited to  
15          stipulations of fact or stipulated conclusions of law that finally resolves a grievance,  
16          a complaint, or a show cause order issued informally without expectation of further  
17          formal proceedings in accordance with KRS 311.591(6);
- 18   (20) "Final order" means an order issued by the hearing panel that imposes one (1) or  
19          more disciplinary sanctions authorized by this chapter;
- 20   (21) "Letter of agreement" means a written document that informally resolves a  
21          grievance, a complaint, or a show cause order and is confidential in accordance with  
22          KRS 311.619;
- 23   (22) "Letter of concern" means an advisory letter to notify a physician that, although  
24          there is insufficient evidence to support disciplinary action, the board believes the  
25          physician should modify or eliminate certain practices and that the continuation of  
26          those practices may result in action against the physician's license;
- 27   (23) "Motion to revoke probation" means a pleading filed by the board alleging that the

1           licensee has violated a term or condition of probation and that fixes a date and time  
2           for a revocation hearing;

3       (24) "Revocation hearing" means a hearing conducted in accordance with KRS Chapter  
4           13B to determine whether the licensee has violated a term or condition of probation;

5       (25) "Chronic or persistent alcoholic" means an individual who is suffering from a  
6           medically diagnosable disease characterized by chronic, habitual, or periodic  
7           consumption of alcoholic beverages resulting in the interference with the  
8           individual's social or economic functions in the community or the loss of powers of  
9           self-control regarding the use of alcoholic beverages;

10      (26) "Addicted to a controlled substance" means an individual who is suffering from a  
11           medically diagnosable disease characterized by chronic, habitual, or periodic use of  
12           any narcotic drug or controlled substance resulting in the interference with the  
13           individual's social or economic functions in the community or the loss of powers of  
14           self-control regarding the use of any narcotic drug or controlled substance;

15      (27) "Provisional permit" means a temporary permit issued to a licensee engaged in the  
16           active practice of medicine within this Commonwealth who has admitted to  
17           violating any provision of KRS 311.595 that permits the licensee to continue the  
18           practice of medicine until the board issues a final order on the registration or  
19           reregistration of the licensee;

20      (28) "Fellowship training license" means a license to practice medicine or osteopathy in  
21           a fellowship training program as specified by the license; and

22      (29) "Special faculty license" means a license to practice medicine that is limited to the  
23           extent that this practice is incidental to a necessary part of the practitioner's  
24           academic appointment at an accredited medical school program or osteopathic  
25           school program and any affiliated institution for which the medical school or  
26           osteopathic school has assumed direct responsibility.

27      ➔Section 21. KRS 311.669 is amended to read as follows:

- 1 (1) The provisions of KRS 311.665 to 311.669 shall not apply to the use of an AED by:
- 2 (a) Physicians, podiatrists, or osteopaths licensed under KRS Chapter 311 or
- 3 chiropractors licensed under KRS Chapter 312;
- 4 (b) Physician assistants as defined in KRS 311.550;
- 5 (c) Registered nurses, practical nurses, or advanced practice registered nurses
- 6 licensed under KRS Chapter 314;
- 7 (d) Dentists licensed under KRS Chapter 313; or
- 8 (e) Paramedics licensed, or emergency medical~~first~~ responders or emergency
- 9 medical technicians certified, under KRS Chapter 311A.
- 10 (2) Nothing in this section shall preclude the licensing boards referred to in subsection
- 11 (1) of this section from requiring continuing education or training on the use of an
- 12 AED.
- 13 ➔Section 22. KRS 352.640 is amended to read as follows:
- 14 (1) An emergency action plan shall be submitted with each application for a license to
- 15 operate an underground mine. The emergency action plan shall be for use during
- 16 emergencies at the licensed facility. The plan shall consist of the following
- 17 components:
- 18 (a) A certification, submitted by the applicant, that the telephone or equivalent
- 19 two-way communications system will be in place and functioning at the
- 20 facility when operation begins;
- 21 (b) A listing of the telephone numbers of the facility personnel, state and federal
- 22 regulatory agencies, and state, federal, and local emergency response agencies
- 23 to be contacted in the event of a mine emergency;
- 24 (c) The positions and telephone numbers of the persons designated by the licensee
- 25 to implement the emergency action plan during mine emergencies;
- 26 (d) The name of the ambulance service or emergency medical~~first~~ responder
- 27 with which the licensee has made arrangements to provide twenty-four (24)

- 1 hour emergency medical assistance for any person injured at the licensed  
2 facility;
- 3 (e) A copy of the licensed facility's mine emergency evacuation and firefighting  
4 plan, if one is required; and
- 5 (f) A training schedule for all personnel as to their responsibilities under the  
6 emergency action plan. On site, each licensed facility shall maintain a log  
7 containing training dates, the personnel trained, and their positions and shifts.
- 8 (2) The licensee shall provide a revised copy of the plan to the regional office and the  
9 Frankfort office of the Division of Mine Safety within ten (10) days of a change in  
10 any of the information required in subsection (1) of this section becoming effective.
- 11 (3) The licensee shall be responsible for ensuring that copies of the licensed facility's  
12 emergency action plan are submitted to the appropriate regional office and to the  
13 Frankfort office of the Division of Mine Safety. Copies of the plan also shall be  
14 kept on the premises of the licensed facility where it shall be made open to  
15 inspection by the licensee's employees and their independent contractors and  
16 inspectors.
- 17 (4) Each licensed facility shall post in a prominent place at the mine office a copy of all  
18 emergency contact numbers. The list of emergency contact numbers shall be made  
19 available to the licensee's employees and their independent contractors during  
20 training on the emergency action plan.
- 21 (5) Each licensed facility shall train all employees of the licensee, including their  
22 independent contractors, at the beginning of their employment with the licensed  
23 facility and on an annual basis on the emergency action plan and the persons  
24 responsible for the plan's implementation.
- 25 (6) Each licensed facility on which an underground mine is operated shall develop and  
26 implement a mine emergency evacuation and firefighting program that instructs all  
27 miners and other personnel of the licensed facility in the proper evacuation

1 procedures they must follow if a mine emergency occurs. The program, and any  
2 revisions thereto, must be submitted to the director or his designee. All personnel of  
3 the licensed facility, including independent contractors, shall be trained in the  
4 performance of the plan's revisions prior to any of the revisions being implemented.  
5 The program shall include a plan to train all miners on all shifts with procedures  
6 for:

- 7 (a) Mine emergency evacuation for mine emergencies that present an imminent  
8 danger to miners due to fire, explosion, or gas, or water inundation;
- 9 (b) Evacuation of all miners not required for a mine emergency response;
- 10 (c) Rapid assembly and transportation of necessary miners, fire suppression  
11 equipment, and rescue apparatus to the scene of the mine emergency; and
- 12 (d) Operation of fire suppression equipment available in the mine.

13 ➔Section 23. KRS 620.055 is amended to read as follows:

- 14 (1) An external child fatality and near fatality review panel is hereby created and  
15 established for the purpose of conducting comprehensive reviews of child fatalities  
16 and near fatalities, reported to the Cabinet for Health and Family Services,  
17 suspected to be a result of abuse or neglect. The panel shall be attached to the  
18 Justice and Public Safety Cabinet for staff and administrative purposes.
- 19 (2) The external child fatality and near fatality review panel shall be composed of the  
20 following five (5) ex officio nonvoting members and fifteen (15) voting members:
  - 21 (a) The chairperson of the House Health and Welfare Committee of the Kentucky  
22 General Assembly, who shall be an ex officio nonvoting member;
  - 23 (b) The chairperson of the Senate Health and Welfare Committee of the Kentucky  
24 General Assembly, who shall be an ex officio nonvoting member;
  - 25 (c) The commissioner of the Department for Community Based Services, who  
26 shall be an ex officio nonvoting member;
  - 27 (d) The commissioner of the Department for Public Health, who shall be an ex

- 1           officio nonvoting member;
- 2           (e) A family court judge selected by the Chief Justice of the Kentucky Supreme  
3           Court, who shall be an ex officio nonvoting member;
- 4           (f) A pediatrician from the University of Kentucky's Department of Pediatrics  
5           who is licensed and experienced in forensic medicine relating to child abuse  
6           and neglect to be selected by the Attorney General from a list of three (3)  
7           names provided by the dean of the University of Kentucky School of  
8           Medicine;
- 9           (g) A pediatrician from the University of Louisville's Department of Pediatrics  
10           who is licensed and experienced in forensic medicine relating to child abuse  
11           and neglect to be selected by the Attorney General from a list of three (3)  
12           names provided by the dean of the University of Louisville School of  
13           Medicine;
- 14           (h) The state medical examiner or designee;
- 15           (i) A court-appointed special advocate (CASA) program director to be selected  
16           by the Attorney General from a list of three (3) names provided by the  
17           Kentucky CASA Association;
- 18           (j) A peace officer with experience investigating child abuse and neglect fatalities  
19           and near fatalities to be selected by the Attorney General from a list of three  
20           (3) names provided by the commissioner of the Kentucky State Police;
- 21           (k) A representative from Prevent Child Abuse Kentucky, Inc. to be selected by  
22           the Attorney General from a list of three (3) names provided by the president  
23           of the Prevent Child Abuse Kentucky, Inc. board of directors;
- 24           (l) A practicing local prosecutor to be selected by the Attorney General;
- 25           (m) The executive director of the Kentucky Domestic Violence Association or the  
26           executive director's designee;
- 27           (n) The chairperson of the State Child Fatality Review Team established in

- 1 accordance with KRS 211.684 or the chairperson's designee;
- 2 (o) A practicing social work clinician to be selected by the Attorney General from
- 3 a list of three (3) names provided by the Board of Social Work;
- 4 (p) A practicing addiction counselor to be selected by the Attorney General from
- 5 a list of three (3) names provided by the Kentucky Association of Addiction
- 6 Professionals;
- 7 (q) A representative from the family resource and youth service centers to be
- 8 selected by the Attorney General from a list of three (3) names submitted by
- 9 the Cabinet for Health and Family Services;
- 10 (r) A representative of a community mental health center to be selected by the
- 11 Attorney General from a list of three (3) names provided by the Kentucky
- 12 Association of Regional Mental Health and Mental Retardation Programs,
- 13 Inc.;
- 14 (s) A member of a citizen foster care review board selected by the Chief Justice
- 15 of the Kentucky Supreme Court; and
- 16 (t) An at-large representative who shall serve as chairperson to be selected by the
- 17 Secretary of State.
- 18 (3) (a) By August 1, 2013, the appointing authority or the appointing authorities, as
- 19 the case may be, shall have appointed panel members. Initial terms of
- 20 members, other than those serving ex officio, shall be staggered to provide
- 21 continuity. Initial appointments shall be: five (5) members for terms of one (1)
- 22 year, five (5) members for terms of two (2) years, and five (5) members for
- 23 terms of three (3) years, these terms to expire, in each instance, on June 30
- 24 and thereafter until a successor is appointed and accepts appointment.
- 25 (b) Upon the expiration of these initial staggered terms, successors shall be
- 26 appointed by the respective appointing authorities, for terms of two (2) years,
- 27 and until successors are appointed and accept their appointments. Members

1           shall be eligible for reappointment. Vacancies in the membership of the panel  
2           shall be filled in the same manner as the original appointments.

3           (c) At any time, a panel member shall recuse himself or herself from the review  
4           of a case if the panel member believes he or she has a personal or private  
5           conflict of interest.

6           (d) If a voting panel member is absent from two (2) or more consecutive,  
7           regularly scheduled meetings, the member shall be considered to have  
8           resigned and shall be replaced with a new member in the same manner as the  
9           original appointment.

10          (e) If a voting panel member is proven to have violated subsection (13) of this  
11          section, the member shall be removed from the panel, and the member shall  
12          be replaced with a new member in the same manner as the original  
13          appointment.

14          (4) The panel shall meet at least quarterly and may meet upon the call of the  
15          chairperson of the panel.

16          (5) Members of the panel shall receive no compensation for their duties related to the  
17          panel, but may be reimbursed for expenses incurred in accordance with state  
18          guidelines and administrative regulations.

19          (6) Each panel member shall be provided copies of all information set out in this  
20          subsection, including but not limited to records and information, upon request, to be  
21          gathered, unredacted, and submitted to the panel within thirty (30) days by the  
22          Cabinet for Health and Family Services from the Department for Community Based  
23          Services or any agency, organization, or entity involved with a child subject to a  
24          fatality or near fatality:

25          (a) Cabinet for Health and Family Services records and documentation regarding  
26          the deceased or injured child and his or her caregivers, residents of the home,  
27          and persons supervising the child at the time of the incident that include all

1 records and documentation set out in this paragraph:

- 2 1. All prior and ongoing investigations, services, or contacts;
  - 3 2. Any and all records of services to the family provided by agencies or  
4 individuals contracted by the Cabinet for Health and Family Services;  
5 and
  - 6 3. All documentation of actions taken as a result of child fatality internal  
7 reviews conducted pursuant to KRS 620.050(12)(b);
- 8 (b) Licensing reports from the Cabinet for Health and Family Services, Office of  
9 Inspector General, if an incident occurred in a licensed facility;
- 10 (c) All available records regarding protective services provided out of state;
- 11 (d) All records of services provided by the Department for Juvenile Justice  
12 regarding the deceased or injured child and his or her caregivers, residents of  
13 the home, and persons involved with the child at the time of the incident;
- 14 (e) Autopsy reports;
- 15 (f) Emergency medical service, fire department, law enforcement, coroner, and  
16 other **emergency medical**~~first~~ responder reports, including but not limited to  
17 photos and interviews with family members and witnesses;
- 18 (g) Medical records regarding the deceased or injured child, including but not  
19 limited to all records and documentation set out in this paragraph:
- 20 1. Primary care records, including progress notes; developmental  
21 milestones; growth charts that include head circumference; all laboratory  
22 and X-ray requests and results; and birth record that includes record of  
23 delivery type, complications, and initial physical exam of baby;
  - 24 2. In-home provider care notes about observations of the family, bonding,  
25 others in home, and concerns;
  - 26 3. Hospitalization and emergency department records;
  - 27 4. Dental records;

- 1           5. Specialist records; and
- 2           6. All photographs of injuries of the child that are available;
- 3       (h) Educational records of the deceased or injured child, or other children residing
- 4           in the home where the incident occurred, including but not limited to the
- 5           records and documents set out in this paragraph:
- 6           1. Attendance records;
- 7           2. Special education services;
- 8           3. School-based health records; and
- 9           4. Documentation of any interaction and services provided to the children
- 10           and family.

11           The release of educational records shall be in compliance with the Family

12           Educational Rights and Privacy Act, 20 U.S.C. sec. 1232g and its

13           implementing regulations;

14       (i) Head Start records or records from any other child care or early child care

15           provider;

16       (j) Records of any Family, Circuit, or District Court involvement with the

17           deceased or injured child and his or her caregivers, residents of the home and

18           persons involved with the child at the time of the incident that include but are

19           not limited to the juvenile and family court records and orders set out in this

20           paragraph, pursuant to KRS Chapters 199, 403, 405, 406, and 600 to 645:

- 21           1. Petitions;
- 22           2. Court reports by the Department for Community Based Services,
- 23           guardian ad litem, court-appointed special advocate, and the Citizen
- 24           Foster Care Review Board;
- 25           3. All orders of the court, including temporary, dispositional, or
- 26           adjudicatory; and
- 27           4. Documentation of annual or any other review by the court;

- 1 (k) Home visit records from the Department for Public Health or other services;
- 2 (l) All information on prior allegations of abuse or neglect and deaths of children  
3 of adults residing in the household;
- 4 (m) All law enforcement records and documentation regarding the deceased or  
5 injured child and his or her caregivers, residents of the home, and persons  
6 involved with the child at the time of the incident; and
- 7 (n) Mental health records regarding the deceased or injured child and his or her  
8 caregivers, residents of the home, and persons involved with the child at the  
9 time of the incident.
- 10 (7) The panel may seek the advice of experts, such as persons specializing in the fields  
11 of psychiatric and forensic medicine, nursing, psychology, social work, education,  
12 law enforcement, family law, or other related fields, if the facts of a case warrant  
13 additional expertise.
- 14 (8) The panel shall post updates after each meeting to the Web site of the Justice and  
15 Public Safety Cabinet regarding case reviews, findings, and recommendations.
- 16 (9) The panel chairperson, or other requested persons, shall report a summary of the  
17 panel's discussions and proposed or actual recommendations to the Interim Joint  
18 Committee on Health and Welfare of the Kentucky General Assembly monthly or at  
19 the request of a committee co-chair. The goal of the committee shall be to ensure  
20 impartiality regarding the operations of the panel during its review process.
- 21 (10) The panel shall publish an annual report by December 1 of each year consisting of  
22 case reviews, findings, and recommendations for system and process improvements  
23 to help prevent child fatalities and near fatalities that are due to abuse and neglect.  
24 The report shall be submitted to the Governor, the secretary of the Cabinet for  
25 Health and Family Services, the Chief Justice of the Supreme Court, the Attorney  
26 General, and the director of the Legislative Research Commission for distribution to  
27 the Health and Welfare Committee and the Judiciary Committee.

1 (11) Information and record copies that are confidential under state or federal law and  
2 are provided to the external child fatality and near fatality review panel by the  
3 Cabinet for Health and Family Services, the Department for Community Based  
4 Services, or any agency, organization, or entity for review shall not become the  
5 information and records of the panel and shall not lose their confidentiality by virtue  
6 of the panel's access to the information and records. The original information and  
7 records used to generate information and record copies provided to the panel in  
8 accordance with subsection (6) of this section shall be maintained by the  
9 appropriate agency in accordance with state and federal law and shall be subject to  
10 the Kentucky Open Records Act, KRS 61.870 to 61.884. All open records requests  
11 shall be made to the appropriate agency, not to the external child fatality and near  
12 fatality review panel or any of the panel members. Information and record copies  
13 provided to the panel for review shall be exempt from the Kentucky Open Records  
14 Act, KRS 61.870 to 61.884. At the conclusion of the panel's examination, all copies  
15 of information and records provided to the panel involving an individual case shall  
16 be destroyed by the Justice and Public Safety Cabinet.

17 (12) Notwithstanding any provision of law to the contrary, the portions of the external  
18 child fatality and near fatality review panel meetings during which an individual  
19 child fatality or near fatality case is reviewed or discussed by panel members may  
20 be a closed session and subject to the provisions of KRS 61.815(1) and shall only  
21 occur following the conclusion of an open session. At the conclusion of the closed  
22 session, the panel shall immediately convene an open session and give a summary  
23 of what occurred during the closed session.

24 (13) Each member of the external child fatality and near fatality review panel, any person  
25 attending a closed panel session, and any person presenting information or records  
26 on an individual child fatality or near fatality shall not release information or  
27 records not available under the Kentucky Open Records Act, KRS 61.870 to 61.884

1 to the public.

2 (14) A member of the external child fatality and near fatality review panel shall not be  
3 prohibited from making a good faith report to any state or federal agency of any  
4 information or issue that the panel member believes should be reported or disclosed  
5 in an effort to facilitate effectiveness and transparency in Kentucky's child  
6 protective services.

7 (15) A member of the external child fatality and near fatality review panel shall not be  
8 held liable for any civil damages or criminal penalties pursuant to KRS 620.990 as a  
9 result of any action taken or omitted in the performance of the member's duties  
10 pursuant to this section and KRS 620.050, except for violations of subsection (11),  
11 (12), or (13) of this section.

12 (16) Beginning in 2014 the Legislative Program Review and Investigations Committee  
13 of the Kentucky General Assembly shall conduct an annual evaluation of the  
14 external child fatality and near fatality review panel established pursuant to this  
15 section to monitor the operations, procedures, and recommendations of the panel  
16 and shall report its findings to the General Assembly.

17 ➔Section 24. KRS 12.252 is amended to read as follows:

18 (1) There is established within the Public Protection Cabinet a Department of Financial  
19 Institutions, a Department of Insurance, a Department of Housing, Buildings and  
20 Construction, a Department of Charitable Gaming, and a Department of Alcoholic  
21 Beverage Control. Each department shall be headed by a commissioner appointed  
22 by the Governor as required by KRS 12.040 and, where appropriate, by KRS  
23 238.510, 241.015, and 304.2-020. Commissioners shall be directly responsible to  
24 the secretary and shall perform the functions, powers, and duties provided by law  
25 and prescribed by the secretary.

26 (2) There is established within the Public Protection Cabinet an Office of Occupations  
27 and Professions, which shall be headed by an executive director appointed by the

1 secretary with the approval of the Governor as required by KRS 12.050. The  
2 executive director shall be directly responsible to the secretary and shall perform the  
3 functions, powers, and duties provided by law and prescribed by the secretary.

4 (3) The secretary of the Public Protection Cabinet shall be appointed by the Governor  
5 in accordance with KRS 12.255. The Office of the Secretary shall contain the  
6 following entities:

7 (a) The Office of Communications and Public Outreach, which shall be headed  
8 by an executive director appointed by the secretary with the approval of the  
9 Governor in accordance with KRS 12.050; and

10 (b) The Office of Legal Services, which shall be headed by an executive director  
11 appointed by the secretary with the approval of the Governor in accordance  
12 with KRS 12.050 and 12.210.

13 (4) The following agencies are attached to the Public Protection Cabinet for  
14 administrative purposes only, except as provided in KRS 131.330:

15 (a) Crime Victims Compensation Board;

16 (b) Board of Claims;

17 (c) Kentucky Board of Tax Appeals;

18 (d) Kentucky Boxing and Wrestling Authority;

19 (e) Kentucky Board of Emergency Medical Services; and

20 ~~(f)(e)~~ Kentucky Horse Racing Commission.

21 ➔Section 25. KRS 12.020 is amended to read as follows:

22 Departments, program cabinets and their departments, and the respective major  
23 administrative bodies that they include are enumerated in this section. It is not intended  
24 that this enumeration of administrative bodies be all-inclusive. Every authority, board,  
25 bureau, interstate compact, commission, committee, conference, council, office, or any  
26 other form of organization shall be included in or attached to the department or program  
27 cabinet in which they are included or to which they are attached by statute or statutorily

1 authorized executive order; except in the case of the Personnel Board and where the  
2 attached department or administrative body is headed by a constitutionally elected officer,  
3 the attachment shall be solely for the purpose of dissemination of information and  
4 coordination of activities and shall not include any authority over the functions,  
5 personnel, funds, equipment, facilities, or records of the department or administrative  
6 body.

7 I. Cabinet for General Government - Departments headed by elected officers:

8 (1) The Governor.

9 (2) Lieutenant Governor.

10 (3) Department of State.

11 (a) Secretary of State.

12 (b) Board of Elections.

13 (c) Registry of Election Finance.

14 (4) Department of Law.

15 (a) Attorney General.

16 (5) Department of the Treasury.

17 (a) Treasurer.

18 (6) Department of Agriculture.

19 (a) Commissioner of Agriculture.

20 (b) Kentucky Council on Agriculture.

21 (7) Auditor of Public Accounts.

22 II. Program cabinets headed by appointed officers:

23 (1) Justice and Public Safety Cabinet:

24 (a) Department of Kentucky State Police.

25 (b) Department of Criminal Justice Training.

26 (c) Department of Corrections.

27 (d) Department of Juvenile Justice.

- 1 (e) Office of the Secretary.
- 2 (f) Office of Drug Control Policy.
- 3 (g) Office of Legal Services.
- 4 (h) Office of the Kentucky State Medical Examiner.
- 5 (i) Parole Board.
- 6 (j) Kentucky State Corrections Commission.
- 7 (k) Office of Legislative and Intergovernmental Services.
- 8 (l) Office of Management and Administrative Services.
- 9 (m) Department for Public Advocacy.
- 10 (2) Education and Workforce Development Cabinet:
- 11 (a) Office of the Secretary.
- 12 1. Governor's Scholars Program.
- 13 2. Governor's School for Entrepreneurs Program.
- 14 (b) Office of Legal and Legislative Services.
- 15 1. Client Assistance Program.
- 16 (c) Office of Communication.
- 17 (d) Office of Budget and Administration.
- 18 1. Division of Human Resources.
- 19 2. Division of Administrative Services.
- 20 (e) Office of Technology Services.
- 21 (f) Office of Educational Programs.
- 22 (g) Office for Education and Workforce Statistics.
- 23 (h) Board of the Kentucky Center for Education and Workforce Statistics.
- 24 (i) Board of Directors for the Center for School Safety.
- 25 (j) Department of Education.
- 26 1. Kentucky Board of Education.
- 27 2. Kentucky Technical Education Personnel Board.

- 1 (k) Department for Libraries and Archives.
- 2 (l) Department of Workforce Investment.
- 3 1. Office for the Blind.
- 4 2. Office of Vocational Rehabilitation.
- 5 3. Office of Employment and Training.
- 6 a. Division of Grant Management and Support.
- 7 b. Division of Workforce and Employment Services.
- 8 c. Division of Unemployment Insurance.
- 9 (m) Foundation for Workforce Development.
- 10 (n) Kentucky Office for the Blind State Rehabilitation Council.
- 11 (o) Kentucky Workforce Investment Board.
- 12 (p) Statewide Council for Vocational Rehabilitation.
- 13 (q) Unemployment Insurance Commission.
- 14 (r) Education Professional Standards Board.
- 15 1. Division of Educator Preparation.
- 16 2. Division of Certification.
- 17 3. Division of Professional Learning and Assessment.
- 18 4. Division of Legal Services.
- 19 (s) Kentucky Commission on the Deaf and Hard of Hearing.
- 20 (t) Kentucky Educational Television.
- 21 (u) Kentucky Environmental Education Council.
- 22 (3) Energy and Environment Cabinet:
- 23 (a) Office of the Secretary.
- 24 1. Office of Legislative and Intergovernmental Affairs.
- 25 2. Office of General Counsel.
- 26 3. Office of Administrative Hearings.
- 27 4. Mine Safety Review Commission.

- 1                   5.    Kentucky State Nature Preserves Commission.
- 2                   6.    Kentucky Environmental Quality Commission.
- 3                   7.    Kentucky Public Service Commission.
- 4           (b)    Department for Environmental Protection.
- 5                   1.    Office of the Commissioner.
- 6                   2.    Division for Air Quality.
- 7                   3.    Division of Water.
- 8                   4.    Division of Environmental Program Support.
- 9                   5.    Division of Waste Management.
- 10                  6.    Division of Enforcement.
- 11                  7.    Division of Compliance Assistance.
- 12           (c)    Department for Natural Resources.
- 13                  1.    Office of the Commissioner.
- 14                  2.    Division of Technical and Administrative Support.
- 15                  3.    Division of Mine Permits.
- 16                  4.    Division of Mine Reclamation and Enforcement.
- 17                  5.    Division of Abandoned Mine Lands.
- 18                  6.    Division of Oil and Gas.
- 19                  7.    Division of Mine Safety.
- 20                  8.    Division of Forestry.
- 21                  9.    Division of Conservation.
- 22                  10.   Office of the Reclamation Guaranty Fund.
- 23                  11.   Kentucky Mining Board.
- 24           (d)    Department for Energy Development and Independence.
- 25                  1.    Division of Efficiency and Conservation.
- 26                  2.    Division of Renewable Energy.
- 27                  3.    Division of Biofuels.

- 1                   4.    Division of Energy Generation Transmission and Distribution.
- 2                   5.    Division of Carbon Management.
- 3                   6.    Division of Fossil Energy Development.
- 4           (4)   Public Protection Cabinet.
- 5               (a)   Office of the Secretary.
- 6                   1.    Office of Communications and Public Outreach.
- 7                   2.    Office of Legal Services.
- 8                   a.    Insurance Legal Division.
- 9                   b.    Charitable Gaming Legal Division.
- 10                  c.    Alcoholic Beverage Control Legal Division.
- 11                  d.    Housing, Buildings and Construction Legal Division.
- 12                  e.    Financial Institutions Legal Division.
- 13               (b)   Crime Victims Compensation Board.
- 14               (c)   Board of Claims.
- 15               (d)   Kentucky Board of Tax Appeals.
- 16               (e)   Kentucky Boxing and Wrestling Authority.
- 17               **(f)   Kentucky Board of Emergency Medical Services.**
- 18               **(g)**~~(f)~~   Kentucky Horse Racing Commission.
- 19                   1.    Division of Licensing.
- 20                   2.    Division of Incentives and Development.
- 21                   3.    Division of Veterinary Services.
- 22                   4.    Division of Security and Enforcement.
- 23               **(h)**~~(g)~~   Department of Alcoholic Beverage Control.
- 24                   1.    Division of Distilled Spirits.
- 25                   2.    Division of Malt Beverages.
- 26                   3.    Division of Enforcement.
- 27               **(i)**~~(h)~~   Department of Charitable Gaming.

- 1                   1.    Division of Licensing and Compliance.
- 2                   2.    Division of Enforcement.
- 3                   ~~(j)(i)~~    Department of Financial Institutions.
- 4                   1.    Division of Depository Institutions.
- 5                   2.    Division of Non-Depository Institutions.
- 6                   3.    Division of Securities.
- 7                   ~~(k)(i)~~    Department of Housing, Buildings and Construction.
- 8                   1.    Division of Fire Prevention.
- 9                   2.    Division of Plumbing.
- 10                  3.    Division of Heating, Ventilation, and Air Conditioning.
- 11                  4.    Division of Building Code Enforcement.
- 12                  ~~(l)(k)~~    Department of Insurance.
- 13                  1.    Property and Casualty Division.
- 14                  2.    Health and Life Division.
- 15                  3.    Division of Financial Standards and Examination.
- 16                  4.    Division of Agent Licensing.
- 17                  5.    Division of Insurance Fraud Investigation.
- 18                  6.    Consumer Protection Division.
- 19                  7.    Division of Kentucky Access.
- 20                  ~~(m)(4)~~    Office of Occupations and Professions.
- 21                  (5)   Labor Cabinet.
- 22                   (a)   Office of the Secretary.
- 23                   1.    Division of Management Services.
- 24                   2.    Office of General Counsel.
- 25                  (b)   Office of General Administration and Program Support for Shared
- 26                   Services.
- 27                   1.    Division of Human Resource Management.

- 1                   2.    Division of Fiscal Management.
- 2                   3.    Division of Budgets.
- 3                   4.    Division of Information Services.
- 4                   (c)   Office of Inspector General for Shared Services.
- 5                   (d)   Department of Workplace Standards.
  - 6                   1.    Division of Employment Standards, Apprenticeship, and
  - 7                   Mediation.
  - 8                   2.    Division of Occupational Safety and Health Compliance.
  - 9                   3.    Division of Occupational Safety and Health Education and
  - 10                  Training.
  - 11                  4.    Division of Workers' Compensation Funds.
- 12                  (e)   Department of Workers' Claims.
  - 13                  1.    Office of General Counsel for Workers' Claims.
  - 14                  2.    Office of Administrative Law Judges.
  - 15                  3.    Division of Claims Processing.
  - 16                  4.    Division of Security and Compliance.
  - 17                  5.    Division of Information and Research.
  - 18                  6.    Division of Ombudsman and Workers' Compensation Specialist
  - 19                  Services.
  - 20                  7.    Workers' Compensation Board.
  - 21                  8.    Workers' Compensation Advisory Council.
  - 22                  9.    Workers' Compensation Nominating Commission.
- 23                  (f)   Workers' Compensation Funding Commission.
- 24                  (g)   Kentucky Labor-Management Advisory Council.
- 25                  (h)   Occupational Safety and Health Standards Board.
- 26                  (i)   Prevailing Wage Review Board.
- 27                  (j)   Apprenticeship and Training Council.

- 1 (k) State Labor Relations Board.
- 2 (l) Employers' Mutual Insurance Authority.
- 3 (m) Kentucky Occupational Safety and Health Review Commission.
- 4 (6) Transportation Cabinet:
- 5 (a) Department of Highways.
- 6 1. Office of Project Development.
- 7 2. Office of Project Delivery and Preservation.
- 8 3. Office of Highway Safety.
- 9 4. Highway District Offices One through Twelve.
- 10 (b) Department of Vehicle Regulation.
- 11 (c) Department of Aviation.
- 12 (d) Department of Rural and Municipal Aid.
- 13 1. Office of Local Programs.
- 14 2. Office of Rural and Secondary Roads.
- 15 (e) Office of the Secretary.
- 16 1. Office of Public Affairs.
- 17 2. Office for Civil Rights and Small Business Development.
- 18 3. Office of Budget and Fiscal Management.
- 19 4. Office of Inspector General.
- 20 (f) Office of Support Services.
- 21 (g) Office of Transportation Delivery.
- 22 (h) Office of Audits.
- 23 (i) Office of Human Resource Management.
- 24 (j) Office of Information Technology.
- 25 (k) Office of Legal Services.
- 26 (7) Cabinet for Economic Development:
- 27 (a) Office of the Secretary.

- 1                   1.   Office of Legal Services.
- 2                   2.   Department for Business Development.
- 3                    a.   Office of Entrepreneurship.
- 4                      i.   Commission on Small Business Advocacy.
- 5                    b.   Office of Research and Public Affairs.
- 6                    c.   Bluegrass State Skills Corporation.
- 7                   3.   Office of Financial Services.
- 8                    a.   Kentucky Economic Development Finance Authority.
- 9                    b.   Division of Finance and Personnel.
- 10                   c.   Division of Network Administration.
- 11                   d.   Compliance Division.
- 12                   e.   Incentive Assistance Division.
- 13           (8)   Cabinet for Health and Family Services:
- 14               (a)   Office of the Secretary.
- 15               (b)   Office of Health Policy.
- 16               (c)   Office of Legal Services.
- 17               (d)   Office of Inspector General.
- 18               (e)   Office of Communications and Administrative Review.
- 19               (f)   Office of the Ombudsman.
- 20               (g)   Office of Policy and Budget.
- 21               (h)   Office of Human Resource Management.
- 22               (i)   Office of Administrative and Technology Services.
- 23               (j)   Department for Public Health.
- 24               (k)   Department for Medicaid Services.
- 25               (l)   Department for Behavioral Health, Developmental and Intellectual
- 26                    Disabilities.
- 27               (m)   Department for Aging and Independent Living.

- 1 (n) Department for Community Based Services.
- 2 (o) Department for Income Support.
- 3 (p) Department for Family Resource Centers and Volunteer Services.
- 4 (q) Kentucky Commission on Community Volunteerism and Service.
- 5 (r) Kentucky Commission for Children with Special Health Care Needs.
- 6 (s) Governor's Office of Electronic Health Information.
- 7 (9) Finance and Administration Cabinet:
- 8 (a) Office of General Counsel.
- 9 (b) Office of the Controller.
- 10 (c) Office of Administrative Services.
- 11 (d) Office of Public Information.
- 12 (e) Office of Policy and Audit.
- 13 (f) Department for Facilities and Support Services.
- 14 (g) Department of Revenue.
- 15 (h) Commonwealth Office of Technology.
- 16 (i) State Property and Buildings Commission.
- 17 (j) Office of Equal Employment Opportunity and Contract Compliance.
- 18 (k) Kentucky Employees Retirement Systems.
- 19 (l) Commonwealth Credit Union.
- 20 (m) State Investment Commission.
- 21 (n) Kentucky Housing Corporation.
- 22 (o) Kentucky Local Correctional Facilities Construction Authority.
- 23 (p) Kentucky Turnpike Authority.
- 24 (q) Historic Properties Advisory Commission.
- 25 (r) Kentucky Tobacco Settlement Trust Corporation.
- 26 (s) Kentucky Higher Education Assistance Authority.
- 27 (t) Kentucky River Authority.

- 1 (u) Kentucky Teachers' Retirement System Board of Trustees.
- 2 (v) Executive Branch Ethics Commission.
- 3 (10) Tourism, Arts and Heritage Cabinet:
- 4 (a) Kentucky Department of Travel and Tourism.
- 5 1. Division of Tourism Services.
- 6 2. Division of Marketing and Administration.
- 7 3. Division of Communications and Promotions.
- 8 (b) Kentucky Department of Parks.
- 9 1. Division of Information Technology.
- 10 2. Division of Human Resources.
- 11 3. Division of Financial Operations.
- 12 4. Division of Facilities Management.
- 13 5. Division of Facilities Maintenance.
- 14 6. Division of Customer Services.
- 15 7. Division of Recreation.
- 16 8. Division of Golf Courses.
- 17 9. Division of Food Services.
- 18 10. Division of Rangers.
- 19 11. Division of Resort Parks.
- 20 12. Division of Recreational Parks and Historic Sites.
- 21 (c) Department of Fish and Wildlife Resources.
- 22 1. Division of Law Enforcement.
- 23 2. Division of Administrative Services.
- 24 3. Division of Engineering.
- 25 4. Division of Fisheries.
- 26 5. Division of Information and Education.
- 27 6. Division of Wildlife.

- 1                   7.    Division of Public Affairs.
- 2           (d)    Kentucky Horse Park.
- 3                   1.    Division of Support Services.
- 4                   2.    Division of Buildings and Grounds.
- 5                   3.    Division of Operational Services.
- 6           (e)    Kentucky State Fair Board.
- 7                   1.    Office of Administrative and Information Technology Services.
- 8                   2.    Office of Human Resources and Access Control.
- 9                   3.    Division of Expositions.
- 10                  4.    Division of Kentucky Exposition Center Operations.
- 11                  5.    Division of Kentucky International Convention Center.
- 12                  6.    Division of Public Relations and Media.
- 13                  7.    Division of Venue Services.
- 14                  8.    Division of Personnel Management and Staff Development.
- 15                  9.    Division of Sales.
- 16                  10.   Division of Security and Traffic Control.
- 17                  11.   Division of Information Technology.
- 18                  12.   Division of the Louisville Arena.
- 19                  13.   Division of Fiscal and Contract Management.
- 20                  14.   Division of Access Control.
- 21           (f)    Office of the Secretary.
- 22                   1.    Office of Finance.
- 23                   2.    Office of Research and Administration.
- 24                   3.    Office of Governmental Relations and Tourism Development.
- 25                   4.    Office of the Sports Authority.
- 26                   5.    Kentucky Sports Authority.
- 27           (g)    Office of Legal Affairs.

- 1 (h) Office of Human Resources.
- 2 (i) Office of Public Affairs and Constituent Services.
- 3 (j) Office of Creative Services.
- 4 (k) Office of Capital Plaza Operations.
- 5 (l) Office of Arts and Cultural Heritage.
- 6 (m) Kentucky African-American Heritage Commission.
- 7 (n) Kentucky Foundation for the Arts.
- 8 (o) Kentucky Humanities Council.
- 9 (p) Kentucky Heritage Council.
- 10 (q) Kentucky Arts Council.
- 11 (r) Kentucky Historical Society.
- 12 1. Division of Museums.
- 13 2. Division of Oral History and Educational Outreach.
- 14 3. Division of Research and Publications.
- 15 4. Division of Administration.
- 16 (s) Kentucky Center for the Arts.
- 17 1. Division of Governor's School for the Arts.
- 18 (t) Kentucky Artisans Center at Berea.
- 19 (u) Northern Kentucky Convention Center.
- 20 (v) Eastern Kentucky Exposition Center.
- 21 (11) Personnel Cabinet:
- 22 (a) Office of the Secretary.
- 23 (b) Department of Human Resources Administration.
- 24 (c) Office of Employee Relations.
- 25 (d) Kentucky Public Employees Deferred Compensation Authority.
- 26 (e) Office of Administrative Services.
- 27 (f) Office of Legal Services.

1 (g) Governmental Services Center.

2 (h) Department of Employee Insurance.

3 (i) Office of Diversity and Equality.

4 (j) Center of Strategic Innovation.

5 III. Other departments headed by appointed officers:

6 (1) Council on Postsecondary Education.

7 (2) Department of Military Affairs.

8 (3) Department for Local Government.

9 (4) Kentucky Commission on Human Rights.

10 (5) Kentucky Commission on Women.

11 (6) Department of Veterans' Affairs.

12 (7) Kentucky Commission on Military Affairs.

13 (8) Office of Minority Empowerment.

14 (9) Governor's Council on Wellness and Physical Activity.