

1 AN ACT relating to deficient administrative regulations and declaring an
2 emergency.

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

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) The General Assembly finds that a proposed amendment of 803 KAR 25:190,*
7 *relating to utilization review and medical bill audits, filed with the Commission*
8 *on February 18, 2021, by the Labor Cabinet, Department of Workers' Claims,*
9 *was found deficient on or after March 30, 2021, and before January 4, 2022, but*
10 *determined to become effective notwithstanding the finding of deficiency*
11 *pursuant to KRS 13A.330, as evidenced by records of the Legislative Research*
12 *Commission.*

13 *(2) Contrary provisions of any section of the Kentucky Revised Statutes*
14 *notwithstanding:*

15 *(a) If the proposed amendment of 803 KAR 25:190 referenced in subsection (1)*
16 *of this section has not been adopted on or before the effective date of this*
17 *Act, the proposed amendment shall expire as of the effective date of this*
18 *Act; or*

19 *(b) If the proposed amendment of 803 KAR 25:190 referenced in subsection (1)*
20 *of this section has been adopted on or before the effective date of this Act,*
21 *803 KAR 25:190 shall be null, void, and unenforceable as of the effective*
22 *date of this Act.*

23 *(3) Contrary provisions of any section of the Kentucky Revised Statutes*
24 *notwithstanding, the administrative body shall be prohibited from promulgating*
25 *an administrative regulation that is identical to, or substantially the same as, the*
26 *proposed amendment of 803 KAR 25:190 referenced in subsection (1) of this*
27 *section for a period beginning on January 4, 2022, and concluding on June 1,*

1 2023.

2 (4) The proposed amendment referenced in subsection (1) of this section shall be
3 available to the public, in the office of the Legislative Research Commission's
4 regulations compiler.

5 ➔Section 2. Whereas it is crucial that the Commonwealth protect the health and
6 safety of injured workers, and that the Commonwealth's regulatory policy reflect the
7 statutory intent of the General Assembly before approved policy is superseded, an
8 emergency is declared to exist, and this Act takes effect upon its passage and approval by
9 the Governor or upon its otherwise becoming a law.