

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 the proposed administrative regulation, 201*
7 *KAR 23:170, Telehealth and Social Work Practice, was found deficient pursuant*
8 *to KRS 13A.030, on or after March 30, 2023, and before April 15, 2024, as*
9 *evidenced by the records of the Legislative Research Commission.*

10 *(2) Contrary provisions of any section of the Kentucky Revised Statutes*
11 *notwithstanding:*

12 *(a) If the proposed administrative regulation referenced in subsection (1) of*
13 *this section has not been adopted on or before the effective date of this Act,*
14 *the proposed administrative regulation shall expire as of the effective date*
15 *of this Act; or*

16 *(b) If the proposed administrative regulation referenced in subsection (1) of*
17 *this section has been adopted on or before the effective date of this Act, the*
18 *administrative regulation shall be null, void, and unenforceable as of the*
19 *effective date of this Act.*

20 *(3) Contrary provisions of any section of the Kentucky Revised Statutes*
21 *notwithstanding, the administrative body shall be prohibited from promulgating*
22 *an administrative regulation that is identical to, or substantially the same as, the*
23 *proposed administrative regulation referenced in subsection (1) of this section for*
24 *a period beginning on January 2, 2024, and concluding on June 1, 2025.*

25 *(4) The proposed administrative regulation referenced in subsection (1) of this*
26 *section shall be available to the public, in the office of the Legislative Research*
27 *Commission's regulations compiler.*

1 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
2 READ AS FOLLOWS:

3 *(1) The General Assembly finds that the following emergency administrative*
4 *regulations were found deficient pursuant to KRS 13A.030, on or after March 30,*
5 *2023, and before April 15, 2024, as evidenced by the records of the Legislative*
6 *Research Commission:*

7 *(a) 907 KAR 1:038E, Hearing Program Coverage Provisions and*
8 *Requirements;*

9 *(b) 907 KAR 1:126E, Dental Services' Coverage Provisions and Requirements;*
10 *and*

11 *(c) 907 KAR 1:632E, Vision Program Coverage Provisions and Requirements.*

12 *(2) Contrary provisions of any section of the Kentucky Revised Statutes*
13 *notwithstanding, the emergency administrative regulations referenced in*
14 *subsection (1) of this section shall be null, void, and unenforceable as of the*
15 *effective date of this Act.*

16 *(3) Contrary provisions of any section of the Kentucky Revised Statutes*
17 *notwithstanding, the administrative body shall be prohibited from promulgating*
18 *administrative regulations that are identical to, or substantially the same as, the*
19 *emergency administrative regulations referenced in subsection (1) of this section*
20 *for a period beginning on January 2, 2024, and concluding on June 1, 2025.*

21 *(4) The emergency administrative regulations referenced in subsection (1) of this*
22 *section shall be available to the public, in the office of the Legislative Research*
23 *Commission's regulations compiler.*

24 ➔Section 3. Whereas it is crucial that the Commonwealth's regulatory policy
25 reflect the statutory intent of the General Assembly, an emergency is declared to exist,
26 and this Act takes effect upon its passage and approval by the Governor or upon its
27 otherwise becoming a law.