

CHAPTER 2**(SB 3)**

AN ACT relating to the COVID-19 pandemic, making an appropriation therefor, and declaring an emergency.

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

➔Section 1. (1) There is hereby appropriated federal funds from the Coronavirus State Fiscal Recovery Fund of the American Rescue Plan Act in the amount of \$69,268,300 in fiscal year 2021-2022 to the General Administration and Program Support budget unit within the Health and Family Services Cabinet to address the continuing COVID-19 pandemic and the resulting pressures that have been experienced in the healthcare, long-term care, and school systems. The use of funds shall be prioritized in the following areas, but may be used in other critical health care need areas related to the COVID-19 as they arise:

(a) Testing for COVID-19, including assisting hospitals, licensed health care providers, jails, prisons, homeless shelters, local health departments and other entities in acquiring and distributing sufficient COVID-19 tests;

(b) Assisting providers of established monoclonal antibody treatment and assisting additional providers in establishing monoclonal treatment centers, with the goal of having at least one qualified treatment center available in each of the 15 area development districts; and

(c) Providing for "Test and Stay" COVID-19 testing at schools to ensure students are able to continue attending school in person instead of entering quarantine when those students have no symptoms and continue to have a negative COVID-19 test.

(2) (a) If any other sources of federal COVID-19 pandemic funding are available for any of the uses listed under subsection (1) of this section, and those uses are acceptable under federal requirements and guidelines, those sources should be used prior to the funding appropriated under subsection (1) of this section. Other sources may include but are not limited to currently existing funding for COVID-19 screening and testing programs to ensure in-person learning in schools, testing, or the purchase of tests, and remaining Coronavirus Relief Funds.

(b) Funds shall be used in accordance with American Rescue Plan Act and United States Treasury requirements and guidance.

(c) Funds shall not be used for any increase in administration fees or salaries for administrative personnel.

(d) Funds shall not be used to supplant funding from other state or federal programs.

➔Section 2. 2021 Ky. Acts ch. 196, sec. 6 is amended to read as follows:

"There is hereby appropriated Federal Funds from the Coronavirus State Fiscal Recovery Fund of the American Rescue Plan Act in the amount of ~~\$575,000,000~~ **\$505,731,700** in fiscal year 2021-2022 to the Employment Services budget unit for payment of interest and principal, in that order, for advances under Title XII of the Social Security Act during calendar year 2021."

➔Section 3. The Cabinet for Health and Family Services shall submit to the Legislative Research Commission and the Interim Joint Committee on Health, Welfare, & Family Services by December 15, 2021, a report of all expenditures used, including a breakdown of expenditures that includes but is not limited to the following:

(1) The number of COVID-19 tests purchased and provided by each entity assisted;

(2) The number of monoclonal antibody treatment providers and centers and treatments purchased and provided by each treatment provider and center; and

(3) The number of "Test and Stay" COVID-19 testing purchased and provided to schools and the number of student quarantine days by school district.

➔Section 4. Whereas the healthcare system is severely stressed by the COVID-19 pandemic and K-12 schools need additional COVID-19 testing supplies to avoid extensive quarantines and to ensure in-person school participation, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Signed by Governor September 9, 2021.