

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. A NEW SECTION OF KRS CHAPTER 13A IS CREATED TO
6 READ AS FOLLOWS:

7 (1) The General Assembly finds that 702 KAR 1:192E, District Employee Quarantine
8 Leave, was found deficient pursuant to KRS 13A.330, on or after March 30,
9 2021, and before the effective date of this Act, as evidenced by the records of the
10 Legislative Research Commission.

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

15 (3) Contrary provisions of any section of the Kentucky Revised Statutes
16 notwithstanding, the administrative body shall be prohibited from promulgating
17 an administrative regulation that is identical to, or substantially the same as, the
18 administrative regulation referenced in subsection (1) of this section for a period
19 beginning on January 4, 2022, and concluding on June 1, 2023.

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

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