

**CHAPTER 168****( SB 65 )**

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

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

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

- (1) *The General Assembly finds that the proposed administrative regulation, 201 KAR 23:170, Telehealth and Social Work Practice, was found deficient pursuant to KRS 13A.030, on or after March 30, 2023, and before April 15, 2024, as evidenced by the records of the Legislative Research Commission.*
- (2) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding:*
  - (a) *If the proposed administrative regulation referenced in subsection (1) of this section has not been adopted on or before the effective date of this Act, the proposed administrative regulation shall expire as of the effective date of this Act; or*
  - (b) *If the proposed administrative regulation referenced in subsection (1) of this section has been adopted on or before the effective date of this Act, the administrative regulation shall be null, void, and unenforceable as of the effective date of this Act.*
- (3) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, the administrative body shall be prohibited from promulgating an administrative regulation that is identical to, or substantially the same as, the proposed administrative regulation referenced in subsection (1) of this section for a period beginning on January 2, 2024, and concluding on June 1, 2025.*
- (4) *The proposed administrative regulation referenced in subsection (1) of this section shall be available to the public, in the office of the Legislative Research Commission's regulations compiler.*

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

- (1) *The General Assembly finds that the following emergency administrative regulations were found deficient pursuant to KRS 13A.030, on or after March 30, 2023, and before April 15, 2024, as evidenced by the records of the Legislative Research Commission:*
  - (a) *907 KAR 1:038E, Hearing Program Coverage Provisions and Requirements;*
  - (b) *907 KAR 1:126E, Dental Services' Coverage Provisions and Requirements; and*
  - (c) *907 KAR 1:632E, Vision Program Coverage Provisions and Requirements.*
- (2) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, the emergency administrative regulations referenced in subsection (1) of this section shall be null, void, and unenforceable as of the effective date of this Act.*
- (3) *Contrary provisions of any section of the Kentucky Revised Statutes notwithstanding, the administrative body shall be prohibited from promulgating administrative regulations that are identical to, or substantially the same as, the emergency administrative regulations referenced in subsection (1) of this section for a period beginning on January 2, 2024, and concluding on June 1, 2025.*
- (4) *The emergency administrative regulations referenced in subsection (1) of this section shall be available to the public, in the office of the Legislative Research Commission's regulations compiler.*

➔Section 3. Whereas it is crucial that the Commonwealth's regulatory policy reflect the statutory intent of the General Assembly, 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.

**Veto Overridden April 12, 2024.**