

## **Description and information about Administrative Regulations filed on September 9, 2025**

### **These ordinary and emergency administrative regulations were filed on September 9, 2025**

#### **1. 907 KAR 1:023**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administration regulation establishes the provisions relating to the review and approval of selected therapies as ancillary services for Medicaid recipients in nursing facilities. The administrative regulation removes various provisions relating to ancillary therapy reviews, documentation, and services.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. A public hearing on this administrative regulation shall, if requested, be held on November 24, 2025, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by November 17, 2025, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2025. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

CONTACT PERSON: Krista Quarles, Policy Analyst, Office of Legislative and Regulatory Affairs, 275 East Main Street 5 W-A, Frankfort, KY 40621; Phone: 502-564-7476; Fax: 502-564-7091; [CHFSregs@ky.gov](mailto:CHFSregs@ky.gov).

#### **2. 907 KAR 1:065**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes the reimbursement for nursing facilities participating in the Kentucky Department for Medicaid Services for all non-managed care recipients. This amendment updates the reimbursement methodology for the PDPM case mix. In addition, a nursing home quality payment system will be implemented over multiple years, starting at 5% and ending at 20%. In addition, new materials incorporated by reference are included.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

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### **3. 907 KAR 3:062**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This new administrative regulation establishes the public ground ambulance supplemental payment program established pursuant to HB 152 of the 2025 Regular Session and codified in KRS 205.5604.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

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#### **4. 907 KAR 3:320 and E**

A. These emergency and ordinary administrative regulations were filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This new administrative regulation establishes the Beneficiary Advisory Committee and implements additional requirements for the Advisory Council for Medical Assistance following changes to federal law.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

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#### **5. 907 KAR 8:020**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes the Medicaid program coverage provisions and requirements regarding physical therapy services provided by an independent physical therapist or physical therapy assistant working under the direct supervision of an independent physical therapist. The amendment will change this administrative regulation by limiting prior authorization by the department to only therapy visits that exceed the limits established in the administrative regulation unless there is a higher contractual limit established between the provider and the managed care organization. In addition, a list of diagnoses is included that will not be subject to the 20 visit limit. Finally, a date of service signature requirement is removed and replaced with a requirement to sign and date a health record within 72 hours of service.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. A public hearing on this administrative regulation shall, if requested, be held on November 24, 2025, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by November 17, 2025, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2025. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

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## **6. 907 KAR 8:040**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes the Medicaid program coverage provisions and requirements regarding occupational therapy services, physical therapy services, and speech-language pathology services provided by adult day health care programs, rehabilitation agencies, special health clinics, mobile health services, multi-therapy agencies, and comprehensive outpatient rehabilitation facilities to Medicaid recipients. This amendment will change this administrative regulation by limiting prior authorization by the department to only therapy visits that exceed the limits established in the regulation unless there is a higher contractual limit established between the provider and the managed care organization. In addition, a list of diagnoses is included that will be subject to the 20 visit limit. Finally, providers are required to sign health records within 72 hours instead of 48.

C. The administrative regulation may be accessed at the LRC website here:  
<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. A public hearing on this administrative regulation shall, if requested, be held on November 24, 2025, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by November 17, 2025, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2025. Send written notification of intent to attend the public hearing or written

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## **7. 907 KAR 10:016**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes psychiatric hospital policies for Kentucky Medicaid. The amendments to the regulation establish policies to allow out of state hospitals to provide care to Kentucky Medicaid recipients. The amendments allow for greater participation by contiguous states and more limited participation by non-contiguous states.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. A public hearing on this administrative regulation shall, if requested, be held on November 24, 2025, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by November 17, 2025, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2025. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

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## **8. 907 KAR 15:022**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes coverage provisions and requirements regarding Medicaid Program behavioral health services provided by tier II and III behavioral health services organizations. This amendment will change the existing administrative regulation by allowing temporarily certified drug and alcohol counselors to continue performing their duties within a narcotic treatment program without possessing a

permanent license to perform those duties. This was previously limited to a three year period.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

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## **9. 907 KAR 23:010**

A. This administrative regulation was filed on September 9, 2025.

**B. Summary of Administrative Regulation:** This administrative regulation establishes the provisions for coverage of outpatient drugs through the Medicaid outpatient pharmacy program for fee-for-service recipients and managed care enrollees. This amendment will allow reimbursement for prescription weight loss, anorexia, and weight loss drugs.

C. The administrative regulation may be accessed at the LRC website here:

<https://apps.legislature.ky.gov/law/kar/TITLE907.HTM>

D. A public hearing on this administrative regulation shall, if requested, be held on November 24, 2025, at 9:00 a.m. using the CHFS Office of Legislative and Regulatory Affairs Zoom meeting room. The Zoom invitation will be emailed to each requestor the week prior to the scheduled hearing. Individuals interested in attending this virtual hearing shall notify this agency in writing by November 17, 2025, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who attends virtually will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on this proposed administrative regulation until November 30, 2025. Send written notification of intent to attend the public hearing or written comments on the proposed administrative regulation to the contact person. Pursuant to KRS



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