



1 JUSTICE AND PUBLIC SAFETY CABINET

2 Department of Corrections

3 (New Administrative Regulation)

4 501 KAR 2:080. Reimbursement for Medical Care Provided to State Inmates Housed in County
5 and Regional Jails.

6 RELATES TO: KRS 441.045

7 STATUTORY AUTHORITY: KRS 196.035, KRS 197.020

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 441.045(5)(a) requires the Department
9 of Corrections (the "Department") to reimburse counties for the cost of "necessary medical, dental,
10 or psychological care, beyond routine care and diagnostic services" for state inmates housed in
11 county jails. KRS 197.020(1)(b)2. requires the Department to promulgate administrative
12 regulations for the preservation of the health of prisoners. KRS 441.045(10) defines "necessary
13 care." This administrative regulation adopts the statutory definition and establishes additional
14 definitions and criteria to distinguish routine care from care beyond routine, ensuring consistent
15 application and alignment with legislative intent.

16 Section 1. Definitions

17 (1) (a) "Care beyond routine" means necessary care that exceeds routine care due to the
18 complexity, intensity, or specialization and requires resources not typically available through
19 standard correctional or local outpatient care arrangements, including.

20 1. Inpatient hospitalization;

21 2. Emergency medical care requiring immediate transport and advanced intervention;

1 (2) "Diagnostic services" means medical testing and evaluation used to identify, assess, or
2 monitor a medical condition, including laboratory testing, imaging, and other non-invasive
3 assessments.

4 (3) "Necessary care" is defined in KRS 441.045(10).

5 (4) (a) "Routine care" means necessary care that:

- 6 1. Is customary, predictable, and commonly provided within a correctional facility or
7 through standard local outpatient providers;
- 8 2. Involves non-complex evaluation or treatment that does not require specialized
9 facilities, advanced technology, or highly specialized providers; and
- 10 3. Can be delivered through standard correctional health care delivery systems,
11 including on-site services or routinely accessible off-site outpatient services.

12 (b) Routine care includes:

- 13 1. Evaluation and treatment of minor or stable conditions, including infections, minor
14 injuries, and common illnesses;
- 15 2. Chronic care management, including ongoing treatment of conditions such as
16 hypertension, diabetes, asthma, or mental health conditions where the treatment does
17 not require advanced or intensive intervention;
- 18 3. Outpatient medical, dental, and behavioral health services that are commonly
19 available in the local community;
- 20 4. Prescription medications and medication management, excluding high-cost or
21 specialty medications requiring specialized handling or authorization;
- 22 5. Basic diagnostic services, including laboratory testing and standard radiology such
23 as X-rays; and

1 2. After receiving the Request for Authorization, the Department or its designated
2 medical claims administrator will process and forward an appropriate claims billing
3 form and authorization number to the county or regional jail point of contact.

4 a. Prior to submission for reimbursement, all claims shall be subject to repricing
5 pursuant to KRS 441.045(14) by the Department or designated medical claims
6 administrator.

7 b. No claim shall be eligible for reimbursement unless it has been repriced.

8 3. The county or regional jail shall be responsible for providing the Request for
9 Authorization form to the outside provider when the patient is sent for medical services,
10 when possible.

11 4. The outside provider shall deliver the approved medical services and send all
12 qualified claims to the Department or its designated medical claims administrator for
13 payment.

14 (b) For reimbursement of costs associated with necessary care beyond routine care and
15 diagnostic services, when advanced authorization is not feasible, the county or regional jail
16 shall submit the Request for Authorization form as soon as it becomes aware of the need
17 for the necessary care beyond routine care and diagnostic services, and the claim shall be
18 processed pursuant to this subsection of this administrative regulation.

19 (c) The Department may require documentation that the county or regional jail has paid, or
20 is legally obligated to pay, the repriced amount prior to issuing reimbursement.

21 (4) The Department may deny or delay reimbursement for any claim that:

22 (a) Has not been properly repriced;

1 (4) The reconsideration decision shall constitute the Department's final agency action.

2 Section 4. Incorporation by Reference.

3 (1) "Request for Authorization," revised in August 2026, is incorporated by reference.

4 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at
5 the Justice and Public Safety Cabinet, Office of Legal Services, 125 Holmes Street, 2nd Floor,
6 Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, Monday through
7 Friday, 8 a.m. to 4:30 p.m. This material may be viewed on the Justice and Public Safety
8 Cabinet website at <https://justice.ky.gov/about/pages/lrcfilings.aspx>.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held November 24, 2026, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five 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 wishes to be heard 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 the proposed administrative regulation. Written comments shall be accepted until November 30, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Nathan Goens, Deputy General Counsel, Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-8216, fax (502) 564-6686, email Justice.RegContact@ky.gov

(c) How the amendment conforms to the content of the authorizing statutes: This is a new regulation.

(d) How the amendment will assist in the effective administration of the statutes: This is a new regulation.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This affects approximately 74 county and regional jails that house state inmates and their staff, approximately 50 Department of Corrections' employees, including 12 Local Facilities staff, and approximately 7,000 state inmates in the jails.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: The Department of Corrections will be required to review claims submitted by counties for reimbursement of necessary medical, dental, or psychological care beyond routine care and diagnostic services for state inmates housed in county and regional jails.

County and regional jails that seek reimbursement will be required to submit complete claim packets in the manner prescribed by the Department. Before submitting claims for reimbursement, counties must submit the claims to a Department-designated medical claims administrator or other authorized entity for repricing pursuant to KRS 441.045(14). Counties must also provide required repricing forms or equivalent documentation and may be required to provide documentation showing that the county has paid, or is legally obligated to pay, the repriced amount.

State inmates housed in county and regional jails will not be required to take any action to comply with this administrative regulation. The regulation governs reimbursement responsibilities between counties and the Department of Corrections and does not impose compliance obligations on inmates.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The Department of Corrections estimates that implementation of this administrative regulation will result in approximately \$12,000,000 in additional reimbursement payments to county and regional jails for necessary medical, dental, or psychological care beyond routine care and diagnostic services for state inmates housed in county and regional jails.

County and regional jails may incur minimal, incidental administrative costs associated with preparing claim, obtaining repricing, and submitting required documentation for reimbursement.

FISCAL IMPACT STATEMENT

501 KAR 2:080

Contact Person: Nathan Goens, Deputy General Counsel Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, KY 40601

Phone: (502) 564-3279

Email: Justice.RegContact@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 196.035, KRS 197.020

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: Yes, KRS 196.035 and 197.020 expressly authorize the Department to promulgate this administrative regulation.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: Department of Corrections

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: \$12,000,000

For subsequent years: \$12,500,000 - \$13,000,000

2. Revenues:

For the first year: 0

For subsequent years: 0

3. Cost Savings:

For the first year: 0

For subsequent years: 0

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): This regulation will affect 74 county and regional jails that house state inmates and their staff.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: 0

For subsequent years: 0

2. Revenues:

For the first year: 0

For subsequent years: 0

3. Cost Savings:

For the first year: \$12,000,000

For subsequent years: \$12,500,000 - \$13,000,000

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): This regulation will affect approximately 7,000 inmates in the jails.

501 KAR 2:080, Reimbursement for Medical Care Provided to State Inmates Housed in County and Regional Jails.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

The total number of pages of amended material incorporated by reference in the amendment is 1.

“Request for Authorization” revised in August 2026:

This form contains the information required to be submitted to the Department by the county or regional jail as a part of reimbursement claims made by county and regional jails.

FAMILY DIVISION

LAWRENCE W. FRAZIER, III

PETITIONER

V.

RESPONSE AND COUNTER-PETITION

SHAREKA SMITH

RESPONDENT

RESPONSE

Comes the Respondent, Shareka Smith, formerly Shareka Morrow, by counsel, and for her Response to the Petition, states under oath as follows:

1. Respondent lacks sufficient knowledge to either deny or admit the allegations contained in Paragraph 1a, and therefore denies same.
2. Respondent admits the allegations contained in Paragraph 1b.
3. Respondent admits the allegations contained in Paragraph 2.
4. Respondent admits the allegations contained in Paragraph 3.
5. Respondent admits the allegations contained in Paragraph 4, 5 and 6.
6. Respondent denies the allegation in Paragraph 7 that joint custody is in the best interest of the child.
7. Respondent admits the allegations contained in Paragraph 8 and 9.
8. Paragraph 10, 11, and 13 are requests for relief instead of allegations of fact.
9. Respondent admits the allegations contained in Paragraph 12.
10. Respondent denies the allegations contained in Paragraph 14.
11. Paragraph 15 is a request for relief instead of an allegation of fact.

Peter F. Ervin
2205 Woodford Place
Louisville, Ky. 40205
502 777-2812
pfervin3@yahoo.com

I have read the foregoing Response and Counter Petition and the statements contained herein are true and correct to the best of my knowledge and belief.

COMMONWEALTH OF KENTUCKY)
) SS
COUNTY OF JEFFERSON)

My commission expires: _____

Notary Public State at Large

This pleading was electronically filed on August 1, 2026, with the Jefferson Circuit Clerk using the electronic filing system and notification of same will be forwarded to all registered electronic filing participants in the above-styled action. A courtesy copy was also emailed to:

Krsna Tibbs
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Louisville, Ky. 40202
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