

Here's the summary of the regulations relating to FQ's and RHC's provided by CHFS:

902 KAR 20:401E and 906 KAR 1:071E – Emergency regulations that eliminate the licensure categories for the following levels of care in accordance with the passage of HB 444:

- o Primary care centers,
- o Rural health clinics,
- o Outpatient rehabilitation services,
- o Limited services clinics,
- o Networks,
- o Nursing pools and nursing pool hearings.

NOTE: OIG will continue to conduct the Federal certification surveys for clinics that are Federally certified as rural health clinics. OIG will also continue to conduct the certification surveys for agencies that are Federally certified as a CORF or as an OPT/SP.

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902 KAR 20:008, emergency and ordinary amendment – Revises the fee schedule to remove the categories of care that are newly exempt from licensure under HB 444. Also, clarifies that Federally certified rural health clinics and FQHCs which provide services to patients with behavioral health or psychiatric conditions, including SUD, are exempt from State licensure and are not subject to regulation under 902 KAR Chapter 20 or 908 KAR Chapter 1.

I do not see any surprises and the language looks to be as expected. 902 KAR 20:041E is the repealer of 902 KAR 20:058, Operations and Services; primary care center and 902 KAR 20:145, Operations and Services; rural health clinics. It is an emergency regulation, effective immediately.

902 KAR 20:008, Licensure procedures and fee schedule, is amended as an emergency and ordinary regulation. It contains the language on behavioral health services of FQ's and RHC's that we have seen. This language is at page 10, beginning at line 10.

And, of course, the e-mail specifically states that the OIG will continue to conduct the Federal certification surveys.