

1 AN ACT relating to funding health care services from increased penalties for
2 speeding violations.

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

4 ➔Section 1. KRS 189.010 is amended to read as follows:

5 As used in this chapter:

6 (1) "Department" means the Department of Highways;

7 (2) "Crosswalk" means:

8 (a) That part of a roadway at an intersection within the connections of the lateral
9 lines of the sidewalks on opposite sides of the highway measured from the
10 curbs or in the absence of curbs, from the edges of the traversable roadway; or

11 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated
12 for pedestrian crossing by lines or other markings on the surface;

13 (3) "Highway" means any public road, street, avenue, alley or boulevard, bridge,
14 viaduct, or trestle and the approaches to them and includes private residential roads
15 and parking lots covered by an agreement under KRS 61.362, off-street parking
16 facilities offered for public use, whether publicly or privately owned, except for-
17 hire parking facilities listed in KRS 189.700;

18 (4) "Intersection" means:

19 (a) The area embraced within the prolongation or connection of the lateral curb
20 lines, or, if none, then the lateral boundary lines of the roadways of two (2)
21 highways which join one another, but do not necessarily continue, at
22 approximately right angles, or the area within which vehicles traveling upon
23 different highways joining at any other angle may come into conflict; or

24 (b) Where a highway includes two (2) roadways thirty (30) feet or more apart,
25 then every crossing of each roadway of such divided highway by an
26 intersecting highway shall be regarded as a separate intersection. If the
27 intersecting highway also includes two (2) roadways thirty (30) feet or more

- 1 apart, every crossing of two (2) roadways of the highways shall be regarded as
2 a separate intersection. The junction of a private alley with a public street or
3 highway shall not constitute an intersection;
- 4 (5) "Manufactured home" has the same meaning as defined in KRS 186.650;
- 5 (6) "Motor truck" means any motor-propelled vehicle designed for carrying freight or
6 merchandise. It shall not include self-propelled vehicles designed primarily for
7 passenger transportation but equipped with frames, racks, or bodies having a load
8 capacity of not exceeding one thousand (1,000) pounds;
- 9 (7) "Operator" means the person in actual physical control of a vehicle;
- 10 (8) "Pedestrian" means any person afoot or in a wheelchair;
- 11 (9) "Right-of-way" means the right of one (1) vehicle or pedestrian to proceed in a
12 lawful manner in preference to another vehicle or pedestrian approaching under
13 such circumstances of direction, speed, and proximity as to give rise to danger of
14 collision unless one grants precedence to the other;
- 15 (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used
16 for vehicular travel, exclusive of the berm or shoulder. If a highway includes two
17 (2) or more separate roadways, the term "roadway" as used herein shall refer to any
18 roadway separately but not to all such roadways collectively;
- 19 (11) "Safety zone" means the area or space officially set apart within a roadway for the
20 exclusive use of pedestrians and which is protected or is so marked or indicated by
21 adequate signs as to be plainly visible at all times while set apart as a safety zone;
- 22 (12) "Semitrailer" means a vehicle designed to be attached to, and having its front end
23 supported by, a motor truck or truck tractor, intended for the carrying of freight or
24 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 25 (13) "Truck tractor" means any motor-propelled vehicle designed to draw and to support
26 the front end of a semitrailer. The semitrailer and the truck tractor shall be
27 considered to be one (1) unit;

- 1 (14) "Sharp curve" means a curve of not less than thirty (30) degrees;
- 2 (15) "State Police" includes any agency for the enforcement of the highway laws
3 established pursuant to law;
- 4 (16) "Steep grade" means a grade exceeding seven percent (7%);
- 5 (17) "Trailer" means any vehicle designed to be drawn by a motor truck or truck-tractor,
6 but supported wholly upon its own wheels, intended for the carriage of freight or
7 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 8 (18) "Unobstructed highway" means a straight, level, first-class road upon which no
9 other vehicle is passing or attempting to pass and upon which no other vehicle or
10 pedestrian is approaching in the opposite direction, closer than three hundred (300)
11 yards;
- 12 (19) (a) "Vehicle" includes:
- 13 1. All agencies for the transportation of persons or property over or upon
14 the public highways of the Commonwealth; and
- 15 2. All vehicles passing over or upon the highways.
- 16 (b) "Motor vehicle" includes all vehicles, as defined in paragraph (a) of this
17 subsection, except:
- 18 1. Road rollers;
- 19 2. Road graders;
- 20 3. Farm tractors;
- 21 4. Vehicles on which power shovels are mounted;
- 22 5. Construction equipment customarily used only on the site of
23 construction and which is not practical for the transportation of persons
24 or property upon the highways;
- 25 6. Vehicles that travel exclusively upon rails;
- 26 7. Vehicles propelled by electric power obtained from overhead wires
27 while being operated within any municipality or where the vehicles do

1 not travel more than five (5) miles beyond the city limits of any
2 municipality;

3 8. Vehicles propelled by muscular power; and

4 9. Electric low-speed scooters;

5 (20) "Reflectance" means the ratio of the amount of total light, expressed in a
6 percentage, which is reflected outward by the product or material to the amount of
7 total light falling on the product or material;

8 (21) "Sunscreening material" means a product or material, including film, glazing, and
9 perforated sunscreening, which, when applied to the windshield or windows of a
10 motor vehicle, reduces the effects of the sun with respect to light reflectance or
11 transmittance;

12 (22) "Transmittance" means the ratio of the amount of total light, expressed in a
13 percentage, which is allowed to pass through the product or material, including
14 glazing, to the amount of total light falling on the product or material and the
15 glazing;

16 (23) "Window" means any device designed for exterior viewing from a motor vehicle,
17 except the windshield, any roof-mounted viewing device, and any viewing device
18 having less than one hundred fifty (150) square inches in area;

19 (24) "All-terrain vehicle" means any motor vehicle used for recreational off-road use;

20 (25) "Nondivisible load," as pertains to state highways that are not part of the national
21 truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle,
22 that if separated into smaller loads or vehicles:

23 (a) Compromises the intended use of the vehicle, making it unable to perform the
24 function for which it was intended;

25 (b) Destroys the value of the load or vehicle, making it unusable for its intended
26 purpose; or

27 (c) Requires more than four (4) work hours to dismantle and reassemble using

1 appropriate equipment;

2 (26) "Electric low-speed scooter" means a device that:

3 (a) Weighs less than one hundred (100) pounds;

4 (b) Is equipped with wheels;

5 (c) Is equipped with handlebars;

6 (d) Is equipped with a brake adequate enough to stop and park the device;

7 (e) Is designed to be stood or sat upon;

8 (f) Is propelled by an electric motor, human power, or both; and

9 (g) Is designed to operate at a maximum speed of twenty (20) miles per hour, on a
10 paved level surface, with or without human propulsion; and

11 (27) "Highway work zone" means that portion of a highway and the affected area
12 adjacent to a lane, berm, or shoulder, including a sidewalk, upon which
13 construction, reconstruction, resurfacing, maintenance, inspection, or other work of
14 that nature is being conducted by a government agency, private contractor, or utility
15 company; and

16 (28) "Super speeder" means any driver who has been convicted of violating KRS
17 189.390 by driving at a speed of:

18 (a) Twenty (20) miles per hour or greater in excess of the posted speed on any
19 highway that is part of the state primary road system identified in KRS
20 177.020 which has one (1) lane of travel in each direction; or

21 (b) Twenty-five (25) miles per hours or greater in excess of the posted speed on
22 any other highway that is part of the state primary road system identified in
23 KRS 177.020.

24 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 189 IS CREATED TO
25 READ AS FOLLOWS:

26 (1) In addition to the fines assessed for speeding under Section 4 of this Act, the
27 cabinet shall assess a fee of two hundred dollars (\$200) to any person convicted

1 as a super speeder.

2 (2) (a) The cabinet shall, within thirty (30) days of receipt of a qualifying offense
3 and notice of conviction, notify offenders of the imposition of a fee under
4 this section.

5 (b) Failure to pay the fee imposed by this section within ninety (90) days after
6 receipt of the notice shall result in the suspension of the operator's license
7 or driving privileges of the offender, and, in addition to any existing fees,
8 finest, and penalties, the cabinet shall assess a fee of fifty dollars (\$50) to the
9 offender. In addition to the reinstatement fee outlined in KRS 186.531, the
10 fee assessed under this paragraph shall be payable upon the application for
11 reinstatement of the offender's operator's license or driving privileges.

12 (c) The cabinet shall provide notice under this section to the offender by first-
13 class mail to the address of record of the offender. Such mailed notice shall
14 be adequate notification of the fee imposed by this section and the
15 offender's ability to avoid suspension of driving privileges by paying the fee
16 prior to the effective date of suspension. No other notice shall be required to
17 make a suspension of driving privileges effective.

18 (3) Fees collected under this section shall be allocated as follows:

19 (a) Forty percent (40%) shall be transferred into the Kentucky trauma care
20 system fund established in Section 6 of this Act;

21 (b) Twenty percent (20%) shall be transferred into the Bentley rural hospital
22 preservation fund established in Section 7 of this Act;

23 (c) Twenty percent (20%) shall be transferred into the emergency medical
24 services education grant fund established in Section 3 of this Act. If the
25 Kentucky Board of Emergency Medical Services ceases all components of
26 the emergency medical services education grant program established in
27 Section 3 of this Act, the fees identified in this paragraph shall be

1 transferred into the Bentley rural hospital preservation fund established in
2 Section 7 of this Act; and

3 (d) Twenty percent (20%) shall be transferred into the School AED fund
4 established in Section 8 of this Act.

5 (4) If the Kentucky Board of Emergency Medical Services ceases all components of
6 the emergency medical services education grant program established under
7 Section 3 of this Act, the remaining fund amounts shall be transferred into the
8 Bentley rural hospital preservation fund established in Section 7 of this Act.

9 (5) Once every five (5) years, the Interim Joint Committee on Appropriations and
10 Revenue Budget Review Subcommittee on Health and Family Services shall
11 review the allocation percentages set forth in subsection (3) of this section to
12 assess the current needs of the various funds receiving allocations.

13 (6) The Transportation Cabinet shall promulgate administrative regulations in
14 accordance with KRS Chapter 13A to implement this section.

15 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 311A IS CREATED TO
16 READ AS FOLLOWS:

17 (1) An emergency medical services education grant program is established to
18 increase the numbers of persons seeking paramedic initial certification, provide
19 more facilities for certification, and encourage those persons to be employed by
20 Class I ground ambulance providers located in Kentucky. The program shall
21 consist of three (3) components as follows:

22 (a) Student tuition support;

23 (b) Agency support; and

24 (c) Emergency medical services training or educational institution support.

25 (2) The student tuition support component shall be used for the training and
26 education of individuals seeking initial paramedic certification under this chapter
27 who are employed by a Class I ground ambulance provider. The tuition support

1 shall be paid periodically to the emergency medical services training or
2 educational institution in which the person is enrolled seeking paramedic
3 certification. The board shall, at a minimum, promulgate administrative
4 regulations in accordance with KRS Chapter 13A on the following aspects of this
5 component:

6 (a) Time limits for the individual seeking initial paramedic certification to
7 complete certification and begin or continue service with a Class I ground
8 ambulance provider;

9 (b) Minimum service length requirements that may be imposed by the board, by
10 contract, or both, on the individual seeking initial paramedic certification;

11 (c) Uses of the funds, including but not limited to a prohibition on spending
12 funds on prerequisite courses not included in the core course content of the
13 paramedic certification program;

14 (d) Providing priority consideration for geographic areas that are underserved
15 in terms of paramedic coverage, including those with lower populations and
16 higher emergency medical response times, and providing priority
17 consideration for agencies that do not meet national standards of minimum
18 staffing levels or response times for the dispatch of emergency medical care;
19 and

20 (e) Any other aspect of the component that will implement the provisions of this
21 section.

22 (3) The agency support component shall be used to reimburse Class I ground
23 ambulance providers the wages paid to an employee while the employee seeks
24 initial paramedic certification. The board shall, at a minimum, promulgate
25 administrative regulations in accordance with KRS Chapter 13A on the following
26 aspects of this component:

27 (a) Maximum reimbursement for each employee of the Class I ground

- 1 ambulance provider seeking initial paramedic certification;
- 2 (b) Maximum number of employees eligible for wage reimbursement within
- 3 each Class I ground ambulance provider; and
- 4 (c) Any other aspect of the component that will implement the provisions of this
- 5 section.
- 6 (4) The emergency medical services training or educational institution support
- 7 component shall be used to provide funding to existing and start up emergency
- 8 medical services training or educational institutions that are certified or seeking
- 9 certification by the board and that offer or will offer initial education courses for
- 10 emergency medical technician, advanced emergency medical technician, and
- 11 paramedic programs. The board shall, at a minimum, promulgate administrative
- 12 regulations in accordance with KRS Chapter 13A on the following aspects of this
- 13 component:
- 14 (a) Grant ceilings per applicant;
- 15 (b) Applicant qualification priorities, including but not limited to those that are
- 16 nonprofit entities operating under KRS Chapter 273 and those that are
- 17 serving, or plan to serve, areas in need of improved emergency medical
- 18 service coverage;
- 19 (c) Time limits for commencing the classes or programs for which the grant
- 20 was sought; and
- 21 (d) 1. Eligible costs, which shall include but not be limited to:
- 22 a. Computer and computer-related equipment and software;
- 23 b. Medical and training equipment, such as cardiac monitors,
- 24 defibrillators, mannequins, and other medical equipment,
- 25 personal protective gear, and durable emergency medical and
- 26 trauma education simulation equipment;
- 27 c. Personnel costs used in directly delivering the education

1 program; and

2 d. Services used in operating the program; and

3 2. Ineligible costs, which shall include but not be limited to:

4 a. Real property purchases or improvements;

5 b. Building construction, renovation, or maintenance;

6 c. Personnel costs not directly related to delivering the education
7 program such as costs related to educator training, including
8 travel and meals, and perquisites that are part of a compensation
9 package;

10 d. Lobbying; and

11 e. Uniforms and clothing.

12 (5) (a) There is hereby established in the State Treasury a trust and agency
13 account to be known as the emergency medical services education grant
14 fund. The fund shall consist of state appropriations, contributions,
15 donations, gifts, moneys allocated under Section 2 of this Act, and
16 repayments.

17 (b) The fund shall be administered by the Kentucky Board of Emergency
18 Medical Services.

19 (c) Amounts deposited in the fund shall be used for the purposes set forth in
20 this section and for no other purpose.

21 (d) Notwithstanding KRS 45.229, fund amounts not expended at the close of a
22 fiscal year shall not lapse but shall be carried forward into the next fiscal
23 year.

24 (6) The board shall administer the emergency medical services education grant
25 program. The board may cease any or all components of the program once the
26 desired goals have been achieved in the judgment of the board. The board shall
27 provide staffing for the program and may use moneys in the emergency medical

services education grant fund to do so. Staffing and administrative costs shall not exceed five percent (5%) of the fund amount. The board may promulgate any administrative regulations in accordance with KRS Chapter 13A, in addition to those listed in subsections (2) to (4) of this section, that are necessary for the implementation and operation of the program.

➔Section 4. KRS 189.394 is amended to read as follows:

(1) The fines for speeding in violation of KRS 189.390 shall be:

Mph.	Prima Facie or Maximum Speed												
Over													
Limit	15	20	25	30	35	40	45	50	55	60	65	70	
Fine													
1	16	21	26	31	36	41	46	51	56	61	66	71	\$1
2	17	22	27	32	37	42	47	52	57	62	67	72	2
3	18	23	28	33	38	43	48	53	58	63	68	73	3
4	19	24	29	34	39	44	49	54	59	64	69	74	4
5	20	25	30	35	40	45	50	55	60	65	70	75	5
6	21	26	31	36	41	46	51	56	61	66	71	76	16
7	22	27	32	37	42	47	52	57	62	67	72	77	17
8	23	28	33	38	43	48	53	58	63	68	73	78	18
9	24	29	34	39	44	49	54	59	64	69	74	79	19
10	25	30	35	40	45	50	55	60	65	70	75	80	20
11	26	31	36	41	46	51	56	61	66	71	76	81	22
12	27	32	37	42	47	52	57	62	67	72	77	82	24
13	28	33	38	43	48	53	58	63	68	73	78	83	26
14	29	34	39	44	49	54	59	64	69	74	79	84	28
15	30	35	40	45	50	55	60	65	70	75	80	85	30
16	31	36	41	46	51	56	61	66	71	76	81		32
17	32	37	42	47	52	57	62	67	72	77	82		34
18	33	38	43	48	53	58	63	68	73	78	83		36
19	34	39	44	49	54	59	64	69	74	79	84		38
20	35	40	45	50	55	60	65	70	75	80	85		40
21	36	41	46	51	56	61	66	71					43
22	37	42	47	52	57	62	67	72					46
23	38	43	48	53	58	63	68	73					49
24	39	44	49	54	59	64	69	74					52
25	40	45	50	55	60	65	70	75					55

(2) For speeding in excess of the speeds shown on the specific fine schedule, the fine

1 shall be not less than sixty dollars (\$60) nor more than one hundred dollars (\$100).

2 (3) For any violation shown on the chart for which a specific fine is prescribed, the
3 defendant may elect to pay the fine and court costs to the circuit clerk before the
4 date of his or her trial or to be tried in the normal manner. Payment of the fine and
5 court costs to the clerk shall be considered as a plea of guilty for all purposes.

6 (4) If the offense charged shows a speed in excess of the speeds shown on the specific
7 fine schedule, the defendant shall appear for trial and may not pay the fine to the
8 clerk before the trial date.

9 (5) If the offense occurred in an area near a school where flasher lights have been
10 installed and are flashing, and a speed limit has been set pursuant to KRS 189.336,
11 the fine established by subsection (1) or (2) of this section shall be doubled.

12 **(6) In addition to the fines set forth in this section, any person convicted as a super**
13 **speeder shall also be subject to the imposition of fees and suspension of his or her**
14 **operator's license or driving privileges pursuant to Section 2 of this Act.**

15 ➔Section 5. KRS 186.440 is amended to read as follows:

16 An operator's license shall not be granted to:

17 (1) Any person who is not a resident of Kentucky;

18 (2) Any person under the age of sixteen (16);

19 (3) Any person under the age of eighteen (18) who holds a valid Kentucky instruction
20 permit issued pursuant to KRS 186.450, but who has not graduated from high
21 school or who is not enrolled and successfully participating in school or who is not
22 being schooled at home, except those persons who satisfy the District Court of
23 appropriate venue pursuant to KRS 159.051(3) that revocation of their license
24 would create an undue hardship. Persons under the age of eighteen (18) shall
25 present proof of complying with the requirements of KRS 159.051;

26 (4) Any person whose operator's license has been suspended, during the period of
27 suspension, subject to the limitations of KRS 186.442;

- 1 (5) Any person whose operator's license has been revoked, nor to any nonresident
2 whose privilege of exemption under KRS 186.430 has been refused or
3 discontinued, until the expiration of the period for which the license was revoked,
4 or for which the privilege was refused or discontinued;
- 5 (6) Any applicant adjudged incompetent by judicial decree;
- 6 (7) Any person who in the opinion of the Department of Kentucky State Police, after
7 examination, is unable to exercise reasonable and ordinary control over a motor
8 vehicle upon the highways;
- 9 (8) Any person who is unable to understand highway warnings or direction signs in the
10 English language;
- 11 (9) Any person required by KRS 186.480 to take an examination who has not
12 successfully passed the examination;
- 13 (10) Any person required by KRS Chapter 187 to deposit proof of financial
14 responsibility, who has not deposited that proof;
- 15 (11) Any person who has not filed a correct and complete application attested to in the
16 presence of a person authorized to administer oaths;
- 17 (12) Any person who cannot meet the requirements set forth in KRS 186.411(1) or (3);
18 ~~for~~
- 19 (13) Any person whose operator's license has been suspended or revoked under the
20 provisions of KRS Chapter 186, 187, or 189A who has not paid the reinstatement
21 fee required under KRS 186.531; or

22 **(14) Any super speeder, as defined in Section 1 of this Act:**

- 23 **(a) Whose operator's license or driving privilege has been suspended pursuant**
24 **to Section 2 of this Act; and**
- 25 **(b) Who has not satisfied the payment of any fees assessed under Section 2 of**
26 **this Act and the reinstatement fee under KRS 186.531.**

27 ➔Section 6. KRS 211.496 is amended to read as follows:

- 1 (1) The Kentucky trauma care system fund is created as a restricted account that shall
2 consist of state general fund appropriations and other grants, contributions,
3 donations, moneys allocated under Section 2 of this Act, or other moneys made
4 available for the purposes of KRS 211.490 to 211.496~~[- Moneys in the fund are~~
5 ~~hereby appropriated for the purposes set forth in KRS 211.490 to 211.496].~~
- 6 (2) Amounts deposited into the trauma care system fund shall be used in the following
7 order of prioritization~~[-used to support-]~~:
- 8 (a) ~~[-Administrative costs of the Department for Public Health, the statewide~~
9 ~~trauma care director, and the advisory committee that relate to the statewide~~
10 ~~trauma care system, including public awareness and information efforts;~~
- 11 ~~(b)-]~~The implementation of the statewide trauma care system, including trauma
12 registries and data banks at the state and designated trauma hospital levels;
- 13 ~~(b)(c)]~~ Expenses related to hospital trauma center verification;
- 14 (c) Administrative costs of the Department for Public Health, the statewide
15 trauma care director, and the advisory committee that relates to the
16 statewide trauma care system, including funding for trauma coordinators,
17 education, scholarships, public awareness, and information efforts;
- 18 (d) Continuing education and support for trauma care providers, including
19 Kentucky licensed emergency ambulance services assisting with a response
20 and interfacility transfers;~~[-and-]~~
- 21 (e) Support for uncompensated care provided by hospitals, physicians, emergency
22 medical services, or other trauma care providers who provide services in a
23 verified trauma center to uninsured trauma patients, including transport and
24 transfer costs not covered by other payers. Verified trauma centers shall have
25 the authority to contract with state government for receipt of funds under this
26 paragraph; and
- 27 (f) Payments to designated trauma hospitals to specifically assist with physician

1 employment costs.

2 (3) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of a
3 fiscal year shall not lapse but shall be carried forward into the~~[succeeding]~~ next
4 fiscal year~~[to be used for the purposes set forth in KRS 211.490 to 211.496].~~

5 ~~(4) Any interest earned on moneys in the account shall accrue to the fund and shall be~~
6 ~~used for the purposes set forth in KRS 211.490 to 211.496].~~

7 ➔Section 7. KRS 154.20-190 is amended to read as follows:

8 (1) As used in this section:

9 (a) "Authority" means the Kentucky Economic Development Finance Authority;

10 (b) "Qualifying former hospital" means a hospital facility:

11 1. At a location that closed within thirty-six (36) months prior to an
12 application for a loan; and

13 2. For which the former owner or new owner has obtained a certificate of
14 need to open a new hospital or other health facility as defined in KRS
15 216B.015 that provides inpatient care at the closed location; and

16 (c) "Rural hospital" means any hospital or qualifying former hospital located
17 within a county of the Commonwealth having a population of less than fifty
18 thousand (50,000) according to the most recent annual estimates of the
19 resident population issued by the United States Census Bureau.

20 (2) (a) The Bentley rural hospital preservation~~[operations and facilities revolving~~
21 ~~loan]~~ fund is established. The authority shall provide loans to a rural hospital
22 not to exceed ten percent (10%) of the fund's balance at the beginning of a
23 fiscal year for any project within a rural hospital~~[one million dollars~~
24 ~~(\$1,000,000) for any project within a rural hospital and shall not exceed more~~
25 ~~than two million dollars (\$2,000,000) every five (5) years].~~

26 (b) In using moneys allocated to the fund under Section 2 of this Act, the
27 authority shall give priority to providing loans to hospitals to provide

1 **services in counties that do not currently have a rural hospital.**

2 **(c)** Any loan issued by the authority shall not exceed a twenty (20) year term and
3 shall be utilized by the Cabinet for Economic Development to assist a rural
4 hospital in providing needed direct health care services for the citizens of the
5 Commonwealth by:

- 6 1. Maintaining or upgrading the hospital's facilities;
- 7 2. Maintaining or increasing the current staff of the rural hospital;
- 8 3. Reopening a qualifying former hospital;~~[- or]~~
- 9 4. Providing health care services that are not currently available to citizens;

10 **or**

11 **5. Converting a rural hospital to rural emergency hospital status.**

12 ~~(d)~~~~(e)~~ The authority shall consider a group with multiple locations eligible
13 under this section as if each separate location is a separate entity for purposes
14 of determining eligibility and applicable loan limits.

15 (3) The Cabinet for Economic Development shall:

- 16 (a) Determine the terms and conditions of each loan, including the repayment to
17 be deposited back in the revolving loan fund for issuance of future loans to
18 other rural hospitals;
- 19 (b) Monitor the performance of the rural hospital; and
- 20 (c) By November 1 **of each year**~~[- 2023, and by each November 1 thereafter]~~,
21 report to the Interim Joint Committee on Appropriations and Revenue
22 information about each outstanding loan issued, including:
 - 23 1. The name and location of the rural hospital;
 - 24 2. The amount of principal originally loaned;
 - 25 3. The terms of the loan and whether the rural hospital is currently meeting
26 those terms; and
 - 27 4. How the rural hospital used the loan related to facilities, staff, or

1 additional services.

2 (4) (a) The fund created in subsection (2) of this section shall be a trust and agency
3 account.

4 (b) The Cabinet for Economic Development shall administer the fund.

5 (c) The fund shall consist of appropriations, contributions, donations, gifts,~~[-or]~~
6 federal funds, and moneys transferred to the fund under Section 2 of this
7 Act.

8 (d) Notwithstanding KRS 45.229, fund amounts not expended~~[any moneys~~
9 ~~remaining in the fund]~~ at the close of a~~[the]~~ fiscal year shall not lapse but
10 shall be carried forward into the next~~[succeeding]~~ fiscal year.

11 ~~[(e) Any interest earnings of the fund shall become a part of the fund and shall not~~
12 ~~lapse.~~

13 ~~[(f) Moneys deposited in the fund are hereby appropriated for the sole purpose of~~
14 ~~providing loans to rural hospitals.]~~

15 ➔Section 8. KRS 158.1622 is amended to read as follows:

16 (1) There is hereby established in the State Treasury~~[created]~~ a trust and agency
17 account to be known as the school AED fund to be administered by the Cabinet for
18 Health and Family Services, in collaboration with the Department of Education.
19 Amounts deposited in the fund shall be used for the purpose of awarding needs-
20 based grants to public schools for:

21 (a) The purchase and maintenance of portable automated external defibrillators
22 and other medical devices used to diagnose, prevent, or treat a medical
23 condition that is harmful to student athletes; and

24 (b) The provision of cardiopulmonary resuscitation training.

25 (2) The school AED fund shall consist of any:

26 (a) Appropriations designated for the fund;

27 (b) Funds, grants, and receipts from fundraising activities on behalf of the fund;

1 ~~{and}~~

2 (c) *Moneys allocated under Section 2 of this Act; and*

3 *(d)* Other moneys made available for the purposes of the fund.

4 (3) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal
5 year shall not lapse but shall be carried forward into the next fiscal year.

6 ~~(4) Any interest earnings of the fund shall become a part of the fund and shall not~~
7 ~~lapse.~~

8 ~~(5) Moneys deposited in the fund are hereby appropriated for the purposes set forth in~~
9 ~~this section and shall not be appropriated or transferred by the General Assembly~~
10 ~~for any other purposes.~~

11 ~~(6)~~ Nothing in this section shall be interpreted to restrict the ability of a school or
12 school district to accept direct private donations for the purchase or maintenance of
13 an automated external defibrillator or other medical device used to diagnose,
14 prevent, or treat a medical condition that is harmful to student athletes.