

CHAPTER 61

(HB 140)

AN ACT relating to continuing education about acquired immunodeficiency syndrome.

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

Section 1. KRS 214.610 is amended to read as follows:

- (1) (a) The Cabinet for Health Services *or the licensing board or certifying entity, subject to the board's or entity's discretion*, shall approve appropriate educational courses on the transmission, control, treatment, and prevention of the human immunodeficiency virus and acquired immunodeficiency syndrome, *that may address*~~[with an emphasis on]~~ appropriate behavior and attitude change, to be completed as specified in the respective chapters by each person licensed or certified under KRS Chapters 311, 312, 313, 314, 315, 320, 327, 333, and 335 and emergency medical technicians certified pursuant to KRS Chapter 311. *Each licensing board or certifying entity shall have the authority to determine whether it shall approve courses or use courses approved by the cabinet. Completion of the courses shall be required at the time of initial licensure or certification in the Commonwealth, as required under Section 2 and Section 3 of this Act, and shall not be required under this section or any other section more frequently than one (1) time every ten (10) years thereafter, unless the licensing board or certifying entity specifically requires more frequent completion under administrative regulations promulgated in accordance with KRS Chapter 13A.*
- (b) *The Department for Public Health shall publish on its web site the current informational resources for the development of the educational courses or programs. To the extent possible, the educational courses or programs under this subsection shall:*
 1. *Include changes in Kentucky law affecting HIV testing and reporting; confidentiality and privacy of HIV-related data, information, and reports; and advances in treatment protocols, intervention protocols, coordination of services, and other information deemed important by the Department for Public Health and the Centers for Disease Control and Prevention (CDC);*
 2. *Inform all professions involved with or affected by the birthing process about the importance of HIV testing of pregnant women and the probability of preventing perinatal transmission of HIV with appropriate treatment; and*
 3. *Update all health care professionals identified under paragraph (a) of this subsection requesting information about the potential involvement of their occupation in the treatment or prevention of blood-borne pathogens with the latest CDC guidelines on occupational exposure to HIV and other blood borne pathogens.*
- (2) Each licensee or certificate holder shall submit confirmation on a form provided by the cabinet of having completed the course by July 1, 1991, except persons licensed under KRS Chapters 314 and 327 for whom the completion date shall be July 1, 1992.

Section 2. KRS 214.615 is amended to read as follows:

- (1) The **licensing board or certifying entity**~~[cabinet]~~ shall require as a condition of granting a license **or certificate** under the chapters specified in KRS 311.450, 311.601, 312.175, 313.080, 313.305, 314.073, 315.065, 320.280, 327.050, 333.190, 335.080, 335.090, 335.100, and 335.150 that an applicant making initial application for licensure **or certification** complete an educational course approved by the cabinet **or the licensing board or certifying entity** on the transmission, control, treatment, and prevention of the human immunodeficiency virus and acquired immunodeficiency syndrome. An applicant who has not taken a course at the time of licensure **or certification** shall upon an affidavit showing good cause be allowed six (6) months to complete this requirement.
- (2) The **licensing board or certifying entity**~~[cabinet]~~ may promulgate administrative regulations to carry out the provisions of this section.
- ~~[(3) The cabinet shall report to the General Assembly by March 1 of each year, as to the implementation and compliance with the requirements of this section.]~~

Section 3. KRS 214.620 is amended to read as follows:

- (1) The boards of the professions in KRS 311.450, 311.571, 311.601, 312.085, 312.175, 313.040, 313.080, 313.290, 313.305, 314.041, 314.042, 314.051, 314.073, 315.050, 315.065, 320.250, 320.280, 327.050, 333.100, 333.190, 335.080, 335.090, 335.100, and 335.150, and the Cabinet for Health Services shall begin planning for the implementation of those sections listed above which require, as a part of initial licensure, applicants for certain specified professions to complete an educational course on the transmission, control, treatment, and prevention of human immunodeficiency virus and acquired immunodeficiency syndrome. The planning shall include collecting information from the facilities and programs which educate and train the licensed professionals affected by the licensure requirements of those sections listed above and shall also include developing administrative regulations for the implementation of the licensure requirements.
- (2) The Cabinet for Health Services shall develop, **if requested by a licensing board or certifying entity**, instructional material on the human immunodeficiency virus, including information related to methods of transmission, education, and infection control. The materials developed under this section shall be provided to persons licensed under KRS Chapters 317 and 317A. Costs of production and distribution of the instructional materials shall be wholly assumed from the fees assessed by the licensing boards which regulate the professionals who are provided with educational materials under this section. To expeditiously and economically develop, produce, and distribute the instructional material required under this section, the Cabinet for Health Services shall consult with the professional associations of professions to determine whether suitable instructional materials already exist that may be lawfully reproduced or reprinted.
- (3) The Cabinet for Human Resources shall require that, by July 1, 1992, all employees of health facilities defined in KRS 216B.015 shall have completed an educational course on the transmission, control, treatment, and prevention of the human immunodeficiency virus and acquired immunodeficiency syndrome with an emphasis on appropriate behavior and attitude change except for those employees who shall have completed such a course as required for their professional licensure or upon evidence that the employee received such a course from another health facility where the employee was previously employed.
- (4) Information on the human immunodeficiency virus infection shall be presented to any person who receives treatment at any hospital, however named, skilled-nursing facilities,

primary-care centers, rural health clinics, outpatient clinics, ambulatory-care facilities, ambulatory surgical centers, and emergency-care centers licensed pursuant to KRS Chapter 216B. The information shall include, but not be limited to, methods of transmission and prevention and appropriate behavior and attitude change.

- (5) ***Notwithstanding any provision of law to the contrary, the licensing board or certifying entity of any profession required to complete the course described in subsection (1) or (2) of this section shall have the discretion to develop and approve its own instructional course to be required for the profession under the jurisdiction of the respective licensing board or certifying entity.***

Section 4. KRS 311.450 is amended to read as follows:

- (1) Every license issued for the practice of podiatry shall expire on June 30 following the date of issuance unless sooner revoked and canceled.
- (2) On or before June 1 of each year, the board shall send notices to all licensed podiatrists in this state, at their last known addresses, advising them that the annual license renewal fee is due on July 1 of each year. Every registered podiatrist shall renew his license on or before July 1 of each year by the payment to the board of an annual license renewal fee which shall be a reasonable fee set by regulation of the board and upon submission of a statement of compliance with the continuing education regulations of the board. The regulations shall include a requirement to complete the course described in KRS 214.610(1) ***at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.*** If such renewal fee is not paid or such statement of compliance is not submitted on or before July 1, the board shall notify the delinquent licensee by mail at his last known address that such fee and statement are past due and that a delinquent penalty fee is assessed, in addition to the renewal fee and that the renewal fee and penalty must be paid and the statement of compliance submitted on or before January 1. If such fees, penalties and statement are not submitted by January 1, it shall be the duty of the board to suspend or revoke the license for nonpayment of the annual renewal and delinquent fees or for failure to submit the statement of compliance for the current year.
- (3) All fees collected under the provisions of KRS 311.380 to 311.510, or the rules and regulations adopted pursuant thereto, shall be paid into the State Treasury, and credited to a trust and agency fund to be used in defraying the costs and expenses in the administration of KRS 311.380 to 311.510 including, but not limited to, salaries and necessary travel expenses. No part of this fund shall revert to the general funds of this Commonwealth.

Section 5. KRS 311.601 is amended to read as follows:

- (1) The board may adopt reasonable rules and regulations to effectuate and implement the provisions of KRS 311.550 to 311.620, including but not limited to regulations designed to insure the continuing professional competency of present and future licensees. As an adjunct to the power conferred upon the board by this section, the board may require licensees to submit to interrogation as to the nature and extent of their postgraduate medical education and to require licensees found to be deficient in their efforts to keep abreast of new methods and technology, to obtain additional instruction and training therein.
- (2) Any continuing medical education requirement which the board may institute by regulation shall include the completion of the course described in KRS 214.610(1) ***at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.***

Section 6. KRS 311.6541 is amended to read as follows:

- (1) The Kentucky Board of Emergency Medical Services shall promulgate administrative regulations relating to emergency medical technicians. The administrative regulations may include the classification and certification of emergency medical technicians, instructors, instructor-trainers, and students and trainees; examinations; standards of training and experience; curricula standards; issuance, renewal, suspension, denial, revocation, probation, and restriction of certificates; hearing of appeals; and other reasonable standards as may be necessary for the protection of public health and safety in the delivery of emergency medical services. No additional testing or examinations shall be required for recertification, except for proficiency testing of new skills or knowledge, or areas in which there is documented evidence of deterioration of skills.
- (2) Recertification programs shall be organized to include continuing education and in-service training approved by the Kentucky Board of Emergency Medical Services. The continuing education program *may include updated training as specified under* ~~shall be subject to the requirements of~~ KRS 214.610(1). *The board shall require updated training as specified under subsection (1) of Section 1 of this Act at least one (1) time every ten (10) years, but the board may in its discretion require the training more frequently.*
- (3) Beginning July 14, 2000, a new emergency medical technician shall, for initial certification, be certified using the requirements and testing established by the National Registry of Emergency Medical Technicians.
- (4) Beginning July 14, 2000, a certified emergency medical technician who seeks recertification shall obtain recertification under the requirements established and maintained by the Kentucky Board of Emergency Medical Services. These requirements shall contain a minimum of sixteen (16) hours of required topics and eight (8) hours of elective topics over a two (2) year recertification period. The Kentucky Board of Emergency Medical Services shall also recertify any emergency medical technician who chooses to obtain recertification under the requirements established by the National Registry of Emergency Medical Technicians in lieu of the standards established by the Kentucky Board of Emergency Medical Services.
- (5) Other than the requirements of KRS 214.610(1), the Kentucky Board of Emergency Medical Services shall not require any additional course work, in-service training, testing, or examinations of a person who chooses the National Registry of Emergency Medical Technicians or its successor organization for certification or recertification as an emergency medical technician.
- (6) Other than the requirements of KRS 214.610(1), any person licensed by the Kentucky Board of Emergency Medical Services as a paramedic shall be certified as an emergency medical technician by the board. The certification shall be issued without fee, without additional training, in-service training, testing, or examination. The emergency medical technician certification shall be issued and expire at the same time that the paramedic license is issued or expires, and if a paramedic voluntarily gives up his or her license prior to the expiration of his or her paramedic license, his or her emergency medical technician certification shall be unaffected thereby. If a paramedic chooses not to be relicensed as a paramedic but chooses to retain his emergency medical technician certification, the paramedic shall, prior to the expiration of his paramedic license, complete the requirements for recertification as

an emergency medical technician utilizing one (1) of the methods provided for in this section.

- (7) A paramedic whose license as a paramedic is suspended, revoked, or denied by the Kentucky Board of Emergency Medical Services shall have the same action taken automatically with regard to his emergency medical technician certification.

Section 7. KRS 312.175 is amended to read as follows:

- (1) After July 14, 1992, all persons licensed to practice chiropractic in this state shall, on or before the first day of March, annually hereafter renew his license and pay a renewal fee of not more than one hundred dollars (\$100) for each nonresident licensee and not more than two hundred dollars (\$200) for each resident licensee each year to the board. In addition to the payment of the renewal fee, the licensee so applying for a license renewal shall furnish to the board satisfactory evidence that he has attended an educational program in the year preceding each application for renewal. Satisfactory evidence of attendance of postgraduate study at an institution approved by the board shall be considered equivalent. Any education shall include completion of the course described in KRS 214.610(1) ***at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.*** Provided, however, that licenses may be renewed by the board, at its discretion, and the applicant may be excused from paying the renewal fee or attending the annual educational program, or both, in instances where the applicant submits an affidavit to the board evidencing that he, for good cause assigned, suffered a hardship which prevented the applicant from renewing the license or attending the educational program at the proper time.
- (2) The executive secretary of the board shall send a written notice to every person holding a valid license to practice chiropractic within this state at least thirty (30) days prior to the first day of March in each year, directed to the last known address of the licensee, and shall enclose with the notice proper blank forms for application for annual license renewal. The executive secretary shall, within thirty (30) days, notify every person failing to renew his license after it is due that he is delinquent and is subject to a late penalty of one hundred dollars (\$100). If the licensee fails to renew his license within ninety (90) days after the mailing of the delinquent notice then his license shall be revoked for nonrenewal. Any licensee whose license has been revoked for failure to renew his license may have his license restored upon the payment of a restoration fee not to exceed two hundred dollars (\$200) for each delinquent year or any part thereof in addition to the renewal fee of not more than three hundred dollars (\$300) and upon presentation of satisfactory evidence of postgraduate study of a standard approved by the state board or upon a showing that he is an exception as provided for in subsection (1) of this section. Any licensee whose license has been revoked for more than four (4) years for failure to renew his license may have his license restored after satisfactorily passing the examination as provided in KRS 312.115 and upon payment of the regular application fee.

Section 8. KRS 313.080 is amended to read as follows:

- (1) Each person who is licensed to practice dentistry in Kentucky shall, by the thirty-first day of December of each odd-numbered year, register with the board and maintain satisfactory evidence of completion of continuing education as provided in this section. The registration shall be made on a form prescribed by the board and furnished by the board's executive director, and shall include the licensee's name, address, license number, and any other

available information that the board may consider necessary. All registrations shall be in effect for the two (2) year period beginning on the first day of January of the following even-numbered year and ending on the last day of December of the following odd-numbered year.

- (2) By December 31 of each biennial licensing period as provided in subsection (1) of this section, every dentist licensed to practice in this state shall return to the board evidence satisfactory to the board that the dentist has accumulated a sufficient number of points for continuing dental education in accordance with a schedule of points which shall be adopted by the board. However, that the board, in its discretion, may make exceptions to the point requirement for continuing dental education for any hardship or other extenuating circumstances that the board deems appropriate. The continuing dental education shall include completion of the course described in KRS 214.610(1) *at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.*
- (3) By December 31 of each biennial licensing period as provided in subsection (1) of this section, every dentist licensed to practice in this state shall return to the board the renewal notice properly signed and a license fee in the amount prescribed by the board. The dentist shall thereupon receive a license renewal certificate, if the dentist has also complied with the requirements of subsection (2) of this section. The board shall fix the license fee at an amount as is necessary to maintain a revolving fund at an approximate level of one hundred fifty thousand dollars (\$150,000). The license fee for each licensing period shall be set by the board. Notice of the amount of license renewal fee shall be given to each dentist licensed in the state by the board not later than thirty (30) days before the end of the renewal period.
- (4) Any license granted by the board shall be automatically suspended if the holder fails to submit a properly completed renewal application to the board, with payment of the renewal fee, as required in this section. For purposes of this section, any renewal application shall be deemed timely submitted if it is delivered to the board office by December 31, or duly mailed and postmarked by that date. Any license thus suspended may be restored by the board upon the payment to the board of the biennial registration fee, and in addition thereto, a reinstatement fee of fifty dollars (\$50) within one (1) year after the suspension.
- (5) Each dentist licensed under this chapter shall notify the board in writing of any change in the person's name, office address, or employment within ten (10) days after the change has taken place.

Section 9. KRS 313.305 is amended to read as follows:

- (1) Each person who is licensed to practice dental hygiene in the Commonwealth shall, by the thirty-first day of December of each even-numbered year, register with the board and maintain satisfactory evidence of completion of continuing education as provided in this section. The registration shall be made on a form prescribed by the board and furnished by the board's executive director and shall include the licensee's name, address, license number, and any other available information that the board may consider necessary. All registrations shall be in effect for the two (2) year period beginning on the first day of January of the following odd-numbered year and ending on the last day of December of the following even-numbered year.
- (2) By December 31 of each biennial licensing period as provided in subsection (1) of this section, every dental hygienist licensed to practice in this state shall return to the board evidence satisfactory to the board that the dental hygienist has accumulated a sufficient

number of points for continuing dental hygienist education in accordance with a schedule of points which shall be adopted by the board. Continuing dental hygienist education shall include completion of the course described in KRS 214.610(1) *at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently*. In approving continuing education activities, the board shall develop criteria to determine the actual effect upon the competency of the participant. However, the board, in its discretion, may make exceptions to the point requirement for continuing dental hygienist education for any hardship or other extenuating circumstances that the board deems appropriate.

- (3) By December 31 of each biennial licensing period as provided in subsection (1) of this section, every dental hygienist licensed to practice in this state shall return to the board the hygienist's renewal notice properly signed and a fee prescribed by the board by administrative regulation subject to the provisions of KRS Chapter 13A. The dental hygienist shall then receive a license renewal certificate, if compliance with the requirements of subsection (1) of this section is met. The biennial renewal license fee shall be established by the board in an amount as is necessary to maintain the level of the revolving fund in accordance with the provisions of KRS 313.080. The license fee for each licensing period shall be set biennially by the board. Notice of change in the amount of license renewal fee shall be given to each dental hygienist licensed in the state by the board not later than thirty (30) days prior to each renewal period.
- (4) Any license granted by the board shall be suspended if the holder fails to submit a properly completed renewal application to the board, with payment of a renewal fee, as required in this section. For purposes of this section, any renewal application shall be deemed timely submitted if it is delivered to the board office by December 31, or duly mailed and postmarked by that date. Any license thus suspended may be restored by the board upon the payment to the board of the biennial registration fee and, in addition thereto, of a reinstatement fee of twenty-five dollars (\$25) within one (1) year after the suspension.
- (5) Each dental hygienist licensed to practice under this chapter shall notify the board in writing of any change in the licensee's name, office address, or employment within ten (10) days after the change has taken place.

Section 10. KRS 314.073 is amended to read as follows:

- (1) Except for the first licensure renewal following the issuance of an original license by the board, as a prerequisite for license renewal, all individuals licensed under provisions of this chapter shall be required to document continuing competency during the immediate past licensure period as prescribed in regulations promulgated by the board.
- (2) The continuing competency requirement shall be documented and reported as set forth by the board in administrative regulations promulgated in accordance with KRS Chapter 13A.
- (3) The board shall approve providers of continuing education. The approval may include recognition of providers approved by national organizations and state boards of nursing with comparable standards. Standards for these approvals shall be set by the board in administrative regulations promulgated in accordance with the provisions of KRS Chapter 13A.
- (4) The board shall work cooperatively with professional nursing organizations, approved nursing schools, and other potential sources of continuing education programs to assure that

adequate continuing education offerings are available statewide. The board may enter into contractual agreements to implement the provisions of this section.

- (5) The board shall be responsible for notifying applicants for licensure and licensees applying for license renewal, of continuing competency requirements.
- (6) The continuing competency requirements shall include the completion of the course described in KRS 214.610(1) *at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.*
- (7) In order to offset administrative costs incurred in the implementation of the mandatory continuing competency requirements, the board may charge reasonable fees as established by regulation in accordance with the provisions of KRS Chapter 13A.
- (8) The continuing competency requirements shall include at least five (5) contact hours in pharmacology continuing education for any person registered as an advanced registered nurse practitioner.

Section 11. KRS 315.065 is amended to read as follows:

- (1) Because of the continuous introduction of new therapeutic and diagnostic agents and changing concepts in the practice of pharmacy, it is essential that a pharmacist undertake a program of continuing education to maintain his professional competency to practice in the public interest.
- (2) No pharmacist's license shall be renewed until the license holder is able to submit written proof to the board that he has satisfactorily completed, in the previous renewal period, a continuing education program acceptable to the board. Such continuing education requirements shall be determined by regulation of the board, *and shall include, at least one (1) time every ten (10) years,*~~provided~~ the course described in KRS 214.610(1)~~is included~~, but they shall not require more than an average of one and one-half (1-1/2) continuing education units (CEU) per year. *The board may in its discretion require completion of the course described in subsection (1) of Section 1 of this Act more frequently.*
- (3) The board shall adopt rules and regulations to carry out the provisions of this section, to include guidelines and criteria for reviewing and approving continuing education programs.

Section 12. KRS 320.280 is amended to read as follows:

- (1) All optometrists desiring to continue practice shall annually, prior to March 1, secure from the secretary-treasurer of the board a renewal certificate upon the payment of a fee of not more than two hundred dollars (\$200). Not later than February 15 of each year the board shall notify by mail all optometrists of the renewal date and fee. Application for a renewal shall be upon a form prescribed by the board and the optometrist shall furnish the information required by the form.
- (2) As a prerequisite for license renewal, all optometrists now or hereafter licensed in the Commonwealth of Kentucky are and shall be required to take annual courses of study in subjects relating to the practice of optometry to the end that the utilization and application of new techniques, scientific and clinical advances, and the achievement of research will assure expansive and comprehensive care to the public. The annual courses of study shall include the course described in KRS 214.610(1) *at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently.* The length

and content of study shall be prescribed by the board but shall not exceed eight (8) hours in any calendar year, with the exception of those optometrists who are authorized to prescribe therapeutic agents who shall be required to have additional credit hours of continuing education in ocular therapy and pharmacology, the amount of required credit hours to be determined by the board, but not to exceed an additional seventeen (17) credit hours, for a total not to exceed twenty-five (25) credit hours per year. Attendance shall be at a course or by a sponsor approved by the board. Attendance at any course or courses of study is to be certified to the board upon a form provided by the board and shall be submitted by each licensed optometrist at the time he makes application to the board for the renewal of his license and payment of his renewal fee. The board may waive the continuing education requirement in cases of illness or undue hardship.

- (3) Failure of any optometrist to secure his renewal certificate within sixty (60) days after March 1, shall constitute sufficient cause for the board to revoke his license.

Section 13. KRS 327.050 is amended to read as follows:

- (1) Before applying for licensure by the board as a physical therapist, a person shall have successfully completed an accredited program in physical therapy approved by the board and shall have fulfilled the requirements of KRS 214.615(1). No school shall be approved by the board unless it has been approved for the educational preparation of physical therapists by the recognized national accrediting agency for physical therapy educational programs.
- (2) Any person who possesses the qualifications required by this chapter and who desires to apply for licensure as a physical therapist in Kentucky shall make written application to the board, on forms to be provided by the board. The application shall be accompanied by a nonrefundable application fee in an amount to be determined by the board, but not to exceed two hundred fifty dollars (\$250).
- (3) If it appears from the application that the applicant possesses the qualifications required by this chapter and has not yet successfully completed the board-approved examination, the applicant shall be allowed to sit for the examination and tested in the subjects the board may determine to be necessary.
- (4) Examinations shall be held within the state at least once a year at the time and place as the board shall determine.
- (5) An applicant who is admitted to the examination or an applicant who has submitted satisfactory evidence that he has been accepted as a candidate for licensure by examination in a state which offers an examination approved by the board may be granted a temporary permit which shall be valid until his examination is graded and he is notified by the board of his score. The board may summarily withdraw a temporary permit upon determination that the person has made any false statement to the board on the application, or the person fails to pass an examination approved by the board.
- (6) An applicant who receives a passing score as determined by the board and who meets the other qualifications required by this chapter shall be licensed as a physical therapist.
- (7) An applicant who fails to receive a passing score on his examination shall not be licensed, but the board may, by administrative regulation, permit applicants to take the examination more than once.

- (8) All licenses and certificates shall be renewed biennially, upon payment on or before March 31 of each uneven-numbered year of a renewal fee in an amount to be promulgated by the board by administrative regulations. Any licensed or certified person seeking renewal shall ***be required to complete the***~~retain for three (3) years proof of the completion of the~~ course described in KRS 214.610(1) ***at least one (1) time every ten (10) years, but the board may in its discretion require completion of the course more frequently. Proof of completion of the course shall be retained for three (3) years following completion***~~on the form provided by the cabinet~~.
- (9) Licenses and certificates which are not renewed by March 31 of each uneven-numbered year shall lapse.
- (10) This chapter shall not be construed to affect or prevent:
- A student of physical therapy from engaging in clinical practice under the supervision of a licensed physical therapist, as part of the student's educational program;
 - A physical therapist who is licensed to practice in another state or country from conducting or participating in a clinical residency under the supervision of a physical therapist licensed in Kentucky and for a period of not more than ninety (90) days;
 - A physical therapist who is licensed to practice in another state or country from conducting or participating in the teaching of physical therapy in connection with an educational program and for a period of not more than ninety (90) days;
 - A physical therapist licensed in another state or country from performing therapy on members of the out-of-state sports or entertainment group they accompany to Kentucky; or
 - The practice of chiropractic as defined in KRS 312.015(3).

Section 14. KRS 333.190 is amended to read as follows:

A medical laboratory license may be denied, revoked, suspended, limited, annulled, or renewal thereof denied for any of the following reasons:

- Making false statements on an application for medical laboratory license or any other documents required by the cabinet.
- Permitting unauthorized persons to perform technical procedures or to issue or sign reports.
- Demonstrating incompetence or making frequent errors in the performance or reporting of medical laboratory examinations and procedures.
- Performing a test and rendering a report thereon to a person not authorized by law to receive such services.
- Reporting the results determined on a specimen by a medical laboratory which has not been licensed or exempted under this chapter.
- Rendering a report on medical laboratory work actually performed in another medical laboratory without designating the name of the director and the name and address of the medical laboratory in which the test was performed.
- Knowingly having professional connection with or knowingly lending the use of the name of the licensed medical laboratory or its director to an unlicensed medical laboratory.

- (8) Violating or aiding and abetting in the violation of any provision of this chapter or the rules or regulations promulgated hereunder.
- (9) Failing to submit to the cabinet any report required by the provisions of this chapter or the reasonable rules and regulations promulgated hereunder.
- (10) Failure of medical laboratory personnel, trainees, assistants or other individuals employed by a medical laboratory, to complete the course specified in KRS 214.610(1) *at least one (1) time every ten (10) years, unless the cabinet requires, by promulgation of an administrative regulation in accordance with KRS Chapter 13A, completion of the course more frequently*~~[on an annual basis]~~.

Approved March 15, 2001