

201 KAR 9:061. Limited licenses.

RELATES TO: KRS 311.530-311.620, 311.990

STATUTORY AUTHORITY: KRS 311.565

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311.565 empowers the State Board of Medical Licensure to exercise all the administrative functions of the state in the prevention of empiricism and in the administrative regulation of the practice of medicine and osteopathy and authorizes the board to establish requirements and standards relating thereto. The purpose of this administrative regulation is to establish standards and guidelines regarding the issuance and renewal of limited licenses.

Section 1. Applicability. An applicant for limited license-institutional practice pursuant to KRS 311.571(3) or 311.571(4) shall not be issued a license or permit until the applicant provides written proof that he or she is officially enrolled in a postgraduate training program in the Commonwealth approved by the board and submits evidence of having successfully passed Component 1 of the Federation Licensing Examination (FLEX), or achieved a passing score on the National Board of Medical Examiners (NBME) Part I and Part II examinations, or achieved a passing score on the United States Medical Licensing Examination (USMLE) Step 1 and Step 2, or is employed as a professor or researcher in medicine by either the University of Kentucky College of Medicine or the University of Louisville School of Medicine.

Section 2. Scope of Practice. A limited license-institutional practice issued to a physician in an approved postgraduate training program shall enable the holder to practice as a physician within the parameters of the training program. A limited license-institutional practice issued to a physician who is employed by one of the Commonwealth's medical schools shall enable the holder to practice as a physician to the extent necessary to perform his responsibilities of employment. The executive director may suspend any such limited license-institutional practice upon evidence that the holder has practiced outside the scope of his licensure. All limited license-institutional practice shall be renewable annually and shall be issued on a medical school academic year, July 1 through June 30. This administrative regulation shall not apply to those physicians in an approved postgraduate training program, who, on the effective date of this administrative regulation, maintain a regular license to practice medicine in the Commonwealth of Kentucky.

Section 3. Applicability and Scope of Limited Licenses Held Prior to September 1, 1972. (1) All persons who as of the effective date of this administrative regulation hold a valid and current limited license-institutional practice issued to them prior to September 1, 1972, may continue to hold their licenses if annually renewed. The holder may only practice within the confines of the institution for which his limited license is designated.

(2) All persons who as of the effective date of this administrative regulation hold a valid and current limited license-general practice issued to them prior to September 1, 1972, may continue to hold their licenses if annually renewed. The holder may only practice within the confines of the geographical area for which his limited license is designated.

(3) Any limited license held prior to September 1, 1972, which is not timely renewed each year by the holder shall lapse and become void and the limited license shall not be reissued under any circumstance. Practice outside the scope of the limited license shall result in the temporary suspension of the license and possible discipline. The board shall not issue any new limited licenses like those described in this section and a limited license-institutional practice shall not be converted to a limited license-general practice.

Section 4. Extent of Practice Allowed Under Limited License. A physician holding a limited license possesses all the powers of a physician allowed by the laws of the Commonwealth, to practice within the limited scope of his licensure; provided, however, that the holder of a limited license-general practice shall not perform surgery unless expressly authorized by the board.

Section 5. Form of License. All limited licensees shall be issued a certificate which shall state on its face whether it is a limited license-institutional practice (KRS 311.571(3) or 311.571(4)), a limited license-institutional practice (KRS 311.565(15)) or a limited license-general practice (KRS 311.555(15)). The certificate shall also indicate the institution or geographical area to which the holder's practice is limited and any limitations on the holder's scope of practice.

Section 6. Temporary Permit. Upon satisfactory completion of all forms and the submission of all necessary information in connection with an application for limited licensure-institutional practice, the executive director shall issue a temporary permit to the applicant if the executive director believes that the application satisfies all the requirements for limited licensure-institutional practice and is otherwise fit to practice. The temporary permit shall remain in effect until the holder is issued a limited license-institutional practice by the board or until cancelled, but the temporary permit shall not be effective longer than sixty (60) days from the date of issuance. Denial of an application for limited licensure-institutional practice by the board shall cause the cancellation of a temporary permit if held by the applicant. The temporary permit shall not be renewed or reissued. (11 Ky.R. 315; 556; eff. 10-9-1984; 16 Ky.R. 1954; eff. 5-13-1990; 20 Ky.R. 1657; 2615; eff. 3-14-1994; Crt eff. 7-6-2018.)