

201 KAR 9:071. Temporary and emergency permits.

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 rules regarding temporary and emergency permits.

Section 1. Temporary Permits. Upon satisfactory completion of all forms and the submission of all necessary information in connection with an application for regular licensure to practice medicine or osteopathy, the executive director may issue a temporary permit to the applicant if the executive director believes that the applicant satisfies all the requirements for regular licensure and is otherwise fit to practice. The temporary permit shall enable the holder to practice as allowed pursuant to KRS 311.575 and shall remain in effect until the holder is issued a regular license by the board or until cancelled, but in no event shall the temporary permit be effective longer than six (6) months from the date of issuance. Denial of an application for regular licensure by the board shall cause the cancellation of a temporary permit if held by the applicant. A temporary permit may not be renewed or reissued.

Section 2. Emergency Permits. A physician licensed in good standing in another state or Canadian province may obtain an emergency permit to practice medicine or osteopathy in the Commonwealth for a period not to exceed thirty (30) days when in the executive director's opinion, based on verifiable information, the physician satisfies the requirements for regular licensure pursuant to KRS 311.571(1) or (2) and an actual medical emergency exists. A medical emergency shall be considered to exist if, in the executive director's opinion, a real and substantial threat to public health or the health of an individual exists which cannot be cured except upon the issuance of the emergency permit. The emergency permit may not be renewed or reissued and shall be immediately cancelled if the medical emergency ceases to exist prior to the passage of thirty (30) days from issuance. An emergency permit may be cancelled by the executive director without a prior hearing when in the executive director's opinion, based upon reasonable cause, the continuance of the permit would not be in the best interest of the Commonwealth. An emergency permit does not enable a physician to practice beyond the geographical area or scope of practice encompassed by the medical emergency. (11 Ky.R. 316; eff. 10-9-1984; Crt eff. 7-6-2018.)