

201 KAR 21:052. Appeal of denial of license.

RELATES TO: KRS 312.150

STATUTORY AUTHORITY: KRS 312.019(3), (9), 312.163

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.019(3) authorizes the board to deny, limit, or refuse to renew any license, certification, or registration it issued. KRS 312.019(9) authorizes the board to promulgate administrative regulations consistent with KRS Chapter 312, governing the practice of chiropractic. KRS 312.163 provides disciplinary powers of the board after a hearing. This administrative regulation establishes requirements relating to the appeal of denial of a license.

Section 1. Right of Appeal of Denial of License. (1) If the board denies an application for licensure, activation, restoration, reinstatement, certification of specialty, or application for renewal of licensure, the board shall issue a notice of denial informing the applicant of the specific reason for the board's action, including:

- (a) The statutory or regulatory violation; and
- (b) The factual basis on which the pending denial is based.

(2) A written request for an administrative hearing shall be filed with the board within twenty (20) calendar days of the date of the board's notice. This request shall be sent to the Kentucky Board of Chiropractic Examiners, at the address indicated for the board on the board's notice.

(3) If the request for an appeal is not timely filed, the notice of denial shall be effective upon the expiration of the time for the applicant to request an appeal.

(4) The administrative hearing shall be conducted in accordance with KRS Chapter 13B. (40 Ky.R. 1511; eff. 3-20-2014; 47 Ky.R. 783; eff. 2-4-2021.)