

201 KAR 21:053. Appeal of revocation of probation.

RELATES TO: KRS 312.150, 312.163

STATUTORY AUTHORITY: KRS 312.019(9), 312.163

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.019(9) authorizes the board to promulgate administrative regulations consistent with KRS Chapter 312. KRS 312.163(3) requires the board to provide an administrative hearing to a licensee who is the subject of board discipline. This administrative regulation establishes procedures for a licensee to appeal a revocation of probation.

Section 1. Revocation of Probation. (1) If the board moves to revoke the probation of a licensee, the board shall issue to the last known address on file with the board for the licensee, a notice of revocation and inform the licensee:

- (a) The factual basis on which the revocation is based;
- (b) Each probation term violated; and
- (c) That the licensee may appeal the revocation to the board. An appeal shall be made within fifteen (15) days of the date of notification of revocation.

(2) A written request for an administrative hearing shall be filed with the board within fifteen (15) calendar days of the date of the board's notice. This request shall be sent to the Kentucky Board of Chiropractic Examiners, at its address as indicated on the notification of revocation.

(3) If the request for an appeal is not filed by the deadline established in subsections (1)(c) and (2) of this section, the notice of revocation shall be effective upon the expiration of the time for the licensee to request an appeal.

(4) The administrative hearing shall be conducted in accordance with KRS Chapter 13B. (40 Ky.R. 1512; Am. 2122; eff. 3-20-2014; 47 Ky.R. 784; eff. 2-4-2021.)