

## **201 KAR 35:080. Voluntary inactive and retired status.**

RELATES TO: KRS 309.0813(5) and (12)

STATUTORY AUTHORITY: KRS 309.0813(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.0813(5) requires the board to promulgate administrative regulations to define the process to register with the board as a registered alcohol and drug peer support specialist, certified alcohol and drug counselor, licensed clinical alcohol and drug counselor associate, or licensed clinical alcohol and drug counselor. KRS 309.0813(1) requires the board to promulgate administrative regulations for the administration and enforcement of KRS 309.080 to 309.089. This administrative regulation allows credential holders to place their credentials in voluntary inactive status or retired for a period of time if they do not intend to actively practice alcohol and drug counseling or alcohol and drug peer support services in the Commonwealth of Kentucky.

Section 1. Conditions for Application for Voluntary Inactive Status. (1) Voluntary inactive status shall be for the credential holder who is currently not working as a peer support specialist or an alcohol and drug counselor, yet plans to return to providing peer support services or alcohol and drug counseling.

(2) The Kentucky Board of Alcohol and Drug Counselors shall grant inactive status if one (1) or more of the following conditions apply:

- (a) Medical problems;
- (b) Maternity or paternity;
- (c) Education;
- (d) Military service; or
- (e) Family or personal issues.

Section 2. Instructions for Application for Voluntary Inactive Status. (1) A credential holder desiring inactive status shall send a letter of request to the office of the Kentucky Board of Alcohol and Drug Counselors and include the following information:

- (a) Current home address and telephone number;
- (b) Reason for request;
- (c) Final date of employment in the alcohol and drug field;
- (d) Anticipated date of return to employment in the alcohol and drug field; and
- (e) Nonrefundable enrollment fee as established in 201 KAR 35:020, Section 7.

(2) The request for voluntary inactive status shall be placed on the agenda of the next regularly-scheduled meeting of the Kentucky Board of Alcohol and Drug Counselors for consideration.

(3) The applicant shall be notified of the board's decision no later than two (2) weeks after the board's meeting.

Section 3. Terms and Responsibilities. (1) While on voluntary inactive status, an individual shall continue to receive bulletins, newsletters, and other communications from the Kentucky Board of Alcohol and Drug Counselors.

(2) A counselor on voluntary inactive status shall not practice or use the initials of a counselor such as, CADC, LCADCA, or LCADC.

(3) A peer support specialist on voluntary inactive status shall not practice or use the initials of a registered peer support specialist such as, RPSS.

(4) Individuals on voluntary inactive status shall not be eligible for reciprocity.

(5) Individuals on voluntary inactive status shall comply with the Kentucky Code of Ethics as

established in 201 KAR 35:030.

(6) The voluntarily inactive individual shall notify the Kentucky Board of Alcohol and Drug Counselors prior to returning to work in the alcohol and drug field and pay the reactivation fee established in 201 KAR 35:020, Section 7.

(7) Failure to notify the board prior to returning to employment shall constitute a violation of the Kentucky Board of Alcohol and Drug Counselors Code of Ethics in 201 KAR 35:030, and shall result in referral to the board for investigation, in accordance with the procedures outlined in 201 KAR Chapter 35.

Section 4. Reactivation. (1) Individuals requesting reactivation of their registration, certification, or licensure status shall send a letter of request to the office of the Kentucky Board of Alcohol and Drug Counselors and shall include the following:

- (a) Current home address;
  - (b) Current e-mail address;
  - (c) Description of change of circumstances allowing active participation in the field;
  - (d) Address of employing agency, if applicable;
  - (e) Submission of proof of attendance of continuing education as required by 201 KAR 35:040; and
  - (f) Nonrefundable reactivation fee as established in 201 KAR 35:020, Section 7(3).
- (2)(a) A request for reactivation shall be considered at the next regularly scheduled meeting of the Kentucky Board of Alcohol and Drug Counselors.
- (b) The applicant shall be notified within two (2) weeks of the board's decision.

Section 5. Conditions for Retired Status. (1) Except for an individual issued a temporary registration or certification, or a license as a clinical alcohol and drug counselor associate, retired status may be granted to a credential holder upon written request to the board.

(2) The board may grant retired status to a credential holder submitting a written request if that individual:

- (a) Is at least sixty-five (65) years old, or suffers a medical disability or illness that renders the credential holder unable to practice alcohol and drug counseling; and
- (b) Has retired from the practice of alcohol and drug counseling in all jurisdictions and is not conducting an active practice in any jurisdiction.

(3) A credential holder granted retired status by the board shall:

- (a) Not be required to meet the continuing education requirements under 201 KAR 35:030;
- (b) Be relieved of the obligation to pay the renewal and penalty fees under 201 KAR 35:020, Section 4 and the inactive status fees under 201 KAR 35:020, Section 7; and
- (c) Use the designation "-R" at the end of the acronym for the appropriate credential such as, RPSS-R, CADC-R, or LCADC-R.

(4) A credential holder who retires and later seeks reinstatement shall meet applicable current initial registration, certification, or licensure requirements as provided in KRS 309.083 through 309.0833, 201 KAR 35:025, 35:050, and 35:070. (35 Ky.R. 465; Am. 1153; eff. 12-5-2008; TAm 1-12-2009; 42 Ky.R. 1320; 2049; eff. 2-5-2016; 44 Ky.R. 128, 512; eff. 9-20-2017.)