

201 KAR 39:060. Reinstatement of license subject to disciplinary action.

RELATES TO: KRS Chapter 13B, 309.318

STATUTORY AUTHORITY: KRS 309.304(3), 309.314

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.304(3) requires the Board of Interpreters for the Deaf and Hard of Hearing to promulgate administrative regulations to carry the provisions of KRS 309.300 to 309.3189. KRS 309.314 requires the board to promulgate administrative regulations concerning reinstatement and renewal fees, as well as evidence of completion of continuing education. This administrative regulation establishes the requirements for reinstatement of a license that has been the subject of disciplinary action by the board.

Section 1. Reinstatement of a License Revoked by Disciplinary Action of the Board. (1) If a license has been revoked, an individual may apply for reinstatement by:

- (a) Submitting a completed License Reinstatement Application Form;
- (b) Paying the initial licensure fee as set forth in 201 KAR 39:040 and the reinstatement fee as set forth in 201 KAR 39:040;
- (c) Submitting proof of qualification for licensure as set forth in 201 KAR 39:030; and
- (d) Show evidence of completion of fifteen (15) hours of continuing education for each year since the date of revocation in accordance with the requirements established in 201 KAR 39:090.

(2)(a) The board shall review the reinstatement request and determine whether to reinstate the license, based on the provisions of this subsection.

(b) Based upon the information submitted, the board shall determine if the conditions for reinstatement listed in KRS 309.318(5) have been met.

(c) If the board finds that the conditions for reinstatement have been met, it shall reinstate the license.

(d) If the board finds that the conditions for reinstatement have not been met, or the applicant failed to comply with the requirements of this administrative regulation, it shall refuse to reinstate the license. The applicant may then request, and the board shall grant, a hearing on the denial conducted pursuant to KRS Chapter 13B.

Section 2. Reinstatement of a License which was Voluntarily Surrendered as if Revoked. (1) If a license has been voluntarily surrendered as if revoked, an individual may apply for reinstatement by:

- (a) Meeting of all of the requirements of Section 1(1) of this administrative regulation; and
- (b) Providing documentation of the successful completion of all requirements established in the agreed order that resulted in the voluntary surrender of the license as if revoked.

(2) For a request for reinstatement of a license voluntarily surrendered as if revoked, the board shall review the reinstatement request, make its determination, and provide for an appeal in accordance with Section 1(2)(a) through (d) of this administrative regulation.

Section 3. Incorporation by Reference. (1) "License Reinstatement Application", 2011 form, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Interpreters for the Deaf and Hard of Hearing, 911 Leewood Drive, Frankfort, Kentucky 40601, Monday through Friday 8 a.m. to 4:30 p.m. (28 Ky.R. 1262; Am. 1609; eff. 1-14-2002; 38 Ky.R. 1647; 1849; eff. 6-1-2012.)