

BOARDS AND COMMISSIONS
Board of Social Work
(New Administrative Regulation)

201 KAR 23:051. Renewal, termination, reinstatement of license.

RELATES TO: KRS 39A.180, 39A.190, 335.010-335.160, 335.990

STATUTORY AUTHORITY: KRS 39A.180, 335.070(1), (3), (6), (7), 335.190

NECESSITY, FUNCTION, AND CONFORMITY: KRS 39A.180 and 39A.190 allow agencies to promulgate administrative regulations necessary for disaster and emergency response purposes during a state of emergency. KRS 335.070(1) requires the board to evaluate and approve the qualifications of the applicants for licensure. KRS 335.070(3) authorizes the board to promulgate administrative regulations. KRS 335.070(6) authorizes the board to renew licenses and set requirements for continued education. This administrative regulation establishes the requirements for renewals, reinstatements, and terminations of licenses to engage in the practice of social work.

Section 1. Definition. "Licensee" means a person licensed under KRS 335.010 through 335.160.160 as:

- (1) A certified social worker;
- (2) A licensed social worker; or
- (3) A licensed clinical social worker.

Section 2.

- (1)
 - (a) Pursuant to KRS 335.130(1), a licensee shall renew the licensee's license on a three (3) year basis in order to continue to practice social work in Kentucky.
 - (b) The three (3) year renewal cycle shall be calculated based on the date of the issuance of the initial license.
- (2) A Renewal Form shall be submitted with the appropriate fee and continuing education requirements as established in 201 KAR 23:020 and 201 KAR 23:075.
- (3) A licensee shall file the licensee's current mailing address with the board and shall immediately notify the board in writing if the address changes.

Section 3. If a licensee reapplies after the date of expiration and before three (3) month the licensee shall:

- (1) Pay a penalty of 100 dollars;
- (2) Cease and desist the practice of social work immediately;
- (3) Submit a renewal form along with documentation of completed continuing education requirements per 201 KAR 23:075, Section 2; and
- (4) Submit official documentation of employment beginning with the date of expiration of the license.

Section 4. If a licensee has not renewed the licensee's license at the end of three (3) months, the licensee shall submit a new application in accordance with existing requirements for initial applicants under KRS Chapter 335 and 201 KAR Chapter 23.

Section 5. Upon payment of the renewal fee and the late renewal penalty, the date of the license shall be retroactive to the date of expiration.

Section 6. Incorporation by Reference.

- (1) "Application for Renewal", 05/5022, is incorporated by reference.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Social Work, 125 Holmes St Suite 310, Frankfort,

Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available at bsw.ky.gov.

WHITNEY CASSITY-CAYWOOD, Board Chair

APPROVED BY AGENCY: November 9, 2022

FILED WITH LRC: November 15, 2022 at 11:59 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 21, 2023, at 10:00 a.m. ET at the Justice and Public Safety Building, Third Floor Board Room, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2023. Send written notice of intent to be heard or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Marc Kelly, Executive Director, Kentucky Board of Social Work, 125 Holmes Street, suite 310, Frankfort, Kentucky 40601, phone (502) 564-2350 or (502) 782-2856, or email marc.kellv@ky.gov.