

BOARDS AND COMMISSIONS

Board of Social Work

(Amended After Comments)

201 KAR 23:051. Renewal, Expiration, Termination, Reinstatement of license.

RELATES TO: KRS 335.010-335.160, 335.990

STATUTORY AUTHORITY: KRS 335.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.070 authorizes the board to promulgate administrative regulations establishing requirements for license renewal. KRS 335.130 authorizes fees. This administrative regulation establishes the requirements for license renewal.

Section 1. Definitions.

- (1) "Expiration" means the license has not been renewed.
- (2) "Grace period" means the time allowed to renew after the expiration date of the license;
- (3) "Licensee" means a person licensed under KRS 335.010 through 335.160 as:
 - (a) A certified social worker;
 - (b) A licensed social worker; or
 - (c) A licensed clinical social worker.
- (4) "Reinstatement" means the reinstatement of a license due to an action of the board.
- (5) "Renewal" means renewing by the expiration date of the license.
- (6) "Termination" means the expiration of the license because of disciplinary action in accordance with 201 KAR 23:150.

Section 2. Renewal.

- (1)
 - (a) Pursuant to KRS 335.130(1), a licensee shall renew the licensee's license on a three (3) year basis to continue practicing 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 update their contact information with the board within ten (10) days of such change(s) by USPS; email; by hand; or via the self-service portal via the board Web site; and
- (4) All licensees are required to maintain current contact information with the board, which includes, name, physical address, phone number (business or personal), and email address (business or personal).

Section 3. Grace Period. If a licensee reapplies after the date of expiration and before the three (3) months, the licensee shall:

- (1) Cease and desist the practice of social work immediately;
- (2) Submit a renewal form along with documentation of completed continuing education requirements per 201 KAR 23:075, Section 2;
- (3) Pay a penalty of 100 dollars;
- (4) Submit official documentation of employment beginning with the date of expiration of the license and the job description with an affirmation that the practice of social work had not taken place during or after the end date of the license and ceased when discovered during the grace period of the renewal of the license;
- (5) When reimbursement for services occurred during the grace period, the licensee shall reconcile the matter with their employer or each specific payer; and

(6) Upon payment of the license renewal fee and the late renewal penalty, the date of the license will be retroactive to the date of expiration.

Section 4. Expiration and Termination.

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

(2) Section 3(e) is applicable to this section; and

(3) If a licensee is subject to disciplinary action and the result of that action is revocation of the license or an agreement to surrender the license as if revoked, the licensee's license will be terminated effective the date of such action.

Section 5. Reinstatement.

(1) The board may reinstate a license from disciplinary action in accordance with 201 KAR 23:150.

(2) The board's reinstatement is based on:

(a) The request by the former licensee;

(b) The length of time the license was inactive;

(c) Any extenuating circumstance creating the need for reinstatement can be made in writing to the board by the licensee but cannot be related to disciplinary action or renewal of the license;

(d) The board may require an application fee in accordance with existing requirements for initial applicants under KRS Chapter 335 and 201 KAR Chapter 23 at the time of reinstatement; and

(3) The board shall set the date of reinstatement for license renewal.

Section 6. Incorporation by Reference.

(1) "Application For Renewal", 01/2023, 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: February 8, 2023

FILED WITH LRC: February 13, 2023 at 4:10 p.m.

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.