

BOARDS AND COMMISSIONS
Board of Chiropractic Examiners
(Amendment)

201 KAR 21:041. Licensing; standards, fees.

RELATES TO: KRS 312.085, 312.095, 312.145, 312.175

STATUTORY AUTHORITY: KRS 312.019, 312.085, 312.095, 312.175

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.019(9) authorizes the Kentucky Board of Chiropractic Examiners to promulgate administrative regulations consistent with KRS Chapter 312, regulating the practice of chiropractic. This administrative regulation establishes the procedures relating to application for licensure, license renewal, and fees.

Section 1. Initial Application. An applicant for initial licensure shall submit to the board:

- (1) A completed New Licensee Application; and
- (2) A nonrefundable application fee of \$350.
- (3) If the initial applicant graduated from chiropractic school more than four (4) years ago, proof of successfully passing the Special Purposes Examination for Chiropractic given by the National Board of Chiropractic Examiners within the past six (6) months shall be submitted to the board unless the initial applicant submits proof acceptable to the board of active practice under a license in good standing in another state or jurisdiction. In determining whether to accept proof of active practice, the board shall consider the following submitted by the licensee in writing:
 - (a) The number, or approximate number, of patients treated per week;
 - (b) The practice location(s) and address(es) at which the licensee has practiced, and the month and years of practice at each respective location; and
 - (c) Any relevant information the licensee may submit to show active practice.

Section 2. Licenses. Each license by the board shall:

- (1) Set forth the:
 - (a) Name of the issuing board;
 - (b) Name of the licensee;
 - (c) Number of license; and
 - (d) Date of the license issuance;
- (2) Be signed by a minimum of three (3) members of the board; and
- (3) Have the seal of the board affixed.

Section 3. License Renewal.

- (1)
 - (a) Each licensee of the board shall annually renew the license on or before the first day of March.
 - (b)
 1. A licensee seeking active status shall:
 - a. Submit a completed Application for Annual License Renewal; and
 - b. Pay a renewal fee of \$250.
 2. A licensee seeking inactive status shall:
 - a. Submit a completed Annual Inactive License Renewal Application; and
 - b. Pay a renewal fee of seventy-five (75) dollars.
- (2) The amount of the restoration fee established by KRS 312.175(2) and (4) shall be \$250 per year, or any part of a year.
- (3) Continuing education requirements.

(a) Each active licensee shall complete at least twelve (12) hours of board-approved continuing education, with:

1. No more than eight (8) hours completed in a day; and
2. Proof of completion submitted with the Application for Annual License Renewal upon request by the Board.

(b) A new licensee shall complete a two (2) hour jurisprudence course, provided by the board, by the licensee's first renewal; but shall not otherwise be required to complete the continuing education requirements set out in (3)(a) above until after the licensee's first renewal and before the licensees' second renewal.

(c) An inactive licensee may renew the inactive license without meeting the continuing education requirements required by this subsection.

Section 4. Activation of an Inactive License.

(1) To activate an inactive license, a licensee shall submit:

- (a) A completed Application for Activation or Reinstatement of Kentucky License;
- (b) The renewal fee required by Section 3(1)(b) of this administrative regulation;
- (c) Proof that the licensee has met the continuing education requirements established by Section 3(3) of this administrative regulation; and
- (d) License verification from each state or jurisdiction from which the licensee has held a license.

(2) If the licensee was inactive for more than four (4) years, proof of successfully passing the Special Purposes Examination for Chiropractic given by the National Board of Chiropractic Examiners within the past six (6) months shall be submitted to the board unless the licensee submits proof acceptable to the board of active practice under a license in good standing in another state or jurisdiction. In determining whether to accept proof of active practice, the board shall consider the following submitted by the licensee in writing:

- (a) The number, or approximate number, of patients treated per week;
- (b) The practice location(s) and address(es) at which the licensee has practiced, and the month and years of practice at each respective location; and
- (c) Any relevant information the licensee may submit to show active practice.

Section 5. Denial or Refusal of License. The board may deny or refuse to renew a license if an applicant or licensee:

- (1) Has a conviction for a felony or violation of any law involving moral turpitude; or
- (2) Violates any of the provisions of KRS Chapter 312 or 201 KAR Chapter 21.

Section 6. Change of Address. Each licensee shall notify the board within ten (10) days of each change of mailing address or place of business.

Section 7. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) Application for Licensure, DPL-KBCE-01, March 2023;
- (b) "Application for Annual License Renewal", DPL-KBCE-03, March 2023;
- (c) "Application for Activation or Reinstatement of Kentucky License", DPL-KBCE-04, March 2023.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Chiropractic Examiners, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

DR. JAMES ENGLAND, Chair

APPROVED BY AGENCY: March 13, 2023

FILED WITH LRC: March 14, 2023 at 1:15 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall, if re-quested, be held on May 25, 2023 at 12:00 noon EST in Room 127CW, The Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky 40601. All attendees shall comply with all Executive Orders relating to the State of Emergency as may be in effect on the date of the public hearing, which may be found at: <https://governor.ky.gov/covid-19>. Members of the public may utilize the following link to attend the meeting by video conference: Join from PC, Mac, Linux, iOS or Android: <https://us06web.zoom.us/j/82428127008?pwd=blg4a3hSZVkvTnFtUnpMWDFaNkY5QT09> // Password: 059844 // Or Telephone: Dial: USA 713 353 0212; USA 8888227517 (US Toll Free) // Con-ference code: 446599. Individuals interested in attending this hearing shall notify this agency in writing by May 20, 2023, five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend is received by that date, the hear-ing may be canceled. This hearing is open to the public. Any person who attends 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 this proposed administrative regulation until 11:59 pm on May 31, 2023. Send written notification of intent to attend the public hearing or writ-ten comments on the proposed administrative regulation to the contact person. Pursuant to KRS 13A.280(8), copies of the statement of consideration and, if applicable, the amended after comments version of the administrative regulation shall be made available upon request.

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