

BOARDS AND COMMISSIONS
KENTUCKY BOARD OF LICENSED DIABETES EDUCATORS
(Amendment)

201 KAR 45:120. Renewal, reinstatement, and inactive status.

RELATES TO: KRS 309.331, 309.334, 309.335

STATUTORY AUTHORITY: KRS 309.331(1), 309.335

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.331 requires the board to promulgate administrative regulations establishing procedures for annual renewal of licenses, and KRS 309.335(2)(c) requires the board to promulgate administrative regulations for reinstatement of licenses. This administrative regulation establishes procedures for annual renewal and reinstatement of licenses.

Section 1. Regular License Renewal.

- (1) A licensed diabetes educator or master licensed diabetes educator shall submit to the board by November 1 of each year:
 - (a) A completed Renewal Application, Form DPL-BDE-05 July 2025~~[Form DE-02]~~;
 - (b) Proof of the required continuing education as set forth in 201 KAR 45:130; and
 - (c) The renewal fee as established in 201 KAR 45:100.
- (2) If a license is not renewed by December 31 of the new licensure year, the license shall automatically expire.

Section 2. Reinstatement.

- (1) An expired license or permit shall be reinstated upon the licensee or permit holder:
 - (a) Submitting a completed Reinstatement Application, Form DPL-BDE-07~~[DE-08]~~;
 - (b) Paying the required fees established in 201 KAR 45:100; and
 - (c) Submitting proof of completion of an amount of continuing education courses equivalent to the continuing education requirements as established in 201 KAR 45:130 for each year since the last date the license was active.
- (2) An expired license or permit may be reinstated within five (5) years of the date of expiration.

Section 3. Inactive Status.

- (1) A licensee or permit holder may place his or her license or permit in inactive status. To request that a license or permit be placed in inactive status, the licensee or permit holder shall submit written notice to the board prior to November 1.
- (2)
 - (a) An individual with an inactive license or permit shall not practice diabetes education while the license or permit is inactive.
 - (b) A licensee or permit holder may remain in inactive status for a maximum of five (5) years.
- (3)
 - (a) During the period of inactive status, the licensee or permit holder shall not be required to meet the annual continuing education requirements as established in 201 KAR 45:130.
 - (b) Upon the licensee's or permit holder's request for licensure reactivation, the licensee or permit holder shall provide proof of completion of an amount of continuing education courses equivalent to the continuing education requirements as established in 201 KAR 45:130 for each year the license was inactive, and payment of the fee as established in 201 KAR 45:100.
- (4)

(a) An individual shall submit in writing a request to the board to be placed back in active status and shall include an explanation for any inactive status exceeding one (1) year. The board may elect to invite the individual for an interview prior to approving active status.

(b) The request shall be submitted at least one (1) week in advance of the board's regularly scheduled board meeting.

Section 4. Regular Diabetes Educator Apprentice Permit Renewal.

(1) An apprentice diabetes educator shall submit to the board by November 1 of each year:

- (a) A completed Apprentice Renewal Application, Form DPL-LDE-06;~~[DE-04;]~~
- (b) Proof of the required continuing education established in 201 KAR 45:130; and
- (c) The renewal fee established in 201 KAR 45:100.

(2)

- (a) If a permit is not renewed by December 31, it shall automatically expire.
- (b) A permit may be reinstated. Reinstatement shall comply with the requirements of section 2 of this administrative regulation.

Section 5. Incorporation by Reference.

(1) The following material is incorporated by reference:

- (a) "Renewal Application", Form DPL-BDE-05, July 2025~~[DE-02, 09/2017];~~
- (b) "Reinstatement Application," Form DPL-BDE-07, Revised July 2025; ~~["Apprentice Renewal Application", Form DE-04, 09/2017;]~~and
- (c) "Apprentice Renewal Application," Form DPL-BDE-06, July 2025; ~~["Reinstatement Application," Form DE-08, 03/2017.]~~

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Licensed Diabetes Educators, Department of Professional Licensing, 500 Mero Street, ~~[2SC32,]~~Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 5 p.m.

COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

E. BLAIR LYKINS, Chair

APPROVED BY AGENCY: November 4, 2025

FILED WITH LRC: November 10, 2025 at 9:40 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on January 27, 2026, at 2:00 P.M. Eastern Time, in PPC Conference Room 127CW, at the Mayo-Underwood Building, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. 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, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Name: Sara Boswell Janes, Title: Staff Attorney III, Agency: Department of Professional Licensing, Office of Legal Services, Address: 500 Mero Street, 2 NC WK#2, Frankfort, Kentucky 40602. Phone Number: (502) 782-2709 (office), Fax:

(502) 564-4818, Email: Sara.Janes@ky.gov. Link to PPC public comment portal:
https://ppc.ky.gov/reg_comment.aspx.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Sara Janes

Subject Headings:Diabetes Education, Licensing, Boards and Commissions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

The regulation establishes the process to renew and reinstate a license and place a license into inactive status.

(b) The necessity of this administrative regulation:

This regulation is necessary because it explains how a licensee can renew his license before it expires, reinstate the license once it has expired and place it into an inactive status

(c) How this administrative regulation conforms to the content of the authorizing statutes:

The Board is given the authority to establish administrative regulations for the licensing of diabetes educators

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation sets forth the process to renew and reinstate a license and place a license into inactive status

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment updates the MIR; establishes requirements related to returning to active status from inactive status, including a possible interview by the board; and clarifies the permit status relates to apprentice diabetes educators.

(b) The necessity of the amendment to this administrative regulation:

The amendment is necessary to update the materials incorporated by reference, provide requirements to safeguard the public when an inactive licensee returns to active status, and to clarify that permit status relates to apprentice diabetes educators.

(c) How the amendment conforms to the content of the authorizing statutes:

KRS 309.331 authorizes the board to promulgate administrative regulations to carry out and enforce KRS 309.325 to 309.339 and to issue renewals; and KRS 309.335 authorizes the board to issue reinstatements, including returning from inactive status.

(d) How the amendment will assist in the effective administration of the statutes:

The amendment will assist in the effective administration of the statutes by updating the forms to include the statutory and regulatory authority for the provisions of the form, among other things, to delineate the standards for reactivation of an inactive license, and to clarify the permit is for an apprentice diabetes educator.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

There are currently 244 credential holders and two (2) inactive credential holders.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Applicants will have to complete the renewal or reinstatement form.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

The fee for renewal set in 201 KAR 45:100 is \$50.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

License and permit holders will be able to renew or reinstate their credential.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No new costs will be incurred by the changes.

(b) On a continuing basis:

No new costs will be incurred by the changes.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

The board's operation is funded by the fees paid by licensees and applicants.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

There is no increase in fees or funding necessary to implement this amendment.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish fees but there is a fee applied that is set in a separate regulation for renewal and reinstatement.

(10) TIERING: Is tiering applied?

Tiering was not applied because these requirements apply equally to all licensees.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 309.331, 309.335

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

Yes. KRS 309.335. Created 2011 Ky. Acts ch. 87, sec. 4, effective June 8, 2011.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Board of Licensed Diabetes Educators is housed for administrative purposes within the Office of Occupations and Professions in the Public Protection Cabinet

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:None.

For subsequent years:None.

2. Revenues:

For the first year:None.

For subsequent years:None.

3. Cost Savings:

For the first year:None.

For subsequent years:None.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

None.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:N/A

For subsequent years:N/A

2. Revenues:

For the first year:N/A

For subsequent years:N/A

3. Cost Savings:

For the first year:N/A

For subsequent years:N/A

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

This administrative regulation will not have a fiscal impact as there are no revenues or expenditures generated since fees are attached in another administrative regulation.

(b) Methodology and resources used to reach this conclusion:

The board requested its fiscal administrator provide a budget analysis to determine if this administrative regulation will generate revenue for the Board and it determined it will not.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

This administrative regulation will not have an overall negative or adverse major economic impact.

(b) The methodology and resources used to reach this conclusion:

Methodology and resources was a review of the existing budget by the board's fiscal administrator as well as consideration of the amendment and whether staff time and costs will be increased.