

BOARDS AND COMMISSIONS
Board of Licensure for Long-term Care Administrators
(Amended at ARRS Committee)

201 KAR 6:030. Temporary permits.

RELATES TO: KRS 12.357, 216A.070(4)

STATUTORY AUTHORITY: KRS 12.357, 216A.070(3), (4)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 216A.070(3) authorizes the Board of Licensure for Long-term Care Administrators to promulgate administrative regulations necessary for the proper performance of its duties. KRS 216A.070(4) authorizes the board to promulgate administrative regulations concerning the issuance of a temporary permit to an individual to practice the art of long-term care administration if warranted by emergency conditions. KRS 12.357 requires administrative bodies who issue licenses to issue temporary licenses or certificates to the spouses of active-duty military members of the Armed Services of the United States within thirty (30) days if the spouse meets the statutory requirements and applies in a format promulgated in administrative regulation. This administrative regulation establishes the requirements for issuance of a temporary permit for Long-term Care Administrators.

Section 1. Temporary Permits Issued to Fill Emergency Vacancies.

(1) The Department of Professional Licensing may, following consultation with a board member, issue a temporary permit to practice as a long-term care administrator to an applicant if:

- (a) The applicant has submitted an Application for Licensure, Form ~~HKBLTCA-1~~, incorporated by reference in 201 KAR 6:~~020~~~~040~~;
- (b) The applicant has completed all of the requirements established in 201 KAR 6:020 except the examination required pursuant to 201 KAR 6:020, Section 2(2), and the management experience required by 201 KAR 6:020, Section 2(3)~~(c)~~;
- (c) The facility where the applicant is to be employed as the administrator is without a licensed administrator; and
- (d) The facility owner, or a duly authorized representative of the facility, provides a written request and supporting information to the board indicating that an emergency situation exists.

(2) An emergency situation shall exist if:

- (a) The facility is without a licensed long-term care administrator; and
- (b) A licensed long-term care administrator is not available to fill the position.

(3) The request for temporary permit shall include payment of the temporary permit fee established in 201 KAR 6:~~061~~~~060~~, Section 3.

Section 2. Temporary Permits Issued to Spouses of Active Military Members.

(1) The spouse of an active-duty military member of the Armed Forces of the United States may apply for a temporary permit at any time.

(2) The Department of Professional Licensing shall, following consultation with a board member, issue a temporary permit to practice as a long-term care administrator to the spouse of an active-duty military member within thirty (30) days of receipt of the Application for Licensure, Form ~~HKBLTCA-1~~, incorporated by reference in 201 KAR 6:~~020~~~~040~~, requesting a temporary permit if:

- (a) The applicant has completed all of the requirements established in 201 KAR 6:020 except the examination required pursuant to 201 KAR 6:020, Section 2(2), and the management experience required by 201 KAR 6:020, Section 2~~H~~(3)~~(c)~~;

- (b) The applicant has provided proof they are married to an active-duty member of the Armed Services of the United States;
- (c) The applicant has provided proof that the applicant holds a valid license or certificate for the profession issued by another state, the District of Columbia, or any possession or territory of the United States;
- (d) The applicant has provided proof that the applicant's spouse is assigned to a duty station in this Commonwealth pursuant to the spouse's official active-duty military orders; and
- (e) The applicant has paid the temporary permit fee established in 201 KAR 6:061~~060~~, Section 3, **unless KRS 12.357(1) is applicable.**

Section 3. Restrictions on Temporary Permits.

- (1) A temporary permit shall not be transferred to another individual.
- (2) A temporary permit shall, in accordance with KRS 216A.070(4) or ~~KRS~~12.357:
 - (a) Be effective for no longer than:
 - 1. Nine (9) [six (6)] months from the date it was granted if issued on an emergency basis pursuant to KRS 216A.070(4); and**
 - 2. Six (6) months from the date it was granted if issued to the spouse of an active-duty member of the Armed Forces of the United States pursuant to KRS 12.357(3); and**
 - (b) Not be renewed by the permit holder.
- (3) The holder of a temporary permit issued pursuant to Section 1 of this administrative regulation may be relocated to another location if an emergency exists at that location during the period in which the permit is effective and a separate request for a declaration of emergency is filed and approved by the board pursuant to Section 1(1)(d) of this administrative regulation.
- (4) An individual shall not be granted a temporary permit more than once during a five
- (5) year period.
- (5) A temporary permit shall not authorize the individual to whom the permit was issued to manage more than one (1) facility at the same time.
- (6) All temporary permits shall be subject to review by the board at the meeting immediately following issuance of the permit. The board shall revoke a temporary permit that does not satisfy the requirements of KRS 216A.070(4), ~~KRS~~12.357, or this administrative regulation.

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