

BOARDS AND COMMISSIONS
APPLIED BEHAVIOR ANALYSIS LICENSING BOARD
(Amendment)

201 KAR 43:080. Renewals.

RELATES TO: KRS 319C.050, 319C.060

STATUTORY AUTHORITY: KRS 319C.050, 319C.060(2), 319C.120

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319C.060 authorizes the board to promulgate administrative regulations required to establish conditions for the renewal and reinstatement of licenses. This administrative regulation establishes procedures for the renewal of licenses.

Section 1. Renewal.

(1) A licensed behavior analyst shall biennially, on or before the last day of the calendar month during which the license was issued:

- (a) File a completed Renewal and Reinstatement Application, Form ABA-004; and
- (b) Pay to the board the renewal fee established by 201 KAR 43:030.

(2) A licensed ~~an~~ assistant behavior analyst shall biennially, on or before the last day of the calendar month during which the license was issued:

- (a) File a completed Renewal and Reinstatement Application Form ABA-004;
- (b) Have a current, approved Report of Supervision and Supervisory Plan; and
- (c) Pay the renewal fee established by 201 KAR 43:030.

Section 2. Late Renewal. A behavior analyst or assistant behavior analyst who fails to renew his or her license on or before the last day of the calendar month during which the license was issued may submit his or her application on or before the last day of the calendar month following the month in which the license was issued if accompanied by the appropriate late fee as required by 201 KAR 43:030.

Section 3. Expiration of License.

(1) A license that is not renewed before the last day of the calendar month following the calendar month during which the license was issued shall be expired and lapsed for failure to renew.

(2) Upon expiration of the license for failure to renew, a behavior analyst or assistant behavior analyst shall not practice in the Commonwealth of Kentucky.

Section 4. Reinstatement. After the last day of the calendar month following the month in which the license was issued, a person whose license has expired for failure to renew shall submit, in order to have his or her license reinstatement request considered by the Board:

- (1) Payment of the reinstatement fee established by 201 KAR 43:030;
- (2) Completion of the Renewal and Reinstatement Application, Form ABA-004; and
- (3) Documentation of employment from the time of expiration of license~~employment~~ until the present.

Section 5. Incorporation by Reference.

(1) Form ABA-004, " Renewal and Reinstatement Application", May 2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Applied Behavior Analysis Licensing Board, 500 Mero Street, ~~25C 32,~~ Frankfort, Kentucky 40601, (502) 892-4249, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at aba.ky.gov.

KIRSTI SINGER, Chair

APPROVED BY AGENCY: May 1, 2026

FILED WITH LRC: May 5, 2026 at 1:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 21, 2026 at 10:00 a.m., eastern time, in the Applied Behavior Analysis Board, 500 Mero Street, First Floor, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five working days 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. The 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 July 31, 2026 at 11:59 p.m., Eastern time. Send written notification of the intent to be heard at the public hearing or written comments on the proposed administrative regulation by the above date to the contact person below:

CONTACT PERSON: Jennifer Wolsing, Attorney, Applied Behavior Analysis Board 500 Mero Street, 2nd Floor, Frankfort, Kentucky 40601 Phone: (502) 401-7617 Email: jennifer.wolsing@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Jennifer Wolsing Phone: (502) 401-7617 Email: jennifer.wolsing@ky.gov

Subject Headings: Behavioral Health, Mental Health, Education

(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 319C.060 authorizes the board to promulgate administrative regulations required to establish conditions for the renewal and reinstatement of licenses. This administrative regulation establishes procedures for the renewal of licenses.

(b) The necessity of this administrative regulation:

This administrative regulation is required by KRS 319C.050, 319C.060(2), and 319C.120.

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

KRS 319C.060 authorizes the board to promulgate administrative regulations required to establish conditions for the renewal and reinstatement of licenses. This administrative regulation establishes procedures for the renewal of licenses.

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

This regulation assists in the effective administration of KRS Chapter 319C by carrying out the legislative mandate for the board to establish regulations for the practice of behavior analysis.

(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:

This amendment will modernize the regulation by allowing licensees to renew their licenses online, rather than using a form.

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

This proposed amendment will provide efficiency to the license renewal process.

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

KRS 319C.060 authorizes the board to promulgate administrative regulations required to establish conditions for the renewal and reinstatement of licenses. This administrative regulation establishes procedures for the renewal of licenses.

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

This proposed amendment will provide efficiency to the license renewal process.

(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:

This regulation will affect approximately 11 licensed assistant behavior analysts, approximately 482 licensed behavior analysts, approximately 6 temporary behavior analysts, and approximately 6 temporary registered telehealth providers.

(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:

Licenses will renew their licenses online, rather than using a hard copy form.

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

There is no change to the fees associated with renewal.

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

Licenses will benefit from a simpler and quicker online renewal process.

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

(a) Initially:

There are no anticipated initial costs to administer this regulatory amendment.

(b) On a continuing basis:

There are no anticipated continuing costs to administer this regulatory amendment.

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

Any department costs of implementation will be met with existing agency funds.

(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:

No, an increase in fees or funding will not be necessary to implement this regulatory amendment.

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

This amendment will not necessitate an increase in fees or require funding from the agency for implementation.

(10) TIERING: Is tiering applied?

No, tiering is not applied.

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 319C.050, 319C.060(2), and 319C.120.

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

No.

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

This regulation impacts the Kentucky Applied Behavior Analysis Licensing Board.

(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):

No local entities will be impacted by this proposed regulatory amendment.

(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):

ABA licensees will be impacted by this proposed amendment if they wish to renew their licenses.

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

(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 proposed amendment will not create a fiscal impact, because allowing licensees to renew their licenses online will not generate expenditures, revenues, or costs savings.

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

Please see the answer to (5)(a).

(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):

No.

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

Please see the answer to (5)(a).