

STATEMENT OF EMERGENCY
201 KAR 28:240E.

Pursuant to KRS 13A.190(1)(a)3. and KRS 319A.310 Section 15.B.1., this emergency amendment to the administrative regulation is being promulgated to comply with the statutory requirements of the Board of Licensure for Occupational Therapy to review any rule adopted by the Occupational Therapy Compact pursuant to Section 10 of KRS 319A.310 within sixty (60) days of adoption for the purpose of filing the rule as an emergency administrative regulation pursuant to KRS 13A.190 and for filing the rule as an accompanying ordinary administrative regulation pursuant to KRS Chapter 13A. This amendment incorporates by reference the rules adopted by the Occupational Therapy Compact, as updated on May 6, 2026.

KRS 319A.310 Section 15.B.1. requires that this emergency amendment be promulgated, and therefore the filing of the ordinary amendment alone is not sufficient. This emergency amended administrative regulation will be replaced by an ordinary amended administrative regulation. The ordinary amendment filed with this emergency amendment is identical.

JILL PHELPS, Board Chair
ANDY BESHEAR, Governor

BOARDS AND COMMISSIONS
BOARD OF LICENSURE FOR OCCUPATIONAL THERAPY
(Emergency Amendment)

201 KAR 28:240E. Occupational Therapy Licensure Compact.

RELATES TO: KRS 319A.310

STATUTORY AUTHORITY: KRS 319A.070(1), (3), 319A.310

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319A.310, Section 15.B.1. requires the Board of Licensure for Occupational Therapy to review any rule adopted by the Occupational Therapy Compact Commission pursuant to Section 10 of the Compact within sixty (60) days of adoption for the purpose of filing the rule as an emergency administrative regulation pursuant to KRS 13A.190 and for filing the rule as an accompanying ordinary administrative regulation pursuant to KRS Chapter 13A. This administrative regulation incorporates by reference the rules adopted by the Occupational Therapy Compact Commission.

Section 1. The Board of Licensure for Occupational Therapy shall comply with all rules of the Occupational Therapy Compact, which includes the Occupational Therapy Compact Rules as of May 6, 2026.

Section 2. Incorporation by Reference.

(1) The following material is incorporated by reference: "The Occupational Therapy Compact Rules", May 6, 2026 and as revised.

(a) Definitions, adopted March 20, 2024;

(b) Data System Reporting Requirements, adopted March 20, 2024 and amended October 30, 2025;

(c) Implementation of Federal Bureau of Investigations Criminal Background Check (FBI CBC) Requirement, adopted April 16, 2025 and amended October 30, 2025;

(d) Member State Implementation, adopted April 16, 2025;

(e) Occupational Therapy Compact Fees: Administrative and State, adopted April 16, 2025; and

(f) Occupational Therapy National Exam Definition, adopted April 16, 2025;

(g) Member State Default, Non-Compliance, and Dispute Resolution, adopted May 6, 2026;

(h) Converting a Privilege to Practice to a Home State License, adopted May 6, 2026; and

(i) Joint Investigations, adopted May 6, 2026.

(2)

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

(b) This material may also be obtained on the Board of Licensure for Occupational Therapy website at <https://bot.ky.gov/>.

(3) This material may also be obtained at:

(a) The Occupational Therapy Compact Commission, 201 Park Washington Court, Falls Church, Virginia 22046; or

(b) <https://otcompact.gov/ot-compact-commission/governance-documents/>.

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.

JILL PHELPS, Board Chair

APPROVED BY AGENCY: May 14, 2026

FILED WITH LRC: July 6, 2026 at 3:45 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 25, 2026 at 11:00 AM, at the Mayo-Underwood Building, Room 127CW, 500 Mero Street, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) 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 August 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 by using the PPC public comment portal at the address listed below.

CONTACT PERSON: Name: Catherine Falconer, Title: General Counsel, Agency: Department of Professional Licensing, Office of Legal Services, Address: 500 Mero Street, Phone Number: (502) 782-2735 (office), Fax: (502) 564-4818, Email: catherine.falconer@ky.gov