BOARDS AND COMMISSIONS

Board of Podiatry

(Amendment)

201 KAR 25:021. Annual renewal of licenses, fees.

RELATES TO: KRS 218A.205, 311.450, 311.480

STATUTORY AUTHORITY: KRS 218A.202(3)(a), 218A.205~~[218A.202(2)]~~, 311.410(4)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311.450 requires the board to send notices to all podiatrists licensed by the board to their last known address on or before June 1 of each year. KRS 218A.202(3)(a)~~[218A.202(2)]~~ requires licensees that prescribe controlled substances to be registered with the Kentucky All-Schedule Prescription Electronic Reporting System (KASPER). KRS 218A.205 requires the board to place restrictions on licensees and applicants that have specific convictions or restrictions related to prescribing or dispensing controlled substances. This administrative regulation requires all licensed podiatrists to complete the annual renewal application and return it, along with the annual renewal fee, to the board. This administrative regulation further establishes an annual license renewal fee and a delinquent penalty fee.

Section 1.

(1) The annual renewal fee in the amount of $200 shall be attached to the completed "Application for Annual License Renewal", Form DPL-BOP-02,~~[Kentucky Board of Podiatry Application for Annual License Renewal]~~ when the application is returned to the board by the podiatrist seeking licensure renewal.

(2) The annual renewal fee shall be made payable to the Kentucky State Treasurer in United States currency by certified check, cashier's check, postal money order, personal check, ~~[or]~~ credit card, or ACH payment, if available.

(3) All information requested on the annual renewal application~~[form]~~ shall be furnished to the board when the completed annual renewal application form is returned to the board, together with a statement of compliance with the continuing education requirements in 201 KAR 25:031.

(4) Every renewal application shall include proof of current registration with the Kentucky All-Schedule Prescription Electronic Reporting System (KASPER) administered by the Cabinet for Health and Family Services; and~~[.]~~

(5) Proof of completion of 1.5 hours of continuing education on KASPER, pain management, or addiction disorders as required by KRS 218A.205(3)(i).

Section 2.

(1) Failure to complete the requirements for annual renewal of the license by July 1 of each year shall result in a delinquent penalty fee of $200 in addition to the renewal fee.

(2) A licensee shall immediately report to the board any conviction or disciplinary action on a license held by the applicant relating to prescribing or dispensing controlled substances.

Section 3.

(1) Pursuant to KRS 218A.205(3)(f), a licensee:

(a) Convicted after July 20, 2012, of any felony offense relating to controlled substances shall be permanently banned from prescribing or dispensing a controlled substance by the board;

(b) Convicted after July 20, 2012, of any misdemeanor offense relating to prescribing or dispensing a controlled substance shall have his or her authority to prescribe controlled substances suspended for at least three (3) months, and shall be further restricted as determined by the board; or

(c) Who has had any disciplinary limitation placed on an application or license by a licensing board of another state that resulted from improper, inappropriate, or illegal prescribing or dispensing of controlled substances shall be subject to a restriction on the license that is at least as restrictive in time and scope as that placed on the license by the licensing board of the other state.

(d) Failure to make the required report to the board of any conviction or disciplinary action covered by this subsection shall be deemed a violation and be subject to sanction as determined by the board.

(2) In addition to the actions listed in subsection (1) of this section, the board may take additional disciplinary action against a licensee pursuant to KRS 311.480.

Section 4. Incorporation by Reference.

(1) The following material is incorporated by reference: "Application for Annual License Renewal", Form DPL-BOP-02, March 2026~~[9/2020]~~, is incorporated by reference

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Podiatry, Department of Professional Licensing, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at bop.ky.gov.

DR. PAUL KRESTIK, President

APPROVED BY AGENCY: September 10, 2026

FILED WITH LRC: September 11, 2026 at 11:25 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 23, 2026, at 9AM, at the Mayo-Underwood Building, Room 206NW, 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 November 30, 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: Sara Boswell Janes, Title: Staff Attorney III, Agency: Department of Professional Licensing, Office of Legal Services Address: 500 Mero Street, 2 NC WK#2 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 Phone: 502-782-2709 Email: sara.janes@ky.gov

Subject Headings:Podiatry and Pedorthics, Licensing, Fees

(1) Provide a brief summary of:

(a) What this administrative regulation does:
KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation establishes requirements for making an application for renewal of licensure.

(b) The necessity of this administrative regulation:
This administrative regulation is required by KRS 311.420.

(c) How this administrative regulation conforms to the content of the authorizing statutes:
KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation establishes requirements for making an application for renewal of licensure.

(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 311 by carrying out the legislative mandate for the board to establish requirements for licensure.

(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 makes technical corrections due to statutory changes in KRS Chapter 218A; clarifies that licensure renewal requires the applicant to submit proof of completion of continuing education on KASPER, pain management and addiction disorders; clarifies that failure of a licensee to report any conviction or disciplinary action to the board shall be a violation and subject to sanction; and updates the material incorporated by reference.

(b) The necessity of the amendment to this administrative regulation:
The amendments are necessary to correct statutory references and clarify requirements for renewal, and to update the renewal application form.

(c) How the amendment conforms to the content of the authorizing statutes:
KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation establishes requirements for making an application for renewal of licensure.

(d) How the amendment will assist in the effective administration of the statutes:
These amendments will assist in the effective administration of KRS Chapter 311 by carrying out the legislative mandate for the board to establish requirements for renewal and by clarifying the process to do so.

(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 257 licensed podiatrists, both active and inactive, in the Commonwealth of Kentucky.

(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:

Each of the regulated entities must apply for renewal, pay the renewal fee, show proof of completion of 1.5 hours of continuing education on KASPER, and report any conviction or disciplinary action to the board.

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

It will cost each applicant a $200 renewal, which is the same amount that was required before the amendment.

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

As a result of compliance with the amendment, the applicants will have better understanding of all the requirements for applying for licensure renewal in Kentucky.

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

(a) Initially:

This administrative regulation does not create a cost for the administrative body.

(b) On a continuing basis:

This administrative regulation does not create a cost for the administrative body.

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

The Kentucky Board of Podiatry is self-funded through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation.

(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 increases in fees or funding is necessary to implement the amendment to this administrative regulation.

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

This amendment does not directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

Tiering is not applied because similarly situated licensees are treated similarly under this administrative regulation.

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 Chapter 311, and particularly KRS 311.420 and KRS 311.450.

(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:
The Kentucky Board of Podiatry.

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

1. Expenditures:

For the first year:Neutral

For subsequent years:Neutral

2. Revenues:

For the first year:Neutral

For subsequent years:Neutral

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: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

(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: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:
There is no anticipated fiscal impact to this administrative regulation.

(b) 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.

(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 to the entities identified.

(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.