BOARDS AND COMMISSIONS

Board of Podiatry

(New Administrative Regulation)

201 KAR 25:100. Administrative hearings for denials, discipline, and revocation of probation.

RELATES TO: KRS 311.410(4), 311.480, 311.490
STATUTORY AUTHORITY: KRS 311.410(4)
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 311.410(4) requires the board to promulgate administrative regulations necessary to carry out and enforce the provisions of KRS 311.390 to 311.510. KRS 311.490(1) requires the board to conduct administrative hearings as necessary pursuant to KRS Chapter 13B. This administrative regulation establishes the procedures for an individual to request an administrative hearing from the denial of or refusal to renew, or revocation of probation.

Section 1. Right of administrative hearing from a denial of license issuance or a refusal to renew a license.

(1) The board shall issue written notice of the denial informing the applicant:

(a) Of the specific reason for the board's action, including:

1. The statutory or regulatory violation; and
2. The factual basis on which the denial is based; and

(b) That the applicant may appeal the pending denial to the board within twenty (20) calendar days after receipt of this notification, excluding the day he or she receives notice, or the date that the notification is returned to the board as unclaimed.

(2) A written request for an administrative hearing shall be filed with the board within twenty (20) calendar days after receipt of this notification, excluding the day the applicant receives notice, or the date that the notification is returned to the board as unclaimed. The request shall identify the specific issues in dispute and the legal basis on which the board's decision on each issue is believed to be erroneous.

(3) If the request for an appeal is not timely filed, the notice of denial shall be effective upon the expiration of the time for the applicant or license holder to request an appeal.

(4) The documentary evidence shall be limited to the application and supporting documents submitted to the board during the application process and that was considered as part of the denial of the application.

(5) A renewal applicant may petition the board, in writing, for a stay of the denial of the license until completion of the administrative hearing process.

Section 2. Administrative hearing for suspension, revocation, probation, or fine.

(1) All administrative hearings for the board's suspension, revocation, probation, or for the imposition of a fine upon a license, shall be conducted in accordance with KRS Chapter 13B.

(2) The board shall prepare a formal administrative complaint and notice of administrative hearing in accordance with KRS Chapter 13B.

Section 3. Revocation of Probation.

(1) If the board moves to revoke probation, the board shall issue written notice of the revocation and inform the probationee:

(a) Of the factual basis on which the revocation is based;

(b) Of each probation term violated;

(c) Of the sanction to be imposed; and

(d) That the probationee may appeal the revocation to the board within twenty (20) calendar days after receipt of this notification, excluding the day notice is received, or the date that the notification is returned to the board as unclaimed. The notification shall be sent to the last known address on file with the board for the license holder.

(2) A written request for an administrative hearing shall be filed with the board within twenty (20) calendar days after receipt of this notification, excluding the day the probationee receives notice, or the date that the notification is returned to the board as unclaimed. The request shall identify the specific issues in dispute and the legal basis on which the board's decision on each issue is believed to be erroneous.

(3) If the request for an administrative hearing is not timely filed, the revocation of probation shall be effective upon the expiration date for the certificate holder to request an appeal.

Section 4. A request for an administrative hearing shall be sent to the Kentucky Board of Podiatry by mail to P.O. Box 1360, Frankfort, Kentucky 40602 or by hand-delivery to 500 Mero Street, Frankfort, Kentucky 40601.

Section 5. An administrative hearing shall be governed in accordance with KRS Chapter 13B.

Section 6. If the final order of the board is adverse to a licensee or applicant, or if the hearing is scheduled at the request of a licensee or applicant for relief from sanctions previously imposed by the board, the costs in an amount equal to the cost of stenographic services, the cost of the hearing officer, and the board's attorney fees may be assessed against the licensee or applicant. In a case of financial hardship, the board may waive all or part of the fee.

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.