

BOARDS AND COMMISSIONS

Board of Podiatry

(Amendment)

201 KAR 25:031. Continuing education, inactive license.

RELATES TO: KRS 218A.205, 311.450(2)

STATUTORY AUTHORITY: KRS 218A.205(3)(i), 311.410(4), 311.450(2)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 311.450(2) requires the board to promulgate an administrative regulation to establish continuing education requirements for a podiatrist. KRS 218A.205(3)(i) requires the board to mandate continuing education related to the use of the Kentucky All-Schedule Prescription Electronic Reporting System (KASPER), pain management, or addiction disorders. This administrative regulation establishes those continuing education requirements.

Section 1.

- (1) Each podiatrist licensed by the board shall annually complete twenty (20) hours of continuing education relating to the practice of podiatry.
- (2) The twenty (20) hours shall include:
 - (a) At least fifteen (15) Category A continuing education hours; and
 - (b) Not more than five (5) Category B continuing education hours.
- (3) A continuing education hour shall equal fifty (50) clock minutes of participating in continuing education instruction or presentation that meets the requirements of this administrative regulation for continuing education courses.
- (4)
 - (a) Beginning on July 1, 2012, and annually thereafter, each podiatrist licensed by the board shall complete at least one and one-half (1.5) hours of continuing education related to the use of the Kentucky All-Schedule Prescription Electronic Reporting System (KASPER), pain management, or addiction disorders.
 - (b) This requirement shall be included in the twenty (20) hours of continuing education required by this administrative regulation.

Section 2. Categories of Continuing Education Hours.

- (1) A Category A continuing education hour shall specifically relate to podiatric medicine, surgery, or science and shall:
 - (a) Be earned by in-person attendance at:
 1. A professional seminar, including the Kentucky Podiatric Medical Association's annual conference;
 2. An accredited school of podiatry continuing education program; or
 3. Another program approved by the board under Section 6 of this administrative regulation; and
 - (b) Be approved by the American Podiatric Medical Association/Council on Podiatric Medical Education (APMA/CPME), except if the course provider or the licensee that intends to take a course has requested and received board approval of the course under Section 6 of this administrative regulation prior to the course's presentation.
 - (c) Virtual attendance at a live Category A continuing education program shall not fulfill the requirements of this section.
- (2) A Category B continuing education hour may relate to non-podiatric medical issues or general practice issues and may be earned by attendance at or participation in:
 - (a) Home study courses;
 - (b) Hospital, clinic, or in-house staff lectures; or
 - (c) Local or regional medical society or medical association meetings.

Section 3.

- (1) A licensee shall keep a valid record of each continuing education program completed. The record shall:
 - (a) Include a receipt or certification received for the program;
 - (b) Be kept for three (3) years;
 - (c) Be presented upon request by the board for audit. If selected by the board for audit, the licensee shall submit the requested proof of continuing education to the board within fifteen (15) days of the request; and
 - (d) For Category A programs, include proof of APMA/CPME certification or a written letter of approval from the board.
- (2) The period during which continuing education courses shall be completed shall be from July 1 of each year until June 30 of the following year.

Section 4.

- (1) On application, the board shall consider granting a waiver of the continuing education requirements or an extension of time within which to fulfill the requirements in the following cases:
 - (a) Medical disability of the licensee;
 - (b) Illness of the licensee or an immediate family member; or
 - (c) Death or serious injury of an immediate family member.
- (2) A written request for waiver or extension of time involving medical disability or illness shall be:
 - (a) Submitted by the person holding the license; and
 - (b) Accompanied by a document verifying the illness or disability signed by the:
 1. Licensee's personal physician; or
 2. Immediate family member's personal physician.
- (3) A waiver of or extension of time within which to fulfill the minimum continuing education requirements shall not exceed one (1) year.
- (4) If the medical disability or illness upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the licensee shall reapply for the waiver or extension.

Section 5. Inactive Status. An application for inactive status shall not be authorized after December 1, 2026.

- (1) A licensee may apply for inactive status on or before December 1, 2026, by submitting a written letter to the board.
- (2) A licensee granted inactive status shall be relieved of the obligation to meet the requirements for continuing education established in this administrative regulation.
- (3) A person on inactive status may use the term "podiatrist" but the licensee shall not engage in the practice of podiatry. Any person who practices podiatry while on inactive status shall be deemed to be practicing podiatry without a license in violation of KRS 311.400.
- (4) A licensee seeking relicensure from inactive to active status shall fulfill the requirements established in this subsection.
 - (a) If the licensee has been inactive for no more than five (5) consecutive years, the licensee shall:
 1. Provide written notice to the board requesting reactivation to active status by filing a ~~[Kentucky Board of Podiatry]~~ License Renewal Application, DPL-BOP-02, as incorporated by reference in 201 KAR 25:021, and requesting in writing that the license be made active;
 2. Have completed twenty (20) hours of Category A continuing education requirements within a period of six (6) months preceding the request for active status; and

3. Pay:

- a. The renewal fee of \$200 established in 201 KAR 25:021, Section 1; and
- b. A reactivation fee of \$250.

(b) If a licensee has been in inactive status for more than five (5) consecutive years, the licensee shall:

1. File a completed Application for Podiatry License, DPL-BOP-01, incorporated by reference in ~~[accordance with]~~ 201 KAR 25:011, Section 2, and pay the required examination fee;
2. Be approved by the board to take the examination; and
3. Successfully complete a satisfactory examination before the board as provided by 201 KAR 25:012.

(5) After December 1, 2026, the Board shall not approve any applications for inactive licensure status by a licensee and the inactive license status shall sunset upon the expiration of the five (5) year period for the last approved inactive license application.

Section 6. Board Approval of Continuing Education.

- (1) A course provider or a licensee shall submit a written request to the board for approval of a continuing education course.
- (2) A written request for board approval shall contain:
 - (a) A brief summary of the continuing education;
 - (b) The educational objectives of the continuing education;
 - (c) The date, time, and place of the provision of the continuing education;
 - (d) The name and credentials of the individual providing the continuing education; and
 - (e) The name of the organization providing the continuing education, if applicable.
- (3) In determining whether to approve continuing education, the board shall consider whether the continuing education:
 - (a) Is designed to provide current developments, skills, procedures, or treatments related to the practice of podiatry;
 - (b) Is developed and provided by an individual with knowledge and experience in the subject area; and
 - (c) Contributes directly to the professional competence of a licensee.

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.

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 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, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

KRS 311.450 requires that any person who wishes to renew their license comply with the continuing education regulations of the board. Further, KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation also establishes requirements for making an application for reactivation of licensure.

(b) The necessity of this administrative regulation:

This administrative regulation is required by KRS 311.420 and 311.450.

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

KRS 311.450 requires that any person who wishes to renew their license comply with the continuing education regulations of the board. Further, KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation also establishes requirements for making an application for reactivation 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 clarifies the title of the administrative regulation by including inactive status; updates the mandatory continuing education requirements for KASPER to include pain management, or addiction disorders; clarifies that Category A continuing education shall be in-person and that virtual attendance at a live Category A continuing education program shall not fulfill the requirements; establishes a sunset provision for inactive status and reactivation with a grandfather provision for existing license holders with an inactive status; and updates references to the material incorporated by reference in 201 KAR 25:021 for reactivation.

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

The amendments are necessary to clarify the title of the regulation and the continuing education requirements set by the board, and to strike the procedures for applying for an inactive status and reactivation since there is no statutory authority for this, and to correct the forms needed for reactivation for the existing inactive status licensees who are grandfathered in.

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

KRS 311.450 requires that any person who wishes to renew their license comply with the continuing education regulations of the board. Further, KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of

Kentucky be licensed to do so. The amendment also conforms by striking the authority for an inactive license with the ability to reactivate, which is not authorized by the statutes. Finally, KRS 311.410(4) authorizes the board to make all rules and regulations as may be necessary to implement and carry out its duties.

(d) How the amendment 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 mandates for the board to establish requirements for licensure.

(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 practicing 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 have 20 hours of continuing education annually with at least 15 hours in-person. If a licensee wishes to go inactive, the licensee must write a letter to the board making the request and comply with the requirements for reactivation, if any.

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

This amendment will require each applicant to pay a fee for continuing education, which will be paid directly to the provider. If a licensee wishes to go inactive, there is no fee. If an inactive licensee wishes to reactivate, the inactive licensee must pay a fee of \$200 for renewal and \$250 for reactivation.

(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, licensees will understand what the annual continuing education requirements are and how a licensee can go inactive and later reactivate.

(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 are 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.