

BOARDS AND COMMISSIONS
Board of Licensure for Marriage and Family Therapists
(Amendment)

201 KAR 32:101. Reinstatement of license subject to disciplinary action.

RELATES TO: KRS 335.325(5), 335.340(5), (7)

STATUTORY AUTHORITY: KRS 335.320(9), 335.348, 335.360

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.348 empowers the board to punish a licensee for violation of the statutes and administrative regulations governing the practice of marriage and family therapy. This includes the ability to revoke a license. KRS 335.360 permits a person whose license has been revoked to apply for reinstatement after five (5) years. This administrative regulation establishes the requirements for reinstatement of a license that has been the subject of disciplinary action by the board.

Section 1. Definition. (1) "A license ~~[voluntarily]~~ surrendered in lieu of revocation~~[as if revoked]~~" means the process by which a person who holds a license issued by the board, knowingly and willingly, returns the license to the board, forfeiting all rights and privileges associated with that license, in settlement of a disciplinary action initiated by the board.

Section 2. Reinstatement of a License Revoked by Disciplinary Action of the Board.

- (1) If a license has been revoked, an individual may apply for reinstatement by:
 - (a) Completing the Revoked License Reinstatement~~[License Reinstatement]~~ form;
 - (b) Paying the initial licensure fee as set forth in 201 KAR 32:030;
 - ~~[(c)] [Paying the examination fee as established in 201 KAR 32:030;]~~
 - ~~[(d)]~~ Taking the licensure examination and achieving a passing score; and
 - ~~[(e)]~~ The applicant shall show evidence of completion of fifteen (15) hours of continuing education with nine (9) continuing education hours being in the field of marriage and family therapy ethics~~[for each year since the date of revocation]~~ in accordance with the requirements established in 201 KAR 32:060 Section 1. The continuing education hours shall be taken within one (1) year prior to applying for reinstatement.
- (2) Upon submission of a completed reinstatement application:
 - ~~[(a)] [A hearing shall be held to determine whether or not to reinstate the former licensee.]~~
 - ~~[(b)]~~ The board shall consider the information contained in the application and the ~~[testimony and]~~ evidence ~~[obtained in the hearing]~~.
 - ~~[(c)]~~ Based upon the information gathered the board shall determine if reinstatement of the license would be a threat to public safety, health ~~or~~~~[and]~~ welfare.
- ~~[(3)]~~ [(d)] If the board upon review of the application and all supporting documentation finds that the applicant meets the qualifications for reinstatement and determines the applicant no longer poses a danger to the public, it may reinstate the license. [If the board finds that there no longer exists a danger to the public, it may reinstate the license.]
- ~~[(4)]~~ [(e)] If the board upon review of the application and all supporting documentation finds that the applicant does not meet the qualifications for reinstatement or determines the applicant still poses a danger to the public, it may refuse to reinstate the license. [If the board finds that the danger still exists, it may refuse to reinstate the license.]

Section 3. Reinstatement of a License ~~[which was Voluntarily]~~ Surrendered in lieu of revocation~~[as if Revoked]~~.

- (1) If a license has been ~~[voluntarily]~~ surrendered in lieu of revocation~~[as if revoked]~~, an individual may apply for reinstatement by:

- (a) Completing the Revoked License Reinstatement~~[License Reinstatement]~~ form;
- (b) Paying the initial licensure fee as set forth~~[established]~~ in 201 KAR 32:030;
- (c) Paying ~~the~~a reinstatement fee as set forth in 201 KAR 32:030~~[of fifty (50) dollars]~~;
- (d) The Board will confirm ~~[Notifying the board, in writing,]~~ that the requirements of any agreed order have been ~~[met or]~~ completed~~[, and]~~
- ~~[(c)] [Notifying the board, in writing, to request that a hearing be held to determine if the issuance of a license would no longer be a threat to public safety and welfare,]~~
- (2) An individual whose license has been ~~[voluntarily]~~ surrendered in lieu of revocation~~[as if revoked]~~ shall be required to comply with the annual continuing education requirements for the period during which the license was ~~[voluntarily]~~ surrendered in accordance with the requirements established in 201 KAR 32:060.

Section 4. Incorporation by Reference.

(1) "Revoked License Reinstatement~~[License Reinstatement]~~ form," DPL-MFT-13 (2026~~[2000]~~ Edition), Kentucky Board of Licensure for Marriage and Family Therapists, is incorporated by reference.

(2) This material may be inspected, copied, or obtained at the Kentucky Board of Licensure for Marriage and Family Therapists, 500 Mero Street, Second Floor~~[911 Leewood Drive, Berry Hill Annex]~~, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

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.

201 KAR 32:101

AMANDA BOMMER-VILLAVECES, Chair

APPROVED BY AGENCY: August 20, 2026

FILED WITH LRC: September 14, 2026 at 2:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 23, 2026, at 11:00 a.m. local prevailing time at the Mayo-Underwood Building, Room 127 CW, 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: Matthew D. Ellison, Title: Staff Attorney III Agency: Department of Professional Licensing, Office of Legal Services Address: 500 Mero Street, 2 NC WK#4 Phone Number: (502) 782-2709 (office) Fax: (502) 564-4818 Email: Matthew.Ellison@ky.gov Link to PPC public comment portal: https://ppc.ky.gov/reg_comment.aspx

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person:Matthew D. Ellison, Staff Attorney III **Phone:** 502-782-0706 **Email:** matthew.ellison@ky.gov

Subject Headings:Licensing, Marriage and Family Therapy, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes a procedure for persons whose license has been suspended or revoked, or have voluntarily surrendered their license as part of a pending disciplinary action, to seek reinstatement of that license upon meeting certain criteria.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary because KRS 335.360 permits a person whose license has been revoked or surrendered, to apply for reinstatement after five (5) years. The statute also states that the reinstatement process shall be in accordance with the procedures established by the board through administrative regulation.

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

This administrative regulation amendment conforms with the Board's authority in KRS 335.320(9) to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.300 to 335.399. KRS 335.360 also enables the board to promulgate administrative regulations to implement the process of seeking reinstatement.

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

This administrative regulation assists in the effective administration of the statute by setting forth the procedure and criteria for persons seeking reinstatement of a revoked license, or license that was surrendered while being subjected to disciplinary proceedings.

(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 establishes a new category of revocation of license for when the licensee agrees to the revocation of licensure in the context of the administrative hearing process, and creates a reinstatement process that is less onerous than one in which the licensee was revoked through a final order issued by the board. It also creates a single application for either category of revoked licenses, and no longer requires the board to hold a hearing to determine whether reinstatement of the license would not pose a danger to the public. It also requires applicants whose license was voluntarily surrendered in lieu of revocation, to pay the same reinstatement fee as those whose license was revoked via a final order of the board, and to use the same application. Finally, it requires that continuing education requirements for former licensees seeking reinstatement be completed within one year prior to the application for reinstatement, and specifies a minimum ethics requirement within the required hours.

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

This amendment is necessary to provide a fairer and more expedient pathway to reinstatement for persons seeking such. It also streamlines the process by creating a single required form for all persons seeking reinstatement, regardless of the specific mechanism by which their licensure was revoked.

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

This administrative regulation amendment conforms with the board's authority in KRS 335.320(9) to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.300 to 335.399. Further, KRS 335.360 permits the board to create a specific process for the reinstatement of licenses after a period of five (5) years.

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

This amendment will assist in the effective administration of the statutes by i) providing a more fair and clearer pathway to reinstatement for persons seeking same; ii) by creating a more streamlined process for determining whether the criteria for reinstatement have been met; and iii) creates a specific ethical requirement for continuing education criteria, that will better equip applicants to comply the statutory and regulatory requirements imposed upon licensees.

(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 administrative regulation may affect an unknown number of both current licensees (approximately 912) and former licensees of the board; however, based on historical precedent, there are not likely to be any more than five persons in a given year that seek reinstatement of a license previously revoked by either final board order or voluntary agreement.

(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:

No action will need to be taken by any current licensees to comply with this amendment. Future applicants for reinstatement will have to ensure that they meet the revised remedial continuing education requirements, and persons applying for reinstatement whose license was voluntarily surrendered in lieu of revocation will now have to pay the full reinstatement fee.

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

For former licensees who had surrendered their license in lieu of revocation, they will now have to pay a \$100 reinstatement fee, up from \$50 in the previous version of this regulation.

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

Licensees seeking reinstatement will now have a more streamlined determination process, and they will have continuing education requirements with a greater focus on professional issues more relevant to the circumstances which may have initially caused the disciplinary proceedings which led to their license being revoked.

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

(a) Initially:

There will be no initial cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis:

There will be no continuing cost to the administrative body to implement this administrative regulation.

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

The Board's operations are funded by fees paid by license holders and applicants.

(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 increase in fees or funding will itself be necessary to implement this change to this administrative regulation.

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

This amendment to an existing administrative regulation increases the fees owed by an applicant for reinstatement who had surrendered their license in lieu of revocation, to \$100 from the previously required \$50.

(10) TIERING: Is tiering applied?

Tiering is not applied because this regulation applies to all applicants equally.

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

. KSR 335.320(9) authorizes the Board to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.300 to 335.399.

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

This administrative regulation is not expressly authorized by any act of the General Assembly, aside from the general enabling statute, see KRS 335.320(9).

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

The Kentucky Board of Licensure for Marriage and Family Therapists is the promulgating agency.

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

1. Expenditures:

For the first year:There are no expenditures anticipated in the first year.

For subsequent years:There are no expenditures anticipated in subsequent years.

2. Revenues:

For the first year:There may be additional revenues generated by the increase in fees for a narrow class of licensees who apply to reinstate their licenses after having voluntarily surrendering them. However, this increase in revenue is not expected to exceed \$500 in any given year.

For subsequent years:Additional revenues would not be expected to exceed \$500 in any given year.

3. Cost Savings:

For the first year:No cost savings are anticipated in the first year.

For subsequent years:No cost savings are anticipated in subsequent years.

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None anticipated.

(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):

None anticipated.

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

(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 may be a minimal fiscal impact based upon the slight increase of one category of fee for reinstatement of a license that was surrendered in lieu of revocation.

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

Methodology and resources used are the fiscal department within the Public Protection Cabinet, Department of Professional Licensing.

(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):

It is not anticipated that this administrative regulation will 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 used are the fiscal department within the Public Protection Cabinet, Department of Professional Licensing.