BOARDS AND COMMISSIONS
Board of Licensure for Pastoral Counselors
(Amendment)

201 KAR 38:040. Fees.

RELATES TO: KRS 335.620(1)
STATUTORY AUTHORITY: KRS 335.615(6); 335.620(1), (8)
CERTIFICATION STATEMENT:
NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.615(6) and 335.620(1) require the board to establish an initial fee for licensure. KRS 335.620(8) requires an applicant who has not received certification before July 1, 1999, to pass a written examination approved by the board. This administrative regulation establishes the initial fee for licensure and the fee for taking the written examination.

Section 1. Initial Licensure Fee.
(1) An applicant for licensure shall submit a nonrefundable application fee of $50, plus an initial licensure fee of $300. [The initial fee for licensure as a licensed pastoral counselor shall be $400.]
(2) If an application for licensure is denied, the board shall refund [$250 of]the $300 initial licensure fee.

Section 2. Written Examination Fee. The fee for taking the written examination of the Kentucky Board of Licensure for Pastoral Counselors, the Kentucky Pastoral Counselors Examination, shall be $200[$150].
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 38:040
MARGARET BROOKS, Chair

APPROVED BY AGENCY: August 31, 2026
FILED WITH LRC: October 13, 2026 at 11:13 a.m.
PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 21, 2026 at 11:00 a.m. EST 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 December 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: 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) 782-0706 (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, Mental Health, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:
This administrative regulation establishes the applicable fees for both the initial application for licensure and taking the required licensing examination administered by the Board.

(b) The necessity of this administrative regulation:
This administrative regulation is necessary because it sets forth the amount of fees required to be paid by applicants for licensure.

(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 335.615(6) to promulgate administrative regulations to implement the purposes of KRS 335.600 through .699; KRS 335.620(1)(a), which requires applicants to pay an initial fee for licensure as established by the Board through promulgation of administrative regulation; and KRS 335.615(2), which requires the Board to administer and grade the exam, and provide for other matters relating to licensure through promulgation of administrative regulations.

(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 amounts payable for initial licensure and examination.

(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 raises the fee for exam administration by $50, but lowers the fee for application and initial licensure by $50, and lowers the amount of the initial licensure fee that is non-refundable should the application not be approved.

(b) The necessity of the amendment to this administrative regulation:
This amendment is necessary to identify the fees payable to the Board for initial licensure applicants.

(c) How the amendment conforms to the content of the authorizing statutes:
This administrative regulation amendment conforms with the Board's authority in KRS 335.615(6) to promulgate administrative regulations to implement the purposes of KRS 335.600 through .699; KRS 335.620(1)(a), which requires applicants to pay an initial fee for licensure as established by the Board through promulgation of administrative regulation; and KRS 335.615(2), which requires the Board to administer and grade the exam, and provide for other matters relating to licensure through promulgation of administrative regulations. There is no new fee that the Board does not have statutory authority to charge applicants, and there is no provision in KRS 335.600 through .699 that sets forth the amount of said fees.

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

This amendment will set forth the amount of fees, and it will increase the amount of the initial licensing fee that is refunded to the applicant, if their application is not approved.

(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 will affect any potential applicants for licensure; there would in all likelihood not be any more than 10 to 15 applicants in a given year affected by this amendment.

(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:

Applicants will have to pay different amounts than previously allotted for the i) application and initial licensure fee, and ii) the examination, but the overall amount of total fees required for becoming licensed will neither increase nor decrease.

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

There will be no increased cost for compliance with this amendment by applicants.

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

Applicants will have a greater amount of the initial licensing fees refunded to them, should their application not be approved.

(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 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 administrative regulation does establish fees paid to the Board.

(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 335.615(6) requires the Board to promulgate administrative regulations to implement the purposes of KRS 335.600-.699. KRS 355.620(1)(a) requires the Board to promulgate an administrative regulation that establishes the required fee for an initial application for licensure. KRS 355.615(2) also requires the Board to provide for the administration of the licensing examination, which is to be approved by the Board per KRS 335.620(1)(h).

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

KRS 335.620(1)(a) requires the Board to establish an initial fee for licensure by promulgation of an administrative regulation. The other portions of this administrative regulation are not expressly authorized by any act of the General Assembly, aside from the general enabling statute, see KRS 335.615(6).

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

The Kentucky Board of Licensure for Pastoral Counselors 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:No more than $500 greater than prior to promulgation.

   For subsequent years:No more than $500 in any given year, than prior to promulgation.

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 is a very limited fiscal impact on the entity identified in (3)(a). There is no fiscal impact relative to (4)(a) and (5)(a).

(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.