

201 KAR 34:030. Continuing education requirements.

RELATES TO: KRS 309.133, 309.1335(1)(c), 309.134, 309.137

STATUTORY AUTHORITY: KRS 309.1315(1), (9)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 309.1315(1) and (9) require the board to promulgate administrative regulations necessary to carry out the provisions of KRS 309.130 to 309.1399 and to establish the criteria for continuing education. KRS 309.1335(1)(c) authorizes the board to promulgate an administrative regulation requiring licensed professional art therapists and licensed professional art therapist associates to complete continuing education requirements as a condition of renewal of their license. This administrative regulation delineates the requirements for continuing education and prescribes methods and standards for the accreditation of continuing education courses.

Section 1. Definitions.

- (1) "Academic course" means a course offered by an accredited postsecondary institution that is an:
 - (a) Art therapy course, designated by an art therapy course title or content, beyond the undergraduate level; or
 - (b) Academic course, relevant to professional art therapy, beyond the undergraduate level.
- (2) "Approved" means recognized by the Kentucky Board of Licensure for Professional Art Therapists.
- (3) "Continuing education hour" means fifty (50) clock minutes of participating in continuing educational experiences.
- (4) "Program" means an organized learning experience:
 - (a) Planned and evaluated to meet behavioral objectives; and
 - (b) Presented in one (1) session or series.
- (5) "Provider" means an individual or an organization that provides or sponsors continuing education programs and is approved by the board.
- (6) "Relevant" means having content applicable to the practice of professional art therapy as evaluated by the board.
- (7) "Successful completion" means that the license holder has:
 - (a)
 1. Satisfactorily met the specific requirements of the program; and
 2. Earned the continuing education hours; or
 - (b) Received a passing score from the board for completing a board examination.

Section 2. Accrual of Continuing Education Hours; Computation of Accrual.

- (1) A minimum of forty (40) continuing education hours shall be accrued by a licensed professional art therapist during the two (2) year licensure period for renewal.
- (2) A minimum of eighteen (18) continuing education hours shall be accrued by a licensed professional art therapy associate during the two (2) year licensure period for renewal.
- (3) All hours shall be in or related to the field of professional art therapy.
- (4) A licensee shall obtain three (3) hours of continuing education on ethics included within the hours required by subsection (1) and (2) of this section during the two (2) year licensure period for renewal.
- (5) Continuing education activities shall be in the following content areas in order to be considered relevant:
 - (a) Psychological and psychotherapeutic theories and practice;
 - (b) Art therapy assessment;
 - (c) Art therapy theory and practice;
 - (d) Client populations;

- (e) Art theory and media; and
- (f) Professionalism and ethics.

Section 3. Methods of Acquiring Continuing Education Hours. Continuing education hours applicable to the renewal of the certificate shall be directly related to the professional growth and development of a professional art therapy practitioner. Hours may be earned by completing any of the following educational activities:

(1) Programs not requiring board review and approval. A program provided or approved by any of the following providers shall be relevant to the practice of professional art therapy and shall be approved without further review by the board:

- (a) The American Art Therapy Association, Inc. or any of its state affiliates;
- (b) The Art Therapy Credentials Board, Inc.;
- (c) The American Association of Marriage and Family Therapy and its state affiliates;
- (d) The National Association of Social Workers and its state affiliates;
- (e) The American Psychological Association and its state affiliates;
- (f) The American Counseling Association and its state affiliates;
- (g) The National Board of Certified Counselors and its state affiliates;
- (h) The Association for Addiction Professionals (NAADAC) and its state affiliates;
- (i) The Department for Behavioral Health, Developmental and Intellectual Disabilities;
- (j) The Employee Assistance Professionals Association; and
- (k) Academic courses as established in Section 1(1) of this administrative regulation. A general education course, elective, or course designated to meet degree requirements shall not be acceptable. Academic credit equivalency for continuing education hours shall be based on one (1) credit hour equals fifteen (15) continuing education hours.

(2) Programs requiring board review and approval. A program from any of the following sources shall be reviewed by the board and evaluated whether it is relevant:

- (a) A program, including a home study course, webinar, and in-service training provided by another organization, educational institution, or service provider approved by the board;
- (b) A program or academic course presented by the license holder. A presenter of a relevant program or academic course shall earn two (2) continuing education hours for each contact hour of instruction. Credit shall not be issued for repeated instruction of the same course;
- (c) A publication in a professionally recognized or juried publication. Continuing education hours shall be granted for a relevant publication as follows:
 - 1. Five (5) continuing education hours for each published abstract or book review;
 - 2. Ten (10) continuing education hours for each published article;
 - 3. Twenty (20) continuing education hours for each book chapter or monograph; and
 - 4. Forty (40) continuing education hours for each published book; and
- (d) An exhibition in a juried art show. An exhibitor at a juried art show shall earn ten (10) continuing education hours for an exhibition and is limited to one (1) exhibition per renewal cycle.

(3) Board examination. A license holder shall submit an Application for Examination Continuing Education Credit to receive continuing education credit for completing a board examination. The board shall only grant board examination continuing education credit to an active license holder renewing an active board issued license and to a board approved supervisor. Upon application, and payment of the board examination fee established in 201 KAR 34:020, Section 7(1), the board shall credit a license holder with three (3) continuing education credit hours for successfully completing a training examination offered by the board. A license holder may complete more than one (1) board examination but shall be awarded no more than eighteen (18) continuing education credit hours for completing board examinations during a two (2) year licensure period.

Three (3) credit hours shall be awarded for successfully completing each of the following board examinations:

- (a) Art therapy assessment examination;
 - (b) Art therapy and client populations examination;
 - (c) Art therapy theory and practice examination;
 - (d) Art therapy theory and media examination;
 - (e) Art therapy professionalism and ethics examination; and
 - (f) Board-approved supervisor training examination.
- (4) A license holder shall submit a written request to the board to repeat a continuing education program or board examination during the two (2) year licensure period. Preapproval shall be required for repeating a program or examination for credit toward the minimum continuing education requirement for renewal. The request to repeat a continuing education program or board examination shall be submitted to the board before repeating the program or examination. A board examination fee shall be paid for repeated examinations.

Section 4. Procedures for Preapproval of Continuing Education Programs.

- (1) Any entity seeking to obtain approval of a continuing education program shall submit a complete Application for Continuing Education Program Approval prior to its offering and shall apply to the board at least sixty (60) days in advance of the commencement of the program.
- (2) A continuing education program shall be qualified for approval if the board finds the activity being presented:
- (a) Is an organized program of learning;
 - (b) Lists goals and objectives;
 - (c) Pertains to subject matters which integrally relate to the practice of art therapy;
 - (d) Contributes to the professional competency of the licensee; and
 - (e) Is conducted by individuals who have educational training or experience acceptable to the board.
- (3)
- (a) The board may approve a specific continuing education program that is not listed in Section 3(1) of this administrative regulation if the provider of the program:
 - 1. Files a written request for approval;
 - 2. Pays an annual processing fee of seventy-five (75) dollars; and
 - 3. Provides the information on a continuing education program that it proposes to provide that meets the requirements established in this administrative regulation.
 - (b) The approval of a program pursuant to paragraph (a) of this subsection shall permit the provider to offer the program for a period of one (1) calendar year.
- (4)
- (a) A license holder may request an individual review of a nonapproved continuing education activity completed during the earning period if, within thirty (30) days after the expiration of the immediate past license period, the license holder has:
 - 1. Requested the review by applying for individual review; and
 - 2. Paid a fee of twenty (20) dollars.
 - (b) The review shall be based on the standards established by this administrative regulation.
 - (c) Approval by the board of a nonapproved continuing education activity shall:
 - 1. Qualify as if it has been obtained from an approved provider; and
 - 2. Be limited to the particular offering upon which the request for individual review is based.

Section 5. Procedures for Approval of Continuing Education Programs.

- (1) A course that has not been preapproved may be used for continuing education if approval is secured from the board.
- (2) The applicant shall submit a complete Application for Continuing Education Program Approval that includes the following information and fees:
 - (a) A published course or seminar description;
 - (b) The name and qualifications of the instructor including resume or vitae;
 - (c) A copy of the program agenda indicating hours of education, coffee and lunch breaks;
 - (d) Number of continuing education hours requested;
 - (e) Official certificate of completion or college transcript from the provider or college;
 - (f) Letter requesting continuing education credits approval;
 - (g) The applicable fee identified in Section 4 of this administrative regulation; and
 - (h) Program evaluation.

Section 6. Responsibilities and Reporting Requirements of License Holders.

- (1) During the license renewal period, the board shall require up to fifteen (15) percent of all license holders to furnish documentation of the completion of the appropriate number of continuing education hours. Verification of continuing education hours shall not otherwise be reported to the board.
- (2) A license holder shall:
 - (a) Be responsible for obtaining required continuing education hours;
 - (b) Identify his or her continuing education needs and seek activities that meet those needs;
 - (c) Seek ways to integrate new knowledge, skills, and activities;
 - (d) Select board approved activities by which to earn continuing education hours;
 - (e) Submit to the board, if applicable, a request for approval for continuing education activities not otherwise approved by the board;
 - (f) Document attendance, participation in, and successful completion of continuing education activity for a period of two (2) years from the date of the renewal; and
 - (g) Maintain records of continuing education hours;
- (3) The following items may be used to document continuing education activity:
 - (a) Transcript;
 - (b) Certificate;
 - (c) Affidavit signed by the instructor;
 - (d) Receipt for the fee paid to the provider; or
 - (e) Written summary of experiences that are not formally or officially documented otherwise.
- (4) A license holder shall comply with the provisions of this administrative regulation. Failure to comply shall constitute a violation of KRS 309.137(1) and shall result in disciplinary action pursuant to that statutory provision.

Section 7. Carry-over of Continuing Education Hours, Prohibited. Continuing education hours earned in excess of those required under Section 2 of this administrative regulation shall not be carried over into the immediately following license renewal period.

Section 8. Board to Approve Continuing Education Hours; Appeal of Denial.

- (1) If an application for approval of continuing education hours is denied, in whole or in part, the person holding a license shall have the right to appeal the board's decision.
- (2) An appeal shall be:
 - (a) In writing;
 - (b) Received by the board within thirty (30) days after the date the notification of the decision denying approval of continuing education hours is mailed; and
 - (c) Conducted in accordance with KRS Chapter 13B.

Section 9. Waiver or Extensions of Continuing Education.

- (1) On application, the board may grant 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 license holder;
 - (b) Illness of the license holder or an immediate family member;
 - (c) Death or serious injury of an immediate family member; or
 - (d) Active duty military service or deployment.
- (2) A written request for waiver or extension of time shall be:
 - (a) Submitted by the person holding the license;
 - (b) Accompanied by a verifying document signed by a licensed physician or an authority verifying the need for an extension of time or waiver; and
 - (c) Received by the board before the expiration of the two (2) year licensure period for renewal and before the beginning of the ninety (90) day grace period established by KRS 309.1335(2) for the license.
- (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, illness, or military service upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the person holding licensure shall reapply for the waiver or extension.

Section 10. Continuing Education Requirements for Reinstatement or Reactivation of Licensure.

- (1) A person requesting reinstatement or reactivation of professional art therapist licensure shall submit evidence of forty (40) hours of continuing education within the twenty-four (24) month period immediately preceding the date on which the request for reinstatement or reactivation is submitted to the board.
- (2) If the board reinstates a professional art therapist license, the person shall obtain forty (40) hours of continuing education within six (6) months of the date on which licensure is reinstated.
- (3) A person requesting reinstatement or reactivation of professional art therapist associate licensure shall submit evidence of eighteen (18) hours of continuing education within the twenty-four (24) month period immediately preceding the date on which the request for reinstatement or reactivation is submitted to the board.
- (4) If the board reinstates a professional art therapist associate license, the person shall obtain eighteen (18) hours of continuing education within six (6) months of the date on which licensure is reinstated.
- (5) The continuing education hours received in compliance with this section shall be in addition to the continuing education requirements established in Section 2 of this administrative regulation and shall not be used to comply with the requirements of that section.

Section 11. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Application for Examination Continuing Education Credit", March 2021; and
 - (b) "Application for Continuing Education Program Approval", October 2016.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Professional Licensing, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 5 p.m.
(25 Ky.R. 476; 824; eff. 10-12-1998; 36 Ky.R. 642; 1018; eff. 12-4-2009; 40 Ky.R. 1428; 2286; eff. 5-2-2014; 44 Ky.R. 43; eff. 8-4-2017; TAm eff. 2-11-2021; Cert eff. 8-2-2024.)