

309.316 Classification of offenses -- Investigation of wrongdoing -- Hearing -- Sanctions -- Hearing for denial of application.

- (1) The board shall by administrative regulation classify types of offenses and the recommended administrative action. The type of action to be taken shall be based on the nature, severity, and frequency of the offense. Administrative action authorized in this section shall be in addition to any criminal penalties provided in KRS 309.300 to 309.319 or under other provisions of law.
- (2) The board may investigate allegations of wrongdoing upon complaint or upon its own volition. The board shall establish procedures for receiving and investigating complaints by administrative regulation.
- (3) If the board's investigation reveals evidence supporting the complaint, the board shall set the matter for hearing in accordance with the provisions of KRS Chapter 13B before suspending, revoking, imposing probationary or supervisory conditions or an administrative fine, issuing a written reprimand, or any combination of actions regarding any license under the provisions of this chapter.
- (4) If, after an investigation that includes opportunity for the licensee to respond, the board determines that a violation took place but was not of a serious nature, it may issue a written admonishment to the licensee. A copy of the admonishment shall be placed in the permanent file of the licensee. The licensee shall have the right to file a response to the admonishment within thirty (30) days of its receipt and to have the response placed in the permanent licensure file. The licensee may alternatively, within thirty (30) days of the receipt, file a request for hearing with the board. Upon receipt of this request, the board shall set aside the written admonishment and set the matter for hearing under the provisions of KRS Chapter 13B.
- (5) After denying an application under the provisions of KRS 309.300 to 309.319, the board may grant a hearing to the denied applicant in accordance with the provisions of KRS Chapter 13B.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 11, sec. 10, effective July 15, 1998.