

333.200 Hearing on revocation or suspension of license -- Effective date of final order -- Appeal.

- (1) In every proceeding for suspension or revocation of a license, the cabinet shall afford the medical laboratory director the opportunity for an administrative hearing to be conducted in accordance with KRS Chapter 13B. A license may be temporarily suspended through the issuance of an emergency order pursuant to KRS 13B.125 for a period not in excess of twenty (20) days upon notice to the medical laboratory director following a finding by the cabinet that the public health, safety, or welfare is in imminent danger.
- (2) Except as otherwise provided in this subsection, every final order of the cabinet suspending or revoking a license shall become effective thirty (30) days after notice is given to the medical laboratory director, unless the director within thirty (30) days from the giving of the notice, appeals therefrom in the manner provided by subsection (3) of this section. Provided, however, that the cabinet may, when in its opinion the continued operation of the medical laboratory during the time allowed for appeal would be dangerous to the health, welfare, and safety of the public, provide in its final order of suspension or revocation that the order shall become effective forthwith; and in this event the cabinet's order of suspension or revocation shall become effective as of the date specified therein, and the medical laboratory shall not, after notice of same, continue to operate under the license after revocation or during the period of suspension, unless and until the cabinet order is reversed or modified by a final and unappealable order or judgment of a court made pursuant to the provisions of subsection (3) of this section.
- (3) Any medical laboratory which is aggrieved by a final order of the cabinet placing it on probation, or suspending or revoking its license may procure judicial review by filing a petition in the Circuit Court of Franklin County, Kentucky, in accordance with KRS Chapter 13B.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 318, sec. 305, effective July 15, 1996. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(11). -- Created 1968 Ky. Acts ch. 180, sec. 24.