

**211.357 Certification of installers of on-site sewage disposal systems -- Fees.**

- (1) The cabinet shall establish a program to certify persons as installers of on-site sewage disposal systems. A master plumber licensed pursuant to KRS Chapter 318 or a person who provides written verification from the local health department in the county in which the work was completed that he installed five (5) lateral fields and septic tank systems prior to July 13, 1984, and that these installations had been inspected by a certified inspector and passed inspection, shall be certified automatically.
- (2) The cabinet shall establish as a part of the certification program referenced in subsection (1) of this section a means of issuing a probationary certification for installers of on-site sewage disposal systems. This probationary certification shall automatically be converted to a full certification at the time that the holder of the probationary certificate has installed five (5) lateral fields and septic tank systems and has provided written verification from the local health department in the county in which the work was completed that these installations have been inspected by a certified inspector and passed the inspection. The cabinet shall issue a full certificate to the holder of the probationary certificate no later than sixty (60) days after receipt of verification. In order to be issued a probationary certification, eligible persons shall certify in writing that they will make installations in accordance with requirements set forth by the Cabinet for Health and Family Services.
- (3) The cabinet may promulgate administrative regulations to establish a fee that:
  - (a) Shall be the total of the operational and administrative costs of the programs to the cabinet and to agencies as defined in KRS 211.185;
  - (b) Beginning on March 17, 2020, until December 31, 2020, shall not increase more than twenty-five percent (25%) of the fee amount on March 17, 2020;
  - (c) Beginning on or after January 1, 2021, shall not increase more than five percent (5%) for each year thereafter; and
  - (d) Shall be paid by persons certified as installers, except master plumbers licensed pursuant to KRS Chapter 318.
- (4) The cabinet may revoke or suspend any certification issued pursuant to this section upon proof that the certified person has:
  - (a) Knowingly violated the provisions of this chapter or the regulations of the cabinet;
  - (b) Practiced fraud or deception in applying for or obtaining a certificate;
  - (c) Is incompetent to install on-site sewage disposal systems;
  - (d) Permitted the certification to be used directly or indirectly by another to install on-site sewage disposal systems; or
  - (e) Is guilty of other unprofessional or dishonorable conduct of a character likely to deceive or defraud the public.
- (5) Upon appeal of any decision to revoke or suspend a certification, an administrative hearing shall be conducted in accordance with KRS Chapter 13B.

- (6) Nothing in this section shall be construed to condone the installation of on-site sewage disposal systems contrary to specifications for these systems established by the cabinet.

**Effective:** March 17, 2020

**History:** Amended 2020 Ky. Acts ch. 21, sec. 6, effective March 17, 2020. -- Amended 2018 Ky. Acts ch. 136, sec. 8, effective July 1, 2019. -- Amended 2005 Ky. Acts ch. 99, sec. 355, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 298, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 318, sec. 106, effective July 15, 1996. -- Created 1986 Ky. Acts ch. 354, sec. 2, effective July 15, 1986.