

327.040 Duties and powers of the board.

- (1) The board shall:
 - (a) Administer and enforce this chapter and set and evaluate the qualifications of applicants for licensure and for provisional licenses; and
 - (b) Promulgate administrative regulations in accordance with KRS Chapter 13A to:
 1. Effectively carry out and enforce the provisions of this chapter, including the regulation of physical therapists, physical therapist assistants, and the use of supportive personnel; and
 2. Establish the fee amounts for all fees required by this chapter and the fees for services provided by the board, which shall not exceed amounts necessary to generate sufficient funds to effectively carry out and enforce the provisions of this chapter, including the costs set forth in KRS 327.080(3).
- (2) The board is an agency of state government with the power to institute criminal proceedings in the name of the Commonwealth against violators of this chapter, and to institute civil proceedings to enjoin any violation of this chapter. The board shall investigate every alleged violation of this chapter coming to its notice by the complaint procedure set forth in administrative regulations promulgated by the board, and shall take action as it may deem appropriate. It shall be the duty of the Attorney General, the Commonwealth's attorneys, and the county attorneys to assist the board in prosecuting all violations of this chapter.
- (3) The board shall meet at least once each quarter at such place in this state as may be selected by the board. Four (4) members of the board shall constitute a quorum for the transaction of business. All meetings shall be held at the call of the board chair or at a call of a quorum of members upon not less than ten (10) days' written notice, unless notice shall be waived. The presence of any member at any meeting of the board shall constitute a waiver of notice thereof by the member.
- (4) The board may conduct investigations and schedule and conduct administrative hearings in accordance with KRS Chapter 13B, to enforce the provisions of this chapter or administrative regulations promulgated pursuant to this chapter. The board may administer oaths, receive evidence, interview persons, issue subpoenas, and require the production of books, papers, documents, or other evidence. In case of disobedience to a subpoena, the board may invoke the aid of the Franklin Circuit Court. Any order or subpoena of the court requiring the attendance or testimony of witnesses or the production of documentary evidence may be enforced and shall be valid anywhere in the Commonwealth.
- (5) The board shall keep minutes containing a record of all meetings of the board.
- (6) The board shall maintain an electronic record of all persons licensed under this chapter. This record shall show the name of every licensee in this state, the licensee's current business or residence address and telephone numbers, email address, and the date and number of the licensee's license. A licensee shall notify the board of a change of name, address, email address, or telephone number, within thirty (30) days of the change.

- (7) The board shall make available a current directory of all licensed physical therapists and physical therapist assistants.
- (8) The board shall adopt a seal which shall be affixed to every license granted by it.
- (9) The board may promulgate administrative regulations establishing a measure of continued competency as a condition of license renewal.
- (10) The board shall promulgate by administrative regulation a code of ethical standards and standards of practice.
- (11) The board may issue advisory opinions and declaratory rulings related to this chapter and the administrative regulations promulgated thereunder as established by administrative regulations.
- (12) The board may regulate physical therapist assistants and may promulgate reasonable administrative regulations regarding licensure, limitations of activities, supervision, and educational qualifications for physical therapist assistants. The board may establish reasonable fees for the licensure, renewal, and endorsement of physical therapist assistants. The fees shall not exceed corresponding fees for physical therapists.
- (13)
 - (a) The board shall promulgate administrative regulations governing the physical and mental examination of physical therapists, physical therapist assistants, or applicants, who may be impaired by reason of a mental, physical, or other condition that impedes their ability to practice competently.
 - (b) For purposes of enforcing this subsection and carrying out other duties prescribed in this chapter, the board shall have the power to order an immediate temporary suspension in accordance with KRS 13B.125 if there is a reasonable cause to believe that a physical therapist, physical therapist assistant, or applicant may be impaired by reason of a mental, physical, or other condition or presents an immediate danger to the health, welfare, or safety of the public.
- (14) The board may convene committees and task forces to review and advise the board on pertinent issues of public protection of the practice of physical therapy in the Commonwealth.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 36, sec. 6, effective July 15, 2026. -- Amended 2004 Ky. Acts ch. 126, sec. 15, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 313, sec. 4, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 318, sec. 299, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 377, sec. 3, effective July 13, 1984. -- Amended 1980 Ky. Acts ch. 53, sec. 4, effective July 15, 1980. -- Amended 1970 Ky. Acts ch. 115, sec. 4. -- Created 1958 Ky. Acts ch. 27, sec. 4, effective June 19, 1958.