

1 AN ACT relating to administrative bodies.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO  
4 READ AS FOLLOWS:

5 *It is hereby declared to be the policy and intent of the Commonwealth to:*

- 6 *(1) Protect the public health, safety, and welfare through the reasonable regulation*  
7 *of occupations and professions;*
- 8 *(2) Legislatively establish independent administrative bodies composed of*  
9 *professionals in the subject area to assist in regulating certain occupations and*  
10 *professions by establishing licensure and education requirements as needed to*  
11 *protect the public health, safety, and welfare;*
- 12 *(3) Prohibit an unlicensed person from practicing an occupation or profession or*  
13 *using a title that requires licensure from a board;*
- 14 *(4) Ensure that all administrative bodies are subject to active state supervision with*  
15 *legislative review of the promulgation of administrative regulations;*
- 16 *(5) Ensure that final actions of administrative bodies are subject to judicial review*  
17 *upon appeal;*
- 18 *(6) Foster and encourage legitimate competition in all occupations and professions,*  
19 *and to eliminate unnecessary burdens to market entry;*
- 20 *(7) Encourage the adoption, proliferation, and continued efficacy of licensure*  
21 *compacts to eliminate unnecessary barriers to market entry, an inherent purpose*  
22 *of such compacts; and*
- 23 *(8) Create administrative efficiencies by standardizing certain practices among the*  
24 *boards.*

25 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO  
26 READ AS FOLLOWS:

27 *(1) An administrative regulation proposed by an administrative body shall be*

- 1 narrowly tailored to avoid unnecessary barriers to market entry.
- 2 (2) When an administrative body completes the regulatory impact analysis required  
 3 by KRS 13A.240, the administrative body's responses to KRS 13A.240(1)(c)2. and  
 4 (1)(d)2. shall include a brief narrative summary of:
- 5 (a) Why the administrative regulation is necessary to protect the public health,  
 6 safety, and welfare; and
- 7 (b) How the administrative regulation is narrowly tailored to avoid unnecessary  
 8 barriers to market entry.

9 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO  
 10 READ AS FOLLOWS:

- 11 (1) For the purposes of this section, "department" means the Department of  
 12 Professional Licensing within the Public Protection Cabinet.
- 13 (2) An administrative body listed under this subsection and not qualifying under  
 14 KRS 324B.040 may request the department to provide administrative services,  
 15 and if requested, the department shall provide administrative services.
- 16 Administrative bodies that may request services include:
- 17 (a) State Board of Accountancy;
- 18 (b) Kentucky Board of Barbering;
- 19 (c) Kentucky State Board of Chiropractic Examiners;
- 20 (d) Kentucky Applied Behavior Analysis Licensing Board;
- 21 (e) Kentucky Board of Licensed Professional Counselors;
- 22 (f) Kentucky Board of Licensure for Pastoral Counselors;
- 23 (g) Kentucky Board of Alcohol and Drug Counselors;
- 24 (h) Kentucky Board of Interpreters for the Deaf and Hard of Hearing;
- 25 (i) Kentucky Board of Licensure for Massage Therapy;
- 26 (j) Kentucky Board of Prosthetics, Orthotics, and Pedorthics;
- 27 (k) Kentucky Board of Dentistry;

- 1        (l) Kentucky Board of Licensure and Certification for Dietitians and
- 2            Nutritionists;
- 3        (m) Kentucky Board of Embalmers and Funeral Directors;
- 4        (n) Kentucky Board of Architects;
- 5        (o) Kentucky Board of Landscape Architects;
- 6        (p) Kentucky Board of Examiners of Psychology;
- 7        (q) Kentucky Board of Social Work;
- 8        (r) Kentucky Board of Cosmetology;
- 9        (s) Kentucky Licensing Board for Specialists in Hearing Instruments;
- 10       (t) Kentucky Board of Licensure for Long-term Care Administrators;
- 11       (u) State Board of Medical Licensure;
- 12       (v) Kentucky Board of Nursing;
- 13       (w) Kentucky Board of Ophthalmic Dispensers;
- 14       (x) Kentucky Board of Optometric Examiners;
- 15       (y) Kentucky Board of Licensure for Professional Art Therapists;
- 16       (z) Kentucky Board of Licensure for Occupational Therapy;
- 17       (aa) Kentucky Board of Respiratory Care;
- 18       (ab) Kentucky Board of Licensure of Marriage and Family Therapists;
- 19       (ac) Kentucky Board of Pharmacy;
- 20       (ad) Board of Physical Therapy;
- 21       (ae) State Board of Podiatry;
- 22       (af) State Board of Licensure for Professional Engineers and Land Surveyors;
- 23       (ag) Kentucky Board of Speech-Language Pathology and Audiology;
- 24       (ah) Kentucky Board of Veterinary Examiners;
- 25       (ai) Kentucky Board of Licensure for Private Investigators;
- 26       (aj) Kentucky Board of Registration for Professional Geologists;
- 27       (ak) Kentucky Board of Licensed Diabetes Educators;

1 (al) Kentucky Board of Medical Imaging and Radiation Therapy;

2 (am) Kentucky Board of Durable Medical Equipment Suppliers;

3 (an) Kentucky Real Estate Commission;

4 (ao) Real Estate Appraisers Board;

5 (ap) Board of Auctioneers; and

6 (aq) Kentucky Board of Home Inspectors.

7 (3) Administrative services to be provided by the department may include but not be  
8 limited to:

9 (a) Technical assistance;

10 (b) Personnel and clerical staffing; and

11 (c) Meeting space and facilities.

12 (4) The department shall charge each administrative body a reasonable amount for  
13 services provided.

14 (5) Administrative bodies receiving services from the department shall maintain their  
15 identity and their full authority for making policy decisions in the fields they  
16 regulate.

17 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO  
18 READ AS FOLLOWS:

19 (1) The General Assembly finds and declares that the timely issuance of a license to  
20 a deserving and qualified person is of great importance to that person's livelihood  
21 and to market competition.

22 (2) An administrative body may authorize one (1) or more of its members or staff to  
23 review license applications and to approve or deny issuance of a license without  
24 review and action by the board at a board meeting.

25 (3) An administrative body shall keep a register of all individuals licensed by the  
26 administrative body. The register shall show each licensee's:

27 (a) Name;

- 1        (b) Last known professional and home address;
- 2        (c) E-mail address if one exists;
- 3        (d) Telephone number; and
- 4        (e) Type of license held, and the date and number of each license.
- 5        (4) An administrative body shall make an annual report to the Governor and the
- 6        Legislative Research Commission by September 1 of each year. The annual
- 7        report shall cover the preceding fiscal year and shall contain an account of:
- 8        (a) Duties performed;
- 9        (b) Actions taken;
- 10       (c) Number of licensees over the most recent three (3) years;
- 11       (d) Financial condition; and
- 12       (e) Appropriate recommendations.
- 13       ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO
- 14       READ AS FOLLOWS:
- 15       (1) Notwithstanding any other law, an administrative body shall send notice of the
- 16       upcoming expiration of a license to each licensee at least thirty (30) days prior to
- 17       the expiration of the license.
- 18       (2) Notwithstanding any other law, an administrative body shall send notice of the
- 19       expiration of a license to each licensee within thirty (30) days following the
- 20       expiration of the license.
- 21       (3) If a license is first issued to an individual less than ninety (90) days before the
- 22       license is scheduled to expire, the license issued to the individual shall not expire
- 23       on that date, but instead it shall expire at the conclusion of the next licensing
- 24       period.
- 25       (4) Absent good cause shown, an administrative body shall require that a licensee or
- 26       license applicant provide an electronic mail address for purposes of official
- 27       communications. Any notice required by this chapter or an administrative body's

1 authorizing statutes may be sent to a licensee's or license applicant's electronic  
2 mail address unless an administrative body has excused that person from  
3 providing an electronic mail address.

4 ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO  
5 READ AS FOLLOWS:

6 All members of an administrative body, as well as all staff, legal counsel, or other  
7 persons who act for or on behalf of an administrative body shall be immune from suit  
8 or civil liability for damages for conduct that is taken in good faith and is within the  
9 scope and arising out of the performance of their duties.

10 ➔Section 7. KRS 309.0813 is amended to read as follows:

11 The board shall:

- 12 (1) Promulgate administrative regulations pursuant to KRS Chapter 13A for the  
13 administration and enforcement of KRS 309.080 to 309.089;
- 14 (2) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing a  
15 code of ethics, standards of practice, and continuing education for licensed clinical  
16 alcohol and drug counselors, licensed clinical alcohol and drug counselor  
17 associates, certified alcohol and drug counselors, and registered alcohol and drug  
18 peer support specialists;
- 19 (3) Approve and disapprove, at least twice a year, those persons who shall be licensed,  
20 certified, or registered under KRS 309.080 to 309.089;
- 21 (4) Approve the examination required of applicants for licensure or certification as  
22 alcohol and drug counselors and applicants for registration as alcohol and drug peer  
23 support specialists, and promulgate administrative regulations pursuant to KRS  
24 Chapter 13A for the administration and grading of the examination;
- 25 (5) Promulgate administrative regulations pursuant to KRS Chapter 13A to define the  
26 process to register with the board as a registered alcohol and drug peer support  
27 specialist, certified alcohol and drug counselor, licensed clinical alcohol and drug

- 1 counselor associate, or licensed clinical alcohol and drug counselor;
- 2 (6) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing  
3 grounds and procedures for denying, suspending, failing to reissue, or revoking a  
4 license, certificate, or registration, and issuing reprimands and admonishments  
5 pursuant to KRS 309.080 to 309.089;
- 6 (7) Hold a hearing pursuant to KRS Chapter 13B upon the request of an aggrieved  
7 licensee, licensee associate, certificate holder, or registrant, or an applicant for a  
8 license, certificate, or registration;
- 9 (8) Employ needed personnel and establish their duties and compensation;
- 10 (9) Maintain a register of licensed clinical alcohol and drug counselors, licensed  
11 clinical alcohol and drug counselor associates, certified alcohol and drug  
12 counselors, and registered alcohol and drug peer support specialists;
- 13 (10) Keep a complete record of the board's proceedings;
- 14 (11) Investigate suspected or alleged violations of KRS 309.080 to 309.089 and the  
15 administrative regulations promulgated pursuant to KRS 309.080 to 309.089;
- 16 (12) Promulgate administrative regulations pursuant to KRS Chapter 13A establishing  
17 an initial licensure fee, certification fee, registration fee, and annual renewal fees  
18 not to exceed three hundred dollars (\$300) each;
- 19 (13) Take legal action as necessary to restrain or enjoin violations of KRS 309.080 to  
20 309.089 and the administrative regulations promulgated pursuant to KRS 309.080  
21 to 309.089;
- 22 (14) Submit an annual report to the Governor and the Legislative Research Commission  
23 by September~~January~~ 1 of each year, which lists all hearings conducted by the  
24 board and the decisions rendered ***and provides other information as required by***  
25 ***Section 4 of this Act***; and
- 26 (15) Collect and deposit all fees, fines, and other moneys owed to the board into the  
27 State Treasury to the credit of the revolving fund established in KRS 309.082.

1           ➔Section 8. KRS 309.304 is amended to read as follows:

- 2       (1) The board shall administer and enforce the provisions of this chapter and shall have  
3       the responsibility of evaluating the qualifications of applicants for licensure and the  
4       issuance of licenses.
- 5       (2) The board may issue subpoenas, examine witnesses, pay appropriate witness fees,  
6       administer oaths, and investigate allegations of practices violating the provisions of  
7       this chapter.
- 8       (3) The board shall promulgate necessary and reasonable administrative regulations in  
9       accordance with KRS Chapter 13A and this chapter to effectively carry out and  
10      enforce the provisions of KRS 309.300 to 309.319, including regulations to  
11      establish authorized fees. Fees shall not exceed amounts necessary to generate  
12      sufficient funds to effectively carry out and enforce the provisions of KRS 309.300  
13      to 309.319.
- 14      (4) The board may conduct hearings in accordance with KRS Chapter 13B and keep  
15      records and minutes necessary to carry out the functions of KRS 309.300 to  
16      309.319.
- 17      (5) The board may renew licenses and require continuing education as a condition for  
18      renewal.
- 19      (6) The board may suspend or revoke licenses, or impose supervisory or probationary  
20      conditions upon licensees, or impose administrative disciplinary fines, issue written  
21      reprimands, or any combination thereof.
- 22      (7) The board may seek injunctive relief in Franklin Circuit Court to stop the unlawful  
23      practice of interpreting by unlicensed persons.
- 24      (8) The board may employ any persons it deems necessary to carry on the work of the  
25      board, and shall define their duties and fix their compensation.
- 26      (9) ~~{Beginning in 1999, on }~~By September~~{October}~~ 1 of each year, the board shall  
27      submit a report to the Legislative Research Commission and the Governor

1 indicating:

2 (a) The current number of licensed interpreters;~~and~~

3 (b) The number of complaints received against interpreters and any disciplinary  
4 action taken within the previous calendar year; and

5 (c) Other information required by Section 4 of this Act.

6 ➔Section 9. KRS 313.020 is amended to read as follows:

- 7 (1) The Kentucky Board of Dentistry shall consist of ten (10) members, each appointed  
8 by the Governor to a four (4) year term. Seven (7) members of the board shall be  
9 licensed dentists appointed from a list of three (3) names recommended for each  
10 board position by the resident licensed dentists of Kentucky at an annual election at  
11 a time selected by the Kentucky Board of Dentistry. Two (2) members of the board  
12 shall be dental hygienists licensed to practice dental hygiene in the Commonwealth.  
13 Each appointment to the board of a licensed dental hygienist shall be made from a  
14 list of three (3) names recommended for this position by the resident licensed dental  
15 hygienists of Kentucky at an annual election at a time selected by the board. One (1)  
16 member shall be a citizen at large who is not associated with or financially  
17 interested in the practice or business regulated. One (1) nonvoting ex officio  
18 representative from each the University of Kentucky and the University of  
19 Louisville shall represent the dental schools' interests. One (1) nonvoting ex officio  
20 representative from a hygiene program not associated with the University of  
21 Kentucky or the University of Louisville shall represent the dental hygiene  
22 programs' interests. The hygiene school seats shall rotate on a yearly basis. One (1)  
23 nonvoting ex officio representative from the Department for Public Health shall  
24 represent the department's interests.
- 25 (2) Individuals seeking board appointment, other than the citizen member, shall have  
26 been an actual resident and licensed practicing dentist or dental hygienist of the  
27 Commonwealth for not less than five (5) years immediately preceding his or her

1 appointment to the board, be in good standing with the board, and shall not have  
2 been disciplined by the board in the past eight (8) years. A voting member shall not  
3 receive compensation from or have a financial interest in any dental college or  
4 dental department of any institution of learning, dental supply business, or any  
5 entity over which the board has regulatory authority or sets standards for. For this  
6 subsection alone, a private admonishment shall not count as discipline.

7 (3) No board member shall serve more than two (2) consecutive terms. A member  
8 appointed to a partial term vacancy exceeding two (2) years shall be deemed to have  
9 served one (1) full term. A former member may be reappointed following an  
10 absence of one (1) term.

11 (4) The board shall annually:

12 (a) Meet at least four (4) times a year;

13 (b) At the first meeting of the board after July 1, elect officers of the board by  
14 majority vote of the members present; and

15 (c) Set a schedule of at least four (4) regular meetings for the next twelve (12)  
16 month period.

17 (5) A majority of the voting members of the board shall constitute a quorum for the  
18 transaction of business.

19 (6) (a) A member of the board who misses three (3) regular meetings in one (1) year  
20 shall be deemed to have resigned from the board, and his or her position shall  
21 be deemed vacant.

22 (b) The failure of a board member to attend a special or emergency meeting shall  
23 not result in any penalty.

24 (c) The year specified in paragraph (a) of this subsection shall begin with the first  
25 meeting missed and end three hundred sixty-five (365) days later or with the  
26 third meeting missed, whichever occurs earlier.

27 (d) The Governor shall appoint a person of the same class to fill the vacancy

1 within ninety (90) days.

2 (e) A person removed under this subsection shall not be reappointed to the board  
3 for four (4) years.

4 (7) Each voting member of the board shall receive any necessary expenses incurred in  
5 attending its meetings. Each voting member shall receive as compensation two  
6 hundred dollars (\$200) for each day actually engaged in the duties of his or her  
7 office.

8 (8) Annual reports and recommendations from the board shall be sent by  
9 September~~February~~ 1 each year to the Governor and the General Assembly in  
10 conformance with Section 4 of this Act.

11 ➔Section 10. KRS 319.030 is amended to read as follows:

12 (1) On or before September 1~~June 30~~ of each year the board shall submit to the  
13 Governor and the Legislative Research Commission a written report including:

14 (a) The names of all persons to whom licenses have been granted as provided in  
15 this chapter;~~and~~

16 (b) Any cases heard and decisions rendered; and

17 (c) Other information as required by Section 4 of this Act.

18 (2) The board may locate its principal office, meet, or conduct any of its business at any  
19 place in this state.

20 (3) The board shall keep a record of its proceedings and a register of licensed and  
21 certified psychologists, licensed psychological practitioners, and licensed  
22 psychological associates. The books and records of the board shall be prima facie  
23 evidence of the matters therein contained.

24 ➔Section 11. KRS 320.240 is amended to read as follows:

25 (1) The board shall meet at least once each year, at which time it shall choose from  
26 among its members the president, vice president, and secretary-treasurer. In  
27 addition, the board, upon call of its officers, may hold meetings at any time as it

1       deems necessary. A full record of the board's proceedings shall be kept in the office  
2       of the board and shall be open to inspection at all reasonable times.

3       (2) The board shall keep a register containing the name, address, and license number of  
4       every person licensed to practice optometry in this state.

5       (3) The Attorney General shall render to the board legal services as it may require in  
6       carrying out and enforcing the provisions of this chapter.

7       (4) Subject to and consistent with the provisions of this chapter, the board shall  
8       promulgate reasonable administrative regulations and do any and all things that it  
9       may deem necessary or proper for the effective enforcement of this chapter and for  
10      the full and efficient performance of its duties hereunder and the reasonable  
11      regulation of the profession of optometry and the practice thereof by licensed  
12      optometrists. The administrative regulations shall include the classification and  
13      licensure of optometrists by examination or credentials, retirement of a license, and  
14      reinstatement of a license.

15      (5) An optometrist shall not administer drugs, prescribe drugs, or perform laser or  
16      nonlaser surgery procedures until he or she is licensed by the board. Any  
17      therapeutically licensed optometrist authorized to practice under this section shall  
18      meet the educational and competence criteria set forth by the board in order to  
19      perform expanded therapeutic procedures. Evidence of proof of continuing  
20      competency shall be determined by the board.

21      (6) Nothing in this chapter shall be construed as allowing any agency, board, or other  
22      entity of this state other than the Kentucky Board of Optometric Examiners to  
23      determine what constitutes the practice of optometry.

24      (7) The board shall have the sole authority to determine what constitutes the practice of  
25      optometry and sole jurisdiction to exercise any other powers and duties under this  
26      chapter. The board may issue advisory opinions and declaratory rulings related to  
27      this chapter and the administrative regulations promulgated under this chapter.

- 1 (8) The board shall have:
- 2 (a) A common seal;
- 3 (b) The right to determine what acts on the part of any person licensed as an  
4 optometrist in this state shall constitute unprofessional conduct under this  
5 chapter; and
- 6 (c) Other powers and duties as authorized by this chapter.
- 7 (9) The board may administer oaths and require the attendance of witnesses, the  
8 production of books, records, and papers pertinent to any matters coming before the  
9 board by the issuance of process that shall be served and returned in the same  
10 manner as in civil actions and for the disobedience of which the board shall have  
11 the power to invoke the same rights as are provided for disobedience of a subpoena  
12 or subpoena duces tecum in a civil action.
- 13 (10) The board may assist in the prosecution of any violation of this chapter and in the  
14 enforcement of any of the provisions of this chapter.
- 15 (11) The board shall report its proceedings as required by Section 4 of this Act to the  
16 Governor and the Legislative Research Commission by September~~on or about~~  
17 ~~January~~ 1 of each year, including an accounting of all moneys received and  
18 disbursed.
- 19 (12) The board may permit persons engaging in the practice of optometry under the  
20 provisions of this chapter to administer diagnostic pharmaceutical agents limited to  
21 miotics for emergency use only, mydriatics, cycloplegics, and anesthetics applied  
22 topically only, but excluding any drug classified as a controlled substance pursuant  
23 to KRS Chapter 218A. These pharmaceutical agents shall be applied in diagnostic  
24 procedures only as part of an eye examination. The application of the diagnostic  
25 pharmaceutical agents shall be limited to those persons who have sufficient  
26 education and professional competence as determined by the board and who have  
27 earned transcript credits of at least six (6) semester hours in a course or courses in

1 general and ocular pharmacology, with particular emphasis on diagnostic  
2 pharmaceutical agents applied topically to the eye, from a college or university  
3 accredited by a regional or professional accreditation organization which is  
4 recognized or approved by the council on postsecondary accreditation or by the  
5 United States Department of Education.

6 (13) The board may authorize only those persons who have qualified for use of  
7 diagnostic pharmaceutical agents as set out in subsection (12) of this section to  
8 utilize and prescribe therapeutic pharmaceutical agents in the examination or  
9 treatment of any condition of the eye or its appendages. Any therapeutically  
10 certified optometrist licensed under the provisions of this subsection shall be  
11 authorized to prescribe oral medications, except any controlled substances classified  
12 in Schedule I and any controlled substances classified in Schedule II other than  
13 hydrocodone combination products as defined in KRS 218A.010, for any condition  
14 which an optometrist is authorized to treat under the provisions of this chapter. The  
15 use of injections for other than treatment of the human eye and its appendages shall  
16 be limited to the administration of benadryl, epinephrine, or equivalent medication  
17 to counteract anaphylaxis or anaphylactic reaction. In a public health emergency, the  
18 commissioner of health may authorize therapeutically licensed optometrists to  
19 administer inoculation for systemic health reasons. The authority to prescribe a  
20 Schedule II hydrocodone combination product as defined in KRS 218A.010 and a  
21 Schedule III, IV, or V controlled substance shall be limited to prescriptions for a  
22 quantity sufficient to provide treatment for up to seventy-two (72) hours. No refills  
23 of prescriptions for controlled substances shall be allowed. The utilization or  
24 prescribing of therapeutic pharmaceutical agents shall be limited to those persons  
25 who have sufficient education and professional competence as determined by the  
26 board and who have earned transcript credits of at least six (6) semester hours in a  
27 course or courses in general and ocular pathology and therapy, with particular

1 emphasis on utilization of therapeutic pharmaceutical agents from a college or  
2 university accredited by a regional or professional accreditation organization which  
3 is recognized or approved by the council on postsecondary accreditation or by the  
4 United States Department of Education. These six (6) semester hours are in addition  
5 to the six (6) semester hours required by subsection (12) of this section, making a  
6 total of twelve (12) semester hours.

7 (14) Any optometrist authorized by the board to utilize diagnostic pharmaceutical agents  
8 shall be permitted to purchase for use in the practice of optometry diagnostic  
9 pharmaceutical agents limited to miotics for emergency use only, mydriatics,  
10 cycloplegics, and anesthetics. Any optometrist authorized by the board to utilize  
11 therapeutic pharmaceutical agents shall be permitted to prescribe in the practice of  
12 optometry therapeutic pharmaceutical agents. Optometrists so authorized by the  
13 board to purchase pharmaceutical agents shall obtain them from licensed drug  
14 suppliers or pharmacists on written orders placed in the same or similar manner as  
15 any physician or other practitioner authorized by KRS Chapter 217. Purchases shall  
16 be limited to those pharmaceutical agents specified in this subsection and in  
17 subsection (12) of this section, based upon the authority conferred upon the  
18 optometrist by the board consistent with the educational qualifications of the  
19 optometrist as set out herein.

20 ➔Section 12. KRS 335.320 is amended to read as follows:

21 The board shall:

- 22 (1) Administer and enforce the provisions of this chapter and shall evaluate the  
23 qualifications of license and permit applicants;
- 24 (2) Approve the examination required of applicants for licensure, provide for the  
25 administration and grading of the examination, and provide for other matters  
26 relating to licensure in the profession of marriage and family therapy;
- 27 (3) Review the credentials of licensees to determine if they are eligible for license

- 1 renewal and have paid the fee provided for in KRS 335.340;
- 2 (4) License the marriage and family therapist applicants who satisfy the experience and  
3 educational requirements of KRS 335.330 and have paid the fee provided for in  
4 KRS 335.330;
- 5 (5) Review and approve contracts between marriage and family therapy associates and  
6 approved supervisors for their supervision of practice during the qualifying term;
- 7 (6) Issue permits to marriage and family therapy associate applicants who satisfy the  
8 requirements of KRS 335.332;
- 9 (7) Adopt a code of ethics for licensed marriage and family therapists and marriage and  
10 family therapy associates;
- 11 (8) Submit an annual report to the Governor and to the Legislative Research  
12 Commission by September~~January~~ 1 of each year, listing all hearings conducted  
13 by the board and any decisions rendered and providing information required under  
14 Section 4 of this Act; and
- 15 (9) Promulgate administrative regulations, in accordance with KRS Chapter 13A, to  
16 implement the purpose and scope of KRS 335.300 to 335.399.
- 17 ➔Section 13. KRS 335.615 is amended to read as follows:
- 18 The board shall meet at least twice a year. The board shall elect a chair at the fall meeting  
19 who shall serve a one (1) year term. The board shall:
- 20 (1) Approve or deny applications for licensure submitted according to the provisions of  
21 KRS 335.600 to 335.699;
- 22 (2) Approve the examination required of applicants for licensure, provide for the  
23 administration and grading of the examination, and provide for other matters  
24 relating to licensure in the profession of pastoral counseling as promulgated in  
25 administrative regulations;
- 26 (3) Review the credentials of license holders to determine eligibility for license  
27 renewal, including payment of fees authorized in KRS 335.625;

- 1 (4) License those pastoral counseling applicants who satisfy the requirements of KRS  
2 335.600 to 335.699, including payment of fees authorized in KRS 335.620;
- 3 (5) Adopt a code of ethics for Kentucky licensed pastoral counselors by promulgation  
4 of administrative regulations;
- 5 (6) Promulgate administrative regulations, in accordance with KRS Chapter 13A, to  
6 implement the purposes of KRS 335.600 to 335.699;
- 7 (7) Investigate suspected violations of KRS 335.600 to 335.699;
- 8 (8) Institute and maintain actions to restrain or enjoin persons who violate the licensure  
9 provisions of KRS 335.600 to 335.699; and
- 10 (9) Submit an annual report to the Governor and to the Legislative Research  
11 Commission by September~~January~~ 1 of each year, listing all hearings conducted  
12 by the board, any decisions rendered,~~and~~ a current roster of all Kentucky licensed  
13 pastoral counselors, **and other information as required by Section 4 of this Act.**

14 ➔Section 14. KRS 312.175 is amended to read as follows:

- 15 (1) Each person licensed to practice chiropractic in this state shall, on or before the first  
16 day of March, annually renew his **or her** license and pay a renewal fee of not more  
17 than one hundred dollars (\$100) for each inactive licensee and not more than five  
18 hundred dollars (\$500) for each active licensee each year to the board. In addition to  
19 the payment of the renewal fee, the active licensee applying for a license renewal  
20 shall furnish to the board satisfactory evidence that he **or she** has attended an  
21 educational program in the year preceding each application for renewal. Satisfactory  
22 evidence of attendance of postgraduate study at an institution approved by the board  
23 shall be considered equivalent. Provided, however, that licenses may be renewed by  
24 the board, at its discretion, and the applicant may be excused from paying the  
25 renewal fee or attending the annual educational program, or both, in instances  
26 where the applicant submits an affidavit to the board evidencing that he **or she**, for  
27 good cause assigned, suffered a hardship which prevented the applicant from

- 1 renewing the license or attending the educational program at the proper time.
- 2 (2) The board shall send a written notice to every person holding a valid license to  
3 practice chiropractic within this state at least thirty (30)~~forty-five (45)~~ days prior  
4 to the first day of March in each year, directed to the last known address of the  
5 licensee, and shall enclose with the notice proper blank forms for application for  
6 annual license renewal. The board shall, within thirty (30)~~forty-five (45)~~ days,  
7 notify every person failing to renew his or her license after it is due that he or she is  
8 delinquent and is subject to a late penalty of three hundred dollars (\$300). If the  
9 licensee fails to renew his or her license within forty-five (45) days after the  
10 mailing of the delinquent notice then his or her license shall be revoked for  
11 nonrenewal. Any licensee whose license has been revoked for failure to renew his  
12 or her license may have the~~his~~ license restored upon the payment of a restoration  
13 fee not to exceed five hundred dollars (\$500) for each delinquent year or any part  
14 thereof in addition to the renewal fee of not more than five hundred dollars (\$500)  
15 and upon presentation of satisfactory evidence of postgraduate study of a standard  
16 approved by the state board or upon a showing that he or she is an exception as  
17 provided for in subsection (1) of this section.
- 18 (3) Any licensee whose license has been revoked for less than four (4) years, may not  
19 apply for a license pursuant to KRS 312.085. The licensee may only apply for  
20 restoration pursuant to subsection (2) of this section.
- 21 (4) Any licensee whose license has been revoked for more than four (4) years may  
22 apply for a license by examination, as long as the licensee pays a restoration fee not  
23 to exceed five hundred dollars (\$500) for each delinquent year, or any part thereof,  
24 in addition to the renewal fee of not less than five hundred dollars (\$500) and not  
25 more than three thousand dollars (\$3,000).