

## BOARDS AND COMMISSIONS

### Board of Social Work

(Amended at ARRS Committee)

#### 201 KAR 23:051. Renewal, expiration, termination, and reinstatement of license.

RELATES TO: KRS ~~39A.180, 39A.190,~~ 335.010-335.160, 335.990

STATUTORY AUTHORITY: KRS ~~39A.180,~~ 335.070(1), (3), (6), (7) ~~(1), (3), (6), (7), 335.190,~~

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.070(1) requires the board to administer and enforce the provisions of KRS 335.010 to 335.160 and 335.990, and to evaluate and approve the qualifications of applicants for licensure. KRS 335.070(3) ~~39A.180 and 39A.190~~ allow agencies authorizes the board to promulgate administrative regulations to carry out the provisions of KRS 335.010 to 335.160 and 335.990, including ~~necessary for disaster and emergency response purposes during a state of emergency. KRS 335.070(1) requires the board to evaluate and approve the qualifications of the applicants for licensure. KRS 335.070(3) authorizes the board to promulgate administrative regulations. KRS 335.070(6) authorizes the board to renew licenses and set requirements for continued education.~~ establishing requirements for license renewal. KRS 335.070(6) authorizes the board to renew licenses. KRS 335.130 authorizes fees. This administrative regulation establishes the requirements for ~~renewals, reinstatements, and terminations of licenses to engage in the practice of social work.~~ license renewal, expiration, termination, and reinstatement of a license to engage in the practice of social work.

#### Section 1. Definitions ~~Definition~~.

- (1) "Expiration" means the license has not been renewed.
- (2) "Grace period" means the time allowed to renew after the expiration date of the license . ~~f:~~
- (3) "Licensee" means a person licensed under KRS 335.010 through 335.160 ~~160~~ as:
  - (a) ~~(1)~~ A certified social worker;
  - (b) ~~(2)~~ A licensed social worker; or
  - (c) ~~(3)~~ A licensed clinical social worker.
- (4) "Reinstatement" means the reinstatement of a license due to an action of the board.
- (5) "Renewal" means renewing by the expiration date of the license.
- (6) "Termination" means the expiration of the license because of disciplinary action in accordance with 201 KAR 23:150.

#### Section 2. Renewal.

- (1)
  - (a) Pursuant to KRS 335.130(1), a licensee shall renew the licensee's license on a three (3) year basis to continue practicing ~~in order to continue to practice~~ social work in Kentucky.
  - (b) The three (3) year renewal cycle shall be calculated based on the date of the issuance of the initial license.
- (2) An Application for ~~A~~ Renewal ~~Form~~ shall be submitted with the appropriate fee and continuing education requirements as established in 201 KAR 23:020 and 201 KAR 23:075.
- (3) A licensee shall ~~file the licensee's current mailing address~~ update the licensee's ~~their~~ contact information with the board within ten (10) days of the changes ~~such change(s)~~ by:
  - (a) The United States Postal Service ~~USPS~~;

- (b) Email;
- (c) ~~by~~ Hand; or
- (d) ~~via~~ The self-service portal via the board's ~~board~~ Web site at [bsw.ky.gov](http://bsw.ky.gov). ~~;~~  
and ~~shall immediately notify the board in writing if the address changes.~~
- (4) Each licensee shall ~~All licensees are required to~~ maintain current contact information with the board, which includes, name, physical address, phone number (business or personal), and email address (business or personal).

Section 3. **Grace Period.** If a licensee reapplies after the date of expiration and before the three (3) months, ~~month~~ the licensee shall:

- (1) Cease and desist the practice of social work immediately; ~~Pay a penalty of 100 dollars;~~
- (2) ~~Cease and desist the practice of social work immediately;~~  
~~(3)~~ Submit *an Application for* Renewal ~~form~~ along with documentation of completed continuing education requirements *pursuant to* ~~per~~ 201 KAR 23:075, Section 2; ~~and~~
- (3) Pay a penalty of \$ 100 ~~dollars~~ ;
- (4)
  - (a) Submit official documentation of employment beginning with the date of expiration of the license; and
  - (b) Submit the job description with an affirmation that the practice of social work had not taken place during or after the end date of the license and ceased when discovered during the grace period of the renewal of the license;
- (5) If ~~When~~ reimbursement for services occurred during the grace period, the licensee shall reconcile the matter with the licensee's ~~their~~ employer or each specific payer; and
- (6) Upon payment of the license renewal fee and the late renewal penalty, the date of the license will be retroactive to the date of expiration.

Section 4. **Expiration and Termination.**

- (1) If a licensee has not renewed the licensee's license at the end of three (3) months, the ~~licensee~~ ~~licensee~~ shall be considered expired, and the licensee shall submit a new application in accordance with existing requirements for initial applicants under KRS Chapter 335 and 201 KAR Chapter 23.
- (2)
  - (a) Section 3 (5) of this administrative regulation ~~(e)~~ is applicable to this section; and
  - (b) ~~(3)~~ If a licensee is subject to disciplinary action and the result of that action is revocation of the license or an agreement to surrender the license as if revoked, the licensee's license shall ~~will~~ be terminated effective the date of the ~~such~~ action.

Section 5. **Reinstatement.**

- (1) The board may reinstate a license from disciplinary action in accordance with 201 KAR 23:150. ~~Upon payment of the renewal fee and the late renewal penalty, the date of the license shall be retroactive to the date of expiration.~~
- (2) The board's reinstatement shall be ~~is~~ based on:
  - (a) The request by the former licensee;
  - (b) The length of time the license was inactive; and
  - (c) Any extenuating circumstance creating the need for reinstatement that shall ~~can~~ be made in writing to the board by the licensee , but shall not ~~cannot~~ be related to disciplinary action or renewal of the license . ~~;~~

**(3) ~~f(d)~~ The board may require an application fee in accordance with existing requirements for initial applicants under KRS Chapter 335 and 201 KAR Chapter 23 at the time of reinstatement. ~~f; and~~**

**(4) ~~f(3)~~ The board shall set the date of reinstatement for license renewal.**

Section 6. Incorporation by Reference.

(1) "Application For Renewal", **01/2023**~~[05/2022]~~, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Social Work, 125 Holmes St Suite 310, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available **on the board's Web site** at bsw.ky.gov.

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