

## **201 KAR 28:060. Licensure, renewals, and reinstatements.**

RELATES TO: KRS 319A.080, 319A.100, 319A.110, 319A.120, 319A.140, 319A.150, 319A.160, 319A.170

STATUTORY AUTHORITY: KRS 319A.070(1), (3)(a), 319A.100, 319A.160, 319A.170

NECESSITY, FUNCTION, AND CONFORMITY: KRS 319A.070(3)(a) authorizes the board to promulgate administrative regulations and administer the provisions of KRS Chapter 319A. KRS 319A.100 authorizes the board to issue a temporary permit to certain applicants for licensure. KRS 319A.170 requires the board to determine and collect licensure fees. KRS 319A.160 authorizes the board to set fees for renewal, late renewal, reinstatement, and activation of an inactive license. This administrative regulation sets forth the procedure by which applicants shall apply for, renew, or reinstate a temporary permit or license administered by the board under the provisions of KRS Chapter 319A.

Section 1. Initial Licensure. An applicant for licensure administered by the board who has not previously been licensed, certified, or registered in any state shall submit:

- (1) A completed Application Form, Form OTB-1;
- (2)
  - (a) A certified copy of an official academic transcript from an occupational therapy or occupational therapy assistant program accredited by the ACOTE or its equivalent indicating that the applicant successfully completed educational and fieldwork requirements; or
  - (b) For applicants trained at an educational facility outside the United States, evidence of legal permission, as furnished by the U.S. Department of Immigration and Naturalization, for employment in the United States;
- (3) Electronic verification by the NBCOT that the applicant:
  - (a) Meets the requirements of certification as an OTR or COTA;
  - (b) Is authorized to take the NBCOT or equivalent exam required by KRS 319A.120; or
  - (c) Has requested an official NBCOT Score Transfer Report be sent to the board.
- (4) The appropriate fee for licensure:
  - (a) Fifty (50) dollars for an OT/L; or
  - (b) Thirty-five (35) dollars for an OTA/L; and
- (5) Evidence of successful completion of the jurisprudence exam.

Section 2. Temporary Licensure.

- (1) An applicant for licensure may request a temporary permit by submitting the materials and fee required in Section 1(1) through 1(5) of this administrative regulation and a completed Supervision Temporary Permit Form, Form OTB-2, signed by a licensed occupational therapist in good standing with the board.
- (2) A temporary permit holder shall be licensed by the board upon successful completion of the jurisprudence exam.
- (3) A temporary permit holder shall have the permit revoked upon two (2) unsuccessful attempts to pass the NBCOT exam.

Section 3. Reciprocal Licensure. An applicant for licensure administered by the board that is or has been licensed, certified, or registered in another state shall submit:

- (1) A completed Application Form, Form OTB-1;
- (2) An official statement from the body responsible for licensure of occupational therapists in every jurisdiction in which the applicant has held a license or credential that the individual is in good standing in that jurisdiction;
- (3) A current copy of the certificate issued by the NBCOT stating that the individual met the initial requirements for certification as an OTR or a COTA;

- (4) Evidence of successful completion of the jurisprudence exam; and
- (5) The appropriate fee for licensure:
  - (a) Fifty (50) dollars for an OT/L; or
  - (b) Thirty-five (35) dollars for an OTA/L.

#### Section 4. License Renewal and Grace Period.

- (1) An individual licensed by the board shall submit annually, on or before October 31:
  - (a) A completed Annual OT/OTA Renewal Application, Form OTB-3;
  - (b) The appropriate fee for renewal:
    - 1. Fifty (50) dollars for an OT/L;
    - 2. Thirty-five (35) dollars for an OTA/L; and
  - (c) Evidence of completion of twelve (12) continuing competence units.
- (2) An individual licensed by the board fewer than (90) days prior to the annual renewal date shall not be required to renew during the first year of licensure.
- (3) An individual licensed by the board who has failed to renew as required by subsection (1) of this section shall be granted a sixty (60) day grace period to submit:
  - (a) All items required by subsection (1) of this section; and
  - (b) A late renewal fee of twenty-five (25) dollars.

#### Section 5. Expired and Inactive Licenses.

- (1) A license not renewed by the conclusion of the grace period shall expire.
- (2) The board shall send the individual holding a terminated license a notice of expiration with instructions to cease and desist the practice of occupational therapy.
- (3) Pursuant to KRS 319A.160(10), a license may be placed in inactive status for up to three (3) years upon petition to the board on the Annual OT/OTA Renewal Application, Form OTB-3. An individual holding an inactive license shall submit annually on or before October 31:
  - (a) The Annual OT/OTA Renewal Application, Form OTB-3; and
  - (b) An inactive renewal fee of ten (10) dollars.

#### Section 6. License Reinstatement and Activation.

- (1) An expired license shall be reinstated upon submission of:
  - (a) Completed Reinstatement Application, Form OTB-4;
  - (b) Late renewal fee of twenty-five (25) dollars;
  - (c) Reinstatement fee of seventy-five (75) dollars;
  - (d) Documentation of employment from time of expiration to present;
  - (e) Documentation of current or initial certification by NBCOT or its equivalent;
  - (f) Completion of NBCOT or equivalent exam; and
  - (g) Evidence of completion of continuing competence requirements pursuant to 201 KAR 28:200, Section 2(3).
- (2) An inactive license shall be reactivated upon submission of:
  - (a) Written notification to the board of the licensee's intent to return to active status;
  - (b) Identification of the licensee's proposed place of employment;
  - (c) Reinstatement fee of seventy-five (75) dollars; and
  - (d) Evidence of completion of continuing competence requirements pursuant to 201 KAR 28:200, Section 2(3).

#### Section 7. License Termination.

- (1) A license not reinstated within five (5) years of expiration shall terminate.
- (2) Terminated licenses shall not be eligible for reinstatement.

#### Section 8. Incorporation by Reference.

- (1) The following material is incorporated by reference:
  - (a) "Application Form", Form OTB-1, (December 2018);

- (b) "Supervision Temporary Permit Form," Form OTB-2, (September 2018);
- (c) "Annual OT/OTA Renewal Application," Form OTB-3 (September 2018);
- (d) "Reinstatement Application", Form OTB-4; (September 2018)

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(13 Ky.R. 1181; eff. 1-13-1987; Am. 14 Ky.R. 32; eff. 8-5-1987; 20 Ky.R. 1055; eff. 2-10-1994; 30 Ky.R. 83; 639; eff. 10-15-2003; 41 Ky.R. 1424; 2075; eff. 5-1-2015; 45 Ky.R. 1339, 2080; eff. 2-1-2019; TAm eff. 10-16-2020.)