

## **201 KAR 36:030. Continuing education requirements.**

RELATES TO: KRS 13B, 194A.540, 210.366, 335.500-335.599

STATUTORY AUTHORITY: KRS 210.366, 335.515(3), (6), 335.535(8)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 210.366 requires a board licensee to complete a minimum of six (6) hours of continuing education in suicide assessment, treatment, and management every six (6) years. KRS 335.515(3), (6), and 335.535(8) require the board to promulgate an administrative regulation requiring a licensee to complete continuing education requirements as a condition of renewal of his licensee. This administrative regulation delineates the requirements for continuing education and prescribes methods and standards for the accreditation of continuing education courses.

### **Section 1. Accrual of Continuing Education Hours.**

(1) A minimum of ten (10) continuing education hours shall be accrued by each person holding a license during the annual period for renewal.

(2) All continuing education hours shall be in or related to the field of professional counseling.

(3) A person holding a license shall complete a minimum of three (3) hours of continuing education in domestic violence within three (3) years of initial licensure, as required by KRS 194A.540.

(4) A person holding a license shall complete a minimum of six (6) hours of continuing education in a course in suicide assessment, treatment, and management within the first year of licensure and every six (6) years thereafter as required by KRS 210.366.

(a) A person holding a license shall be exempt from the requirement to complete a continuing education course in suicide assessment, treatment, and management within the first year of licensure if the counselor:

1. Graduated from a Council for Accreditation of Counseling and Related Education Program since 2009; or
2. Completed a three (3) semester hours graduate course in suicide and crisis assessment, prevention, and intervention.

(b) A person holding a license shall be exempt from the requirement to complete a continuing education course in suicide assessment, treatment, and management if the counselor satisfies one (1) of the following at least once per year during the six (6) year periodic requirement:

1. Is employed in a position that requires at least forty (40) hours of counseling in suicide and crisis assessment, prevention, and intervention;
2. Teaches a graduate-level counseling course in suicide and crisis assessment, prevention, and intervention; or
3. Teaches a continuing education course in suicide and crisis assessment, prevention, and intervention.

(c) The continuing education course in suicide assessment, treatment, and management shall be board approved in accordance with Section 2 of this administrative regulation.

(d) An individual asserting an exemption of the suicide assessment, treatment, and management course shall maintain sufficient documentation to establish the exemption. Documentation listed in Section 5(3) of this administrative regulation shall be sufficient to establish the exemption.

(5) A person holding a license shall complete a minimum of three (3) hours of continuing education on the law for regulating professional counseling, KRS 335.500 to 335.599 and 201 KAR Chapter 36, every three (3) years. A person holding a license shall be exempt from this requirement if the person:

(a) Teaches a graduate-level course that includes KRS 335.500 to 335.599 and 201 KAR Chapter 36 during the three (3) year period; or

(b) Teaches a continuing education course on KRS 335.500 to 335.599 and 201 KAR Chapter 36 during the three (3) year period.

Section 2. Methods of Acquiring Continuing Education Hours. Continuing education hours applicable to the renewal of the license shall be directly related to the professional growth and development of the licensee's practice of professional counseling. They may be earned by completing any of the educational activities as established in this section.

(1) Programs not requiring board review and approval.

(a) A continuing education program from any of the following providers shall be approved without further review by the board if it is:

1. Sponsored or approved by:

- a. The American Counseling Association, or any of its affiliated branches or divisions;
- b. The Kentucky Counseling Association, or any of its affiliated chapters or divisions;
- c. The American School Counselor Association or any of its affiliated state chapters;
- d. The National Board for Certified Counselors; or
- e. A state counseling licensure board; or

2. An academic course offered by an accredited post-secondary institution directly related to professional counseling or counseling psychology.

(b) A continuing education program not requiring board review and approval shall comply with the requirements of subsection (3) of this section and Section 4 of this administrative regulation.

(2) Programs requiring board review and approval. For approval purposes, the board shall review the following types of programs to determine relevancy:

(a) A program, approved by the board, of a service provider, including a home study course or in-service training provided by another organization or educational institution;

(b) A program or academic course presented by the licensee. A presenter of relevant programs or academic courses may earn full continuing education credit for each contact hour of instruction, except the earned credit shall not exceed one-half (1/2) of the continuing education renewal requirements. Credit shall not be issued for repeated instruction of the same course; or

(c) An article authored by the licensee that was published in a relevant, professionally recognized or juried publication. Credit shall not be granted for an article unless it was published within the one (1) year period immediately preceding the renewal date and a licensee shall not earn more than one-half (1/2) of the continuing education hours required for renewal. More than one (1) publication shall not be counted during a renewal period.

(3)

(a) Supervision training under 201 KAR 36:065, Section 1(3), shall be presented by an instructor who is licensed by the board.

(b) The continuing education program on the law for regulating professional counseling, KRS 335.500 to 335.599 and 201 KAR Chapter 36, shall be presented by an instructor who is licensed by the board or an attorney who demonstrates knowledge of KRS 335.500 to 335.599 and 201 KAR Chapter 36 in the Continuing Education Program Application.

(4) Academic credit equivalency for continuing education hours shall be fifteen (15) continuing education hours for every one (1) academic credit hour.

(5) A general education course, whether elective or used to meet degree requirements, shall not be acceptable as continuing education credit.

Section 3. Procedures for Approval of Continuing Education Programs. In order to submit the course to the board for approval, the following shall be submitted:

- (1) A published course or similar description;
- (2) Names and qualifications of the instructors;
- (3) A copy of the program agenda indicating hours of education, coffee, and lunch breaks. The agenda shall state the specific time when each topic of the program is being presented;
- (4) Number of continuing education hours requested;
- (5) Official certificate of completion or college transcript from the sponsoring agency or college;
- (6) The Continuing Education Program Application; and
- (7) If a provider is seeking approval for a continuing education course, an application review fee of twenty (20) dollars.

Section 4. Procedures for Preapproval of Continuing Education Sponsors and Programs.

- (1) Sponsor approval. Any entity seeking to obtain approval:
  - (a) Of a continuing education program prior to its offering shall apply to the board at least sixty (60) days in advance of the commencement of the program, and shall provide the information required in Section 3 of this administrative regulation on an annual basis for each program; or
  - (b) As a prior-authorized continuing education provider under Section 2(1) of this administrative regulation, shall satisfy the board that the entity seeking this status:
    1. Consistently offers programs that meet or exceed all the requirements set forth in Section 1(2) of this administrative regulation; and
    2. Does not exclude a licensee from its programs.
- (2) A continuing education activity shall be qualified for approval if the board determines the activity being presented:
  - (a) Is an organized program of learning;
  - (b) Pertains to subject matters, which integrally relate to the practice of professional counseling;
  - (c) Contributes to the professional competency of the licensee; and
  - (d) Is conducted by individuals who have educational training or experience acceptable to the board.

Section 5. Responsibilities and Reporting Requirements of a Licensee.

- (1) During the licensure renewal period, up to fifteen (15) percent of all licensees shall be selected at random by the board and required to furnish documentation of the completion of the appropriate number of continuing education hours. Verification of continuing education hours shall not otherwise be reported to the board.
- (2) A licensee shall:
  - (a) Be responsible for obtaining required continuing education hours;
  - (b) Identify his own continuing education needs and seek activities that meet those needs;
  - (c) Seek ways to integrate new knowledge, skills, and attitudes;
  - (d)
    1. Select approved activities by which to earn continuing education hours; or
    2. Submit to the board a request for approval for continuing education activities not approved as required in Section 2(2) of this administrative regulation;
  - (e) At the time of renewal, list the continuing education hours obtained during that licensure renewal period;
  - (f) Document attendance, participation in, and successful completion of continuing education activity for a period of one (1) year from the date of the renewal; and
  - (g) Maintain records of continuing education hours.

- (3) The following items may be used to document continuing education activity:
  - (a) Transcript;
  - (b) Certificate;
  - (c) Affidavit signed by the instructor; or
  - (d) Receipt for the fee paid to the sponsor.
- (4) Compliance with the provisions of this administrative regulation. Failure to comply shall constitute a violation of KRS 335.540(1)(b) and shall result in sanctions in accordance with KRS 335.540(1).
- (5) Documentation sent to the board prior to renewal shall be returned to the licensee by regular mail.

#### Section 6. Responsibilities and Reporting Requirements of Providers and Sponsors.

- (1) A provider of continuing education not requiring board approval shall be responsible for providing documentation, as established in Section 5(3) of this administrative regulation, directly to the licensee.
- (2) A sponsor of continuing education requiring board approval shall be responsible for submitting a course offering to the board for review and approval before listing or advertising that offering as approved by the board.

#### Section 7. Board to Approve Continuing Education Hours; Appeal of Denial.

- (1) If an application for approval of continuing education hours is denied, in whole or part, the continuing education course provider or licensee shall have the right to appeal the board's decision.
- (2) An appeal shall be:
  - (a) In writing;
  - (b) Received by the board within thirty (30) days after the date of the decision denying approval of continuing education hours; and
  - (c) Conducted in accordance with KRS Chapter 13B.

#### Section 8. Waiver or Extensions of Continuing Education.

- (1) On application, the board may grant a waiver of the continuing education requirements or an extension of time within which to fulfill the requirements in the following cases:
  - (a) Medical disability of the licensee;
  - (b) Illness of the licensee or an immediate family member; and
  - (c) Death or serious injury of an immediate family member.
- (2) A written request for waiver or extension of time involving medical disability or illness shall be:
  - (a) Submitted by the person holding a license; and
  - (b) Accompanied by a verifying document signed by a licensed physician.
- (3) A waiver of or extension of time within which to fulfill the minimum continuing education requirements shall not exceed one (1) year.
- (4) If the medical disability or illness upon which a waiver or extension has been granted continues beyond the period of the waiver or extension, the person holding a license shall reapply for the waiver or extension.

#### Section 9. Continuing Education Requirements for Reinstatement or Reactivation of License.

- (1)
  - (a) Except as provided by paragraph (b) of this subsection, a person requesting reinstatement or reactivation of a license shall submit evidence of ten (10) hours of continuing education completed within one (1) year of the filing of reinstatement or reactivation.

(b) Upon request by the applicant, the board may permit the applicant to resume practice if ten (10) hours of continuing education is obtained within ninety (90) days of the date on which the applicant is approved to resume practice.

(2) The continuing education hours received in compliance with this section shall be in addition to the continuing education requirements established in Section 1 of this administrative regulation and shall not be used to comply with the requirements of that section.

Section 10. Hours required to satisfy the continuing education requirement shall be completed on or before the renewal date established in 201 KAR 36:075, Section 1. Failure to complete the continuing education requirement in Section 1 of this administrative regulation by the renewal date of a license shall require the applicant to submit a reinstatement application in accordance with 201 KAR 36:075.

Section 11. Incorporation by Reference.

(1) "Continuing Education Program Application, KBLPC 007", June 2015 edition, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Licensed Professional Counselors, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday.

(25 Ky.R. 481; Am. 829; eff. 9-16-1998; 29 Ky.R. 2510; 2868; eff. 6-16-2003; 32 Ky.R. 2074; 33 Ky.R. 81; eff. 7-24-2006; 42 Ky.R. 841; 1795; 2050; eff. 2-5-2016; 43 Ky.R. 771, 1531; eff. 3-31-2017; 44 Ky.R. 787, 1220; eff. 1-5-2018.)