

1 AN ACT relating to the administration of boards and commissions.

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

3 ➔Section 1. KRS 324B.030 is amended to read as follows:

- 4 (1) The Department of Professional Licensing in the Public Protection Cabinet shall
5 provide administrative services, technical assistance, and advice, ***and active state***
6 ***supervision over,*** to the following boards and commissions~~[- at the request of the~~
7 ~~individual boards or commissions, all of which maintain their identity and their full~~
8 ~~authority for making policy decisions in the fields that they regulate]~~: the State
9 Board of Accountancy, the Kentucky Board of Architects, the Kentucky Board of
10 Barbering, the Kentucky Board of Cosmetology, the State Board of Podiatry, the
11 Kentucky State Board of Chiropractic Examiners, the Kentucky Board of Dentistry,
12 the State Board of Embalmers and Funeral Directors, the State Board of
13 Registration for Professional Engineers and Land Surveyors, the Kentucky Board of
14 Nursing, the Kentucky Board of Ophthalmic Dispensers, the Kentucky Board of
15 Optometric Examiners, the Kentucky Board of Pharmacy, the State Board of
16 Physical Therapy, the State Board of Examiners of Psychologists, the Kentucky
17 Real Estate Commission, the Kentucky Board of Veterinary Examiners, the Board
18 of Auctioneers, the Kentucky Board of Landscape Architects, the State Board of
19 Medical Licensure, the Board of Speech-Language Pathology and Audiology, the
20 Kentucky Board of Licensure for Nursing Home Administrators, the Kentucky
21 Licensing Board for Specialists in Hearing Instruments, the Kentucky Board of
22 Social Work, and any other boards and commissions that are created to license,
23 certify, register, or otherwise regulate any occupational or professional category.
- 24 (2) The department ~~shall~~may also provide administrative services to a board or
25 commission that is created to license, certify, register, or otherwise regulate any
26 occupational or professional category if these administrative services are deemed to
27 be preferable or required after the review process conducted under KRS 324B.040.

- 1 (3) To the extent that the department provides administrative services, the respective
2 boards and commissions are relieved of the power and duty to provide the services
3 for themselves. The department shall charge each board or commission a reasonable
4 amount for administrative services provided pursuant to subsection (1) of this
5 section. The department may employ persons previously employed by boards or
6 commissions.
- 7 (4) The department ~~shall~~~~may~~ receive complaints against the conduct of licensees
8 granted licensure by the boards and commissions assigned to the department for
9 administrative purposes. The department shall:
- 10 (a) Cause these complaints to be reduced to writing;
11 (b) Investigate and determine the validity of each complaint;
12 (c) Forward its findings to the board or commission for appropriate action; and
13 ~~[forwarded to the appropriate board or commission for investigation and a~~
14 ~~determination of the validity of the complaint. The department shall]~~
- 15 (d) Keep a record of all complaints received by it~~and forwarded to a board or~~
16 ~~commission].~~
- 17 (5) Any board or commission listed in subsection (1) of this section~~[,]~~ shall accept
18 personal checks in payment of license renewal fees.
- 19 (6) Pursuant to KRS 13A.120(3), a board or commission assigned to the department
20 for administrative purposes shall submit an administrative regulation to the
21 department prior to the board filing the administrative regulation. The
22 department shall review the proposed administrative regulation to determine
23 whether it:
- 24 (a) Complies with the clearly articulated state policy as provided by the General
25 Assembly; and
26 (b) Is narrowly tailored to avoid unnecessary barriers to market entry.
27 A proposed administrative regulation that does not comply with paragraphs (a)

1 *and (b) of this subsection, as determined by the department, shall not be filed.*