

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 34:070
Contact Person: Shan Dutta
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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the conditions for inactive status and return to active status for license holders.

(b) The necessity of this administrative regulation: The administrative regulation is necessary under KRS 309.1315(17), which requires the Board to establish the conditions for inactive status and return to active status for license holders.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 309.1315(17) requires the Board to establish conditions for inactive status and return to active status for license holders. This administrative regulation conforms to the content of KRS 309.1315(17) by establishing the conditions for inactive status and return to active status for license holders.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the authorizing statutes by establishing the conditions for inactive status and return to active status for license holders.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This is a new administrative regulation.

(b) The necessity of the amendment to this administrative regulation: This is a new administrative regulation.

(c) How the amendment conforms to the content of the authorizing statutes: This is a new administrative regulation.

(d) How the amendment will assist in the effective administration of the statutes: This is a new administrative regulation.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect persons licensed by the Kentucky Board of Licensure for Professional Art Therapists. As of November 18, 2020, there are 122 active Licensed Professional Art Therapists and 54 Licensed Professional Art Therapists Associates.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: In order to go on inactive status and return to active status, the license holder will be required to comply with 201 KAR 34:070. This will include: submitting a written request to be placed on inactive status and meeting the requirements for continuing education while on inactive status; making a written request for an extension within a certain time period if the licensee wants to extend the time period of the inactive status due to undue hardship or certain extenuating circumstances, with proof of completion of continuing education; making a written request to return to active status, with payment of the current license renewal fee and proof of completion of continuing education; in the event a license expires because a licensee fails to submit an extension request or a license reactivation request, a licensee who desires to practice professional art therapy shall file an application for licensure, pay the fees for application and licensure, and meet current requirements for licensure.”

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: In complying with this administrative regulation, there is no additional cost.

(c) As a result of compliance, what benefits will accrue to the entities: As a result of compliance, licensees will be able to go into inactive status rather than surrendering their license.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.

(b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board’s operation is funded by the registration fees paid by licensees and applicants.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees is necessary.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The administrative regulation did not establish any fees or increase any fees.

(9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the criteria apply to all licensees.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

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(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Licensure for Professional Art Therapists will be impacted by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.1315(1), (17)

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue for state or local government.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None