

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 17:070
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Subject Headings: Speech-Language Pathology, Audiology, Licensing, Occupations and Professions, Boards and Commissions

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation establishes complaint procedures for the board's administration of violations of statutes and regulations.

(b) The necessity of this administrative regulation: This regulation is necessary to implement the provisions of KRS 334A.180.

(c) How this administrative regulation conforms to the content of the authorizing statutes: This regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations generally.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will assist the board in administering this program by delineating complaint procedures for licensees who are alleged to have violated KRS Chapter 334A and 201 KAR Title 17.

(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: The amendment adds language relating to the board's authority to require a licensee who is the subject of a complaint alleging prohibited conduct to obtain a national and state criminal background investigation by the KSP and FBI; strikes definitions which have been re-promulgated in a new administrative regulation on definitions and abbreviations; and incorporates the complaint form by reference.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to give licensees notice of the board's authority to require a criminal background check, to place definitions in a central location, and to incorporate the complaint form by reference.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment to this administrative regulation is in conformity with the authorizing statute that gives the board the ability to promulgate regulations generally regarding licensure requirements.

(d) How the amendment will assist in the effective administration of the statutes: The amendment to this administrative regulation will assist the board in administering this program and the efficient collection of necessary information for processing a complaint and to incorporate material not previously incorporated by reference.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? Yes, 2026 Ky. Acts ch. 6, Section 3.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect the 4179 active and 85 inactive licensees in some capacity, and will also affect new applicants for licensure.

(5) Provide an analysis of how the entities identified in question (4) 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 that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: A licensee who is the subject of a complaint may be required to have a criminal background investigation report by means of a fingerprint check by the KSP and FBI submitted directly to the Board and pay the required fee directly to the KSP and FBI and use the proper forms.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): A licensee who is the subject of a complaint may be required to pay fees for a criminal background investigation. The board understands the fees to be as follows: \$20.00 for the KSP; \$18.00 for the FBI, and fingerprinting services to complete the request of \$10.00 for some local law enforcement agencies who provide the service, or \$20.00 for a private vendor like IdentiGO. The total cost is anticipated to be between \$48.00 and \$58.00.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): The board will have access to necessary information for processing a complaint against a licensee which promotes public safety; and the amendments will identify the necessary complaint form.

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

(a) Initially: No new costs are anticipated to implement this administrative regulation.

(b) On a continuing basis: No new costs are anticipated on a continuing basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicant. The board's operations are funded by fees paid by credential holders and applicant.

(8) 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 or funding will be required to implement this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: The amendment to this administrative regulation does not establish fees paid to the board directly. Indirectly, this administrative regulation increases fees paid by a licen-

see who is the subject of a complaint, however, payment will be to the Kentucky State Police and Federal Bureau of Investigation for criminal background investigation reports submitted directly to the board.

(10) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applied to this regulation as it applies to all applicant license types.