

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 25:011

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Subject Headings: Podiatry and Pedorthics, Licensing, Fees

(1) Provide a brief summary of:

(a) What this administrative regulation does: KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation establishes requirements for making an application for licensure.

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 311.420.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so. This regulation establishes requirements for making an application for licensure.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation assists in the effective administration of KRS Chapter 311 by carrying out the legislative mandate for the board to establish requirements for licensure.

(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 makes technical corrections due to statutory changes in KRS Chapter 218A; updates the schools or colleges of podiatry that meet the educational requirements in Kentucky; updates the timeframe for filing the application for review at a board meeting and deletes the requirement that the board approve eligibility to take the podiatry examination; strikes language relating to good cause for a partially completed application to be permitted by the president of the board; authorizes payment of the application fee by ACH, if available; specifies all items and information that must be submitted with the application; clarifies that the jurisprudence examination is required for applicants; authorizes the board to require personal attendance of the applicant for an interview, if requested by the board; adds language clarifying that failure to report a conviction or disciplinary action to the board shall be a violation and subject to sanction; and updates the material incorporated by reference.

(b) The necessity of the amendment to this administrative regulation: The amendments are necessary to clarify the process already required for full transparency to all applicants, including cleaning up confusing language about the podiatry examination. The board does not administer its own examination but accepts the American Podiatric Medical Licensing Examination (APMLE) and it is not efficient for the board to approve a candidate's eligibility to take the examination. Clarifications also include the board's jurisprudence exam requirements, and updating schools and forms.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 311.420 requires that any person who wishes to practice podiatry in the Commonwealth of Kentucky be licensed to do so.

(d) How the amendment will assist in the effective administration of the statutes: These amendments will assist in the effective administration of KRS Chapter 311 by carrying out the legislative mandate for the board to establish requirements for licensure and by clarifying the process to do so.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect an unknown number of potential 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: Each of the applicants must meet the standards for licensure, complete the application, and submit the fee with all required documentation, including the FBI criminal background check, and take the jurisprudence exam. Applicants may be required to submit to an interview and report any conviction or disciplinary action to the board.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): It will cost each applicant a \$300 application fee, which is the same amount that was required before the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): As a result of compliance with the amendment, the applicants will have better understanding of all the requirements for applying for licensure in Kentucky.

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

(a) Initially: This administrative regulation does not create a cost for the administrative body.

(b) On a continuing basis: This administrative regulation does not create a cost for the administrative body.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The Kentucky Board of Podiatry is self-funded through the fees paid by licensees. No additional funding is necessary for the implementation and enforcement of this administrative regulation

(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 increases in fees or funding are necessary to implement the amendment to this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This amendment does not directly or indirectly increase any fees.