

### **341.067 Hospitals and institutions of higher education.**

As used in this chapter, unless the context clearly requires otherwise:

- (1) "Hospital" means an institution which has been licensed, certified, or approved by the secretary for health and family services as a hospital;
- (2) "Institution of higher education" means an educational institution which:
  - (a) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;
  - (b) Is legally authorized in this state to provide a program of education beyond high school;
  - (c) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and
  - (d) Is a public or other nonprofit institution;
- (3) Notwithstanding any of the foregoing provisions of this section, all recognized colleges and universities in this state are institutions of higher education for purposes of this chapter; and
- (4) (a) "Educational institution," including an institution of higher education as defined in subsection (2) of this section, means:
  1. A school in which participants, trainees, or students are offered an organized course of study or training designed to transfer to them knowledge, skills, information, doctrines, attitudes or abilities from, by, or under the guidance of an instructor or teacher;
  2. It is approved, licensed, or issued a permit to operate as a school by the State Department of Education or other government agency that is authorized within the state to approve, license, or issue a permit for the operation of a school; and
  3. The courses of study or training which it offers may be academic, technical, trade, or preparation for gainful employment in a recognized occupation.
- (b) In any particular case, the question of whether or not an institution is an educational institution within the meaning of the criteria described above will depend on what that particular institution actually does.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 99, sec. 610, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 564, effective July 15, 1998. -- Amended 1978 Ky. Acts ch. 389, sec. 7, effective July 1, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(1). -- Created 1972 Ky. Acts ch. 21, sec. 4.