

309.318 Board's disciplinary powers -- Reasons for sanctions -- Appeal to Franklin Circuit Court.

- (1) The board may refuse to issue a license or suspend, revoke, impose probationary conditions upon, impose an administrative fine, issue a written reprimand, or any combination thereof regarding any licensee upon proof that the licensee has:
 - (a) Been convicted of a crime as described in KRS 335B.010(4) or an offense that otherwise directly relates to the occupation of interpreter. A plea of "no contest" may be treated as a conviction for purposes of disciplinary action;
 - (b) Knowingly misrepresented or concealed a material fact in obtaining a license or in reinstatement thereof;
 - (c) Committed any fraudulent act or practice;
 - (d) Been incompetent or negligent in the practice of interpreting;
 - (e) Violated any state statute or administrative regulation governing the practice of interpreting;
 - (f) Violated the code of ethics of the national organization issuing the licensee's certification as incorporated in administrative regulation; or
 - (g) Violated any federal or state law considered by the board to be applicable to the practice of interpreting.
- (2) When the board issues a written reprimand to the licensee, a copy of the reprimand shall be placed in the permanent file of the licensee. The licensee shall have the right to submit a response within thirty (30) days of its receipt and to have that response filed in the permanent file.
- (3) At any time during the investigative or hearing processes, the board may accept an assurance of voluntary compliance from the licensee which effectively deals with the complaint.
- (4) The board may reconsider, modify, or reverse its probation, suspensions, or other disciplinary action.
- (5) Five (5) years from the date of a revocation, any person whose license has been revoked may petition the board for reinstatement. The board shall investigate the petition and may reinstate the license upon a finding that the individual has complied with any terms prescribed by the board and is again able to competently engage in the practice of interpreting.
- (6) Any party aggrieved by a disciplinary action of the board may bring an action in Franklin Circuit Court in accordance with the provisions of KRS Chapter 13B.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 11, sec. 11, effective July 15, 1998.