

309.420 Reciprocity with bordering states.

- (1) (a) The board may grant a license on the basis of reciprocity to a home medical equipment and services provider located in one (1) of Kentucky's seven (7) contiguous bordering states that licenses home medical equipment and services providers if:
1. The out-of-state provider physically located in one (1) of Kentucky's seven (7) contiguous bordering states possesses a valid license from a jurisdiction that grants the same privileges to persons licensed by the Commonwealth as the Commonwealth grants to persons licensed by the other jurisdiction;
 2. The requirements for licensure in the contiguous bordering state, including but not limited to a requirement for a physical location in the state as a condition of issuing or renewing a license, are substantially similar to the requirements under KRS 309.400 to 309.422; and
 3. The out-of-state provider seeking licensure states that he or she has studied, is familiar with, and shall abide by KRS 309.400 to 309.422 and the administrative regulations promulgated thereunder.
- (b) 1. Notwithstanding subsection (2) of this section, the board may grant a license on the basis of reciprocity to a home medical equipment and services provider physically located in one (1) of Kentucky's seven (7) contiguous bordering states that does not license home medical equipment and services providers if the out-of-state provider seeking to operate in Kentucky states by affidavit that he or she has studied, is familiar with, and shall abide by KRS 309.400 to 309.422 and the administrative regulations promulgated thereunder; and
2. The contiguous bordering state grants the same privileges to persons licensed in the Commonwealth as the Commonwealth grants to providers from the state described in subparagraph 1. of this paragraph.
- (2) If the requirements for licensure under KRS 309.400 to 309.422 and the administrative regulations promulgated thereunder are more restrictive than the standards of a contiguous jurisdiction, then the out-of-state provider shall comply with the additional requirements of KRS 309.400 to 309.422 to obtain a reciprocal license.

Effective: July 15, 2016

History: Repealed, reenacted, renumbered, and amended 2016 Ky. Acts ch. 103, sec. 7, effective July 15, 2016. -- Amended 2015 Ky. Acts ch. 56, sec. 2, effective June 24, 2015. -- Created 2012 Ky. Acts ch. 73, sec. 7, effective July 12, 2012.

Formerly codified as KRS 315.522.