

**216.941 License or certificate requirements for voluntary provision of health care -- Registration -- Availability of information -- Report.**

- (1) Notwithstanding any provision of law to the contrary, no additional license or certificate otherwise required under the provisions of KRS Chapters 211, 216, 311, 312, or 314 shall be necessary for the voluntary provision of health care services by any person who:
  - (a) Is a charitable health care provider as defined in KRS 216.940; or
  - (b) Does not regularly practice in the Commonwealth.
- (2) No person whose license or certificate is suspended or revoked under disciplinary proceedings in any jurisdiction, nor any person who renders services outside of the scope of practice authorized by his or her licensure or certification or exception to license or certification shall be allowed to participate with any sponsoring organization as a charitable health care provider.
- (3) Before providing charitable health care services in this state, a charitable health care provider or sponsoring organization shall register with the Cabinet for Health and Family Services by filing a registration form that shall contain the following information:
  - (a) The name, address, and phone number of the charitable health care provider;
  - (b) Written and verifiable documentation of a current Kentucky license including, if applicable, a license granted to an individual under a reciprocal agreement with another state or country;
  - (c) The name, principal office address, phone number, and principal officer of any sponsoring organization;
  - (d) The dates, locations, types of services, and intended recipients of any charitable health care services to be performed in the state;
  - (e) Information as to any medical malpractice insurance procured under KRS 304.40-075 or otherwise; and
  - (f) Other information as the cabinet may require by administrative regulation.
- (4) The cabinet shall provide, upon request of the charitable health care provider or sponsoring organization, any information available as to declared emergencies, underserved populations, and lack of access to health care in the state that will assist the charitable health care provider or sponsoring organization in the provision of these services.
- (5) Boards of health created under KRS Chapter 212 may submit requests for charitable health care providers in their jurisdictions to be listed in any information provided.
- (6) Each sponsoring organization shall maintain a list of health care providers associated with its provision of charitable health care services. For each health care provider, the sponsoring organization shall maintain a copy of a current license, certificate, or statement of exemption from licensure or certification and shall require each health care provider to attest in writing that his or her license or certificate is not suspended or revoked under disciplinary proceedings in any jurisdiction. The sponsoring organization shall maintain its records of charitable

health care providers for at least five (5) years after the provision of charitable health care services, including actual dates, types of services, and recipients of charitable health care services, and shall furnish these records upon the request of the Cabinet for Health and Family Services. Compliance with this section shall be prima facie evidence that the sponsoring organization has exercised due care in selecting charitable health care providers.

- (7) The cabinet may revoke the registration of any charitable health care provider or sponsoring organization for failure to comply with the provisions of KRS 216.940 to 216.945, in accordance with the provisions of KRS Chapter 13B.
- (8) The cabinet shall report the name and location of individuals registered with the cabinet as charitable health care providers upon request.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 80, sec. 50, effective June 29, 2017. -- Amended 2005 Ky. Acts ch. 99, sec. 502, effective June 20, 2005. -- Amended 2002 Ky. Acts ch. 142, sec. 2, effective July 15, 2002. -- Amended 2000 Ky. Acts ch. 64, sec. 2, effective July 14, 2000. -- Created 1998 Ky. Acts ch. 505, sec. 2, effective July 15, 1998.