

319B.140 Penalty for unprofessional conduct.

- (1) The board may deny or refuse to renew a license, may suspend or revoke a license, or may impose probationary conditions where the licensee or applicant for licensure has engaged in unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Unprofessional conduct shall include:
 - (a) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts;
 - (b) Unprofessional conduct as defined by administrative regulations promulgated by the board or violation of the code of ethics promulgated by the board through administrative regulations;
 - (c) Being convicted of a felony in any court if the act or acts for which the applicant or licensee was convicted are found by the board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of the licensed profession, if in accordance with KRS Chapter 335B;
 - (d) Violating any lawful order or administrative regulation rendered or promulgated by the board;
 - (e) Violating any provision of this chapter;
 - (f) Violating KRS 304.39-215; or
 - (g) Engaging in conduct that is subject to the penalties under KRS 304.99-060(4) or (5).
- (2) A denial, refusal to renew, suspension, revocation, or imposition of probationary conditions upon an applicant or licensee may be ordered by the board in a decision made after an administrative hearing conducted in accordance with KRS Chapter 13B and administrative regulations promulgated by the board. The board may accept or reject an application for reinstatement following an administrative hearing conducted in accordance with KRS Chapter 13B.
- (3) The surrender of a license shall not serve to deprive the board of jurisdiction to proceed with disciplinary actions under this chapter.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 143, sec. 17, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 158, sec. 66, effective June 29, 2017. -- Created 2010 Ky. Acts ch. 109, sec. 15, effective July 15, 2010.