

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 38:031

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Subject Headings: Licensing, Mental Health, Occupations and Professions

(1) Provide a brief summary of:

- (a) What this administrative regulation does: This administrative regulation establishes the requirements for an alternative course of study, in order for applicants to satisfy the statutory educational requirements for licensing.
 - (b) The necessity of this administrative regulation: This administrative regulation is necessary because KRS 335.620(1)(d) provides an alternative pathway to obtaining a master of divinity for applicants to satisfy the educational criteria for licensure, but it requires the Board to define such alternative course of study via promulgation of administrative regulations.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation amendment conforms with the Board's authority in KRS 335.615(6) to promulgate administrative regulations to carry out the provisions of KRS Chapter 335.600 to 335.699. Further, KRS 335.620(1)(d) requires the Board to establish the criteria for an alternative course of study through promulgation of an administrative regulation.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the statute by setting forth the criteria for an alternative course of study for applicants who do not hold a master of divinity, to satisfy the educational criteria.
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
- (a) How the amendment will change this existing administrative regulation: N/A.
 - (b) The necessity of the amendment to this administrative regulation: N/A.
 - (c) How the amendment conforms to the content of the authorizing statutes: N/A.
 - (d) How the amendment will assist in the effective administration of the statutes: N/A.
- (3) Does this administrative regulation or amendment implement legislation from the previous five years? No.
- (4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This administrative regulation will affect potential applicants for licensure; it is not expected that the number of applicants will exceed 10 to 15 in a given year at the absolute maximum.
- (5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

- (a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Applicants for licensure who do not hold a master of divinity will need to make sure that their educational background satisfies the requirements of this regulation.
- (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): The Board does not anticipate that there will be any additional cost to potential applicants, by promulgation of this administrative regulation; it will instead require them to ensure that their educational background does contain the listed subject matter and designated credit hours.
- (c) As a result of compliance, what benefits will accrue to the entities identified in question (4): A pathway to licensure will exist for potential applicants who do not hold a master of divinity.
- (6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
 - (a) Initially: There will be no initial cost to the administrative body to implement this administrative regulation.
 - (b) On a continuing basis: There will be no continuing cost to the administrative body to implement this administrative regulation.
- (7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Board's operations are funded by fees paid by license holders and applicants.
- (8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this new administrative regulation.
- (9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any new fees or increase any fees paid to the Board.
- (10) TIERING: Is tiering applied? (Explain why or why not) Tiering is not applied because this regulation applies to all applicants equally.