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MEMORANDUM

TO: Sara Janes, Staff Attorney, Board of Licensed Professional Counselors

FROM: Ange Darnell, Regulations Compiler, Legislative Research Commission

RE: Acknowledgement of Proposed Ordinary & Emergency Regulations – 201 KAR 036:070 & E, 201 KAR 036:072 & E and 201 KAR 036:075 & E.

DATE: July 15, 2026

Copies of the ordinary and emergency administrative regulations listed above are enclosed for your files. The information below provides an overview of the standard KRS Chapter 13A timeline. Please note that effective dates or expiration dates may be impacted by legislation or other statutes.

Emergency regulations

Pursuant to KRS 13A.190, an emergency administrative regulation becomes effective upon filing with our office on and, unless an extension on an accompanying ordinary is requested, is set to expire either in 270 days (for these regulations on **April 11, 2027**) or when replaced by its corresponding ordinary regulation, whichever occurs first. These emergency regulations are tentatively scheduled for full review by the Administrative Regulation Review Subcommittee at its **OCTOBER 2026** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for these emergency regulations would be due **by noon on October 15, 2026**.

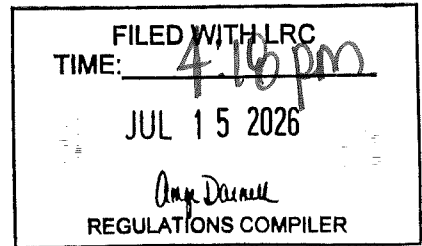
Ordinary regulations

These ordinary regulations are tentatively scheduled for full review by the Administrative Regulation Review Subcommittee at its **NOVEMBER 2026** meeting. We will notify you of the date and time of this meeting once it has been scheduled. Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for these ordinary regulations or a one-month extension request would be due **by noon on November 13, 2026**.

Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment periods and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures



STATEMENT OF EMERGENCY

201 KAR 36:070E

10

Pursuant to KRS 13A.190(1)(a)2., KRS 335.517, and KRS 335.560. SECTION 16.B.1, this emergency amendment to the administrative regulation is being promulgated to comply with the adoption of 2026 HB 657 which requires the Kentucky Board of Licensed Professional Counselors (the "Board") to require a national and state criminal background investigation for every applicant seeking an initial license issued by the Board to engage in the practice of professional counseling, and applicants seeking to reinstate a license. The criminal background investigation shall be by means of a fingerprint check by the Department of Kentucky State Police and Federal Bureau of Investigation. The effective date of KRS 335.517 requires that this emergency amendment be promulgated to ensure there is no delay in processing applications upon the effective date of the Act.

As a result, this emergency amendment to the administrative regulation—and the identical amendment to the ordinary regulation being concomitantly filed—have been amended to align with this statutory change to offset the potential delay in processing licensure applications—whereby the board would be unable to process applications and collect fees in accordance with the terms of the statute—and therefore "[p]revent an imminent loss of federal or state funds" pursuant to KRS 13A.190(1)(a)(2.). This emergency amended administrative regulation is temporary in nature and will be replaced by an ordinary amended administrative regulation as provided by KRS 13A.190. The ordinary amendment will be filed with this emergency amendment and will be identical.

Denise Hutchins
Denise Hutchins, Board Chair, Kentucky Board of Licensed Professional Counselors
Dated: July 15, 2026

Andy Beshear
Andy Beshear, Governor, Commonwealth of Kentucky
Dated: July 15, 2026

1 BOARDS AND COMMISSIONS

2 KENTUCKY BOARD OF LICENSED PROFESSIONAL COUNSELORS

3 (Emergency Amendment)

4 201 KAR 36:070E. Application, education, and examination requirements.

5 RELATES TO: KRS 335.500, 335.517, 335.525(1)(c), (d), (f), 335.527(1)(a), 335.560,

6 335B.020

7 STATUTORY AUTHORITY: KRS 335.515(1), (3), 335.517

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.515(3) requires the board to
9 promulgate administrative regulations to carry out and enforce the provisions of KRS 335.500 to
10 335.599. KRS 335.525(1)(c) requires that applicants for licensure shall have received a master's,
11 specialist, or doctoral degree in counseling or a related field from a regionally-accredited
12 institution. KRS 335.525(1)(d) requires that applicants for licensure shall have sixty (60) graduate
13 semester hours in specified areas. KRS 335.527(1)(a) requires that applicants for licensure shall
14 have received a master's, specialist, or doctoral degree in counseling or a related field from a
15 regionally-accredited institution and sixty (60) graduate hours in specified areas. KRS
16 335.525(1)(f) requires that applicants achieve passing scores on the examination required by the
17 board. KRS 335.517 requires applicants seeking an initial license issued by the board to obtain a
18 national and state criminal background investigation by means of a fingerprint check by the
19 Department of Kentucky State Police and Federal Bureau of Investigation. This administrative
20 regulation establishes the application, education, and examination requirements for licensure.

21 Section 1.

(1) Degree in Counseling. To qualify as a degree in counseling under KRS 335.525(1)(c) or 335.527(1)(a), a degree shall:

(a) Clearly indicate that it is a degree in counseling from a counseling program as evidenced by the description in the program's catalogues and brochures outlining the intent to educate and train the individual for the practice of professional counseling as defined in KRS 335.500(5);

(b) Include the word counseling in the name of the degree, the academic program of study, or the major field of study;

(c) Be from a counseling program that stands as a recognizable organizational entity within the institution and has a counseling faculty who identify with the professional counseling profession; and

(d) Include practicum or internship experience of at least 600 hours in a counseling program that stands as a recognizable organizational entity within the institution and that has a counseling faculty who identify with the professional counseling profession.

(2) Degree in a related field.

(a) To qualify as a degree in a related field under KRS 335.525(1)(c) or 335.527(1)(a), a degree shall:

1. Be awarded from an academic program of study for the degree that follows an organized sequence of graduate coursework with at least one (1) course in each of the nine (9) content areas established in KRS 335.525(1)(d) or 335.527(1)(a);

2. Include an academic course taken as part of the curriculum of the degree on professional orientation and ethics with the concentration on the American Counseling Association Code of Ethics; and

3. Include practicum or internship experience of at least 600 hours in a counseling program that stands as a recognizable organizational entity within the institution and that has a counseling faculty who identify with the professional counseling profession.

(b) The degree shall be designed to educate and train the individual for the practice of professional counseling as defined by KRS 335.500(5).

(3) Examples of degrees that shall not be accepted as a degree in counseling or a degree in a related field for purposes of licensure include a degree in clinical psychology, forensic psychology, psychology, Christian psychology, biblical counseling, pastoral counseling, marriage and family therapy, art or dance therapy, social work, criminal justice, or special education.

(4) If an applicant proffers a degree in a related field, the applicant shall also provide evidence of additional graduate coursework in each area listed in KRS 335.525(1)(d)1-9 or, if that applicant is applying for endorsement, in each area listed in KRS 335.527(1)(a)1-9 that is not included in the applicant's degree. The coursework in the degree program, in addition to the other coursework, shall demonstrate that the applicant has documented coursework in all nine (9) of the content areas listed in KRS 335.525(1)(d) or, if that applicant is applying for endorsement, in all nine (9) of the content areas listed in KRS 335.527(1)(a).

(5) The graduate hour requirement of KRS 335.525(1)(d) and 335.527(1)(a) shall be semester hours. A minimum of ninety (90) quarter hours shall be equivalent to sixty (60) graduate semester hours.

Section 2. Accreditation.

(1) All coursework submitted for licensure shall be from a regionally accredited educational institution.

(2) An applicant shall have a degree from a program that is accredited by the Council on Accreditation of Counseling and Related Programs (CACREP). This requirement shall not apply to an applicant who:

(a) Is enrolled in a counseling or a related field program on or before January 15, 2015;

(b) Maintains continuous enrollment; and

(c) Receives a degree in the counseling or a related field program no later than May 31, 2020.

(3) If an applicant needs to acquire additional hours, the hours shall be from a CACREP-accredited program.

Section 3. Examination. An applicant for licensure as a licensed professional clinical counselor shall obtain a passing score on the National Counselor Examination for Licensure and Certification (NCE) or the National Clinical Mental Health Counseling Examination (NCMHCE).

Section 4. Application for Licensure.

(1)

(a) Each applicant for licensure as a licensed professional clinical counselor shall:

1. Submit an "Application for Licensed Professional Clinical Counselor", DPL-LPC-04, July 2026 to the board;

2. Pay the fee as established in 201 KAR 36:020;

3. Submit proof of passage of one (1) of the examinations required under Section 3 of this administrative regulation;

4. Complete coursework in each of the following curriculum content areas:

a. The helping relationship, including theory and practice, which provides an understanding of counseling and consultation processes, and includes:

(i) Counseling and consultation theories including both individual and systems perspectives as well as coverage of relevant research and factors considered in applications;

(ii) Basic interviewing, assessment, and counseling skills;

(iii) Counselor or consultant characteristics and behaviors that influence professional counseling relationships, including age, gender, and ethnic differences; verbal and nonverbal behaviors; and personal characteristics, orientations, and skills;

(iv) Client or consultee characteristics and behaviors that influence professional counseling relationships, including age, gender, ethnic differences, verbal and nonverbal behaviors, and personal characteristics, orientations, and skills; and

(v) Ethical considerations;

b. Human growth and development that provides an understanding of the nature and needs of individuals at all developmental levels, and includes:

(i) Theories of individual and family development and transitions across the life span;

(ii) Theories of learning and personality development;

(iii) Human behavior, including an understanding of developmental crises, disability, addictive behavior, psychopathology and environmental factors, normal and abnormal behavior;

(iv) Counseling strategies for facilitating development over the life span; and

(v) Ethical considerations;

c. Lifestyle and career development that provides an understanding of career counseling, development and related factors. Coursework shall include:

(i) Career-counseling theories and decision-making models;

- (ii) Career, vocational educational and labor market information resources; visual and print media and computer-based career information systems;
- (iii) Career-counseling program planning, organization, implementation, administration, and evaluation;
- (iv) Interrelationships among work, family, and other life roles and factors, including multicultural and gender issues as related to career counseling;
- (v) Career and educational placement counseling, follow-up and evaluation; assessment instruments and techniques relevant to career counseling;
- (vi) Computer-based career-development applications and strategies, including computer-assisted career-counseling systems;
- (vii) Career-counseling processes, techniques, and resources, including those applicable to specific populations; and
- (viii) Ethical considerations;

d. Group dynamics, process, counseling, and consulting that provides an understanding of group development, dynamics, and counseling theories; group counseling methods and skills; and other group work approaches. Coursework shall include:

- (i) Principals of group dynamics, including group counseling components, developmental stage theories, and group members' roles and behaviors;
- (ii) Group leadership styles and approaches, including characteristics of various types of group leaders and leadership styles;
- (iii) Theories of group counseling, including commonalities, distinguishing characteristics, and pertinent research and literature;

(iv) Group counseling methods, including group counselor orientations and behaviors, ethical standards, appropriate selection criteria and methods of evaluation of effectiveness;

(v) Approaches used for other types of group work in counseling, including task groups, prevention groups, support groups, and therapy groups; and

(vi) Ethical considerations;

e. Assessment, appraisal, and testing of individuals that provides an understanding of individual and group approaches to assessment and evaluation in counseling practice.

Coursework shall include:

(i) Theoretical and historical bases for assessment techniques in counseling;

(ii) Validity, including evidence for establishing content, construct, and empirical validity;

(iii) Reliability, including methods of establishing stability, internal, and equivalence reliability;

(iv) Appraisal methods, including environmental assessment, performance assessment, individual and group test and inventory methods, behavioral observations, and computer-managed and computer-assisted methods;

(v) Psychometric statistics, including types of assessment scores, measures of central tendency, indices of variability, standard errors, and correlations;

(vi) Age, gender, ethnicity, language, disability, and cultural factors assessment and evaluation in counseling services;

(vii) Strategies for selecting, administering, interpreting, and using assessment and evaluation instruments and techniques in counseling; and

1 (viii) Ethical considerations;

2 f. Social and cultural foundations, including multicultural issues that provide an
3 understanding of issues and trends in a multicultural and diverse society that impact
4 professional counselors and the counseling profession. Coursework shall include:

5 (i) Multicultural and pluralistic trends, including characteristics and concerns of
6 counseling individuals from diverse groups;

7 (ii) Attitudes and behavior based on factors such as age, race, religious preferences,
8 physical disability, sexual orientation, ethnicity, culture, family patterns, gender,
9 socioeconomic status, and intellectual ability;

10 (iii) Individual, family, and group counseling strategies with diverse populations; and

11 (iv) Ethical considerations;

12 g. Principles of etiology, diagnosis, treatment planning, and prevention of mental and
13 emotional disorders and dysfunctional behavior that provides an understanding of
14 etiology, diagnosis, treatment planning, and prevention of mental and emotional disorders
15 and dysfunctional behavior. Coursework shall include:

16 (i) Principles of the diagnostic process, including differential diagnosis, and the use
17 of current diagnostic tools, and the most current edition of the Diagnostic and
18 Statistical Manual of Mental Disorders (DSM);

19 (ii) Established diagnostic criteria for mental and emotional disorders, and treatment
20 modalities and placement criteria within the continuum of care;

21 (iii) Etiology of addiction and co-occurring disorders and the impact of co-occurring
22 substance use disorders on medical and psychological disorders;

(iv) Etiology, the diagnostic process and nomenclature, treatment, referral, and prevention of mental and emotional disorders; and

(v) Principles, models, and documentation formats of biopsychosocial case conceptualization and treatment planning;

h. A research and evaluation course that provides an understanding of types of research methods, basic statistics, and ethical and legal consideration in research. Coursework shall include:

(i) Basic types of research methods to include qualitative and quantitative research designs;

(ii) Basic parametric and nonparametric statistics;

(iii) Principles, practices, and applications of needs assessment and program evaluation;

(iv) Uses of computers for data management and analysis; and

(v) Ethical and legal considerations;

i. Professional orientation to counseling is a course that provides an understanding of the professional counselor profession and provides an understanding of all aspects of professional functioning, including history, roles, organizational structures, ethics, standards, and credentialing. Coursework shall include:

(i) History of the counseling profession, including significant factors and events;

(ii) Professional roles and functions of mental health counselors, including similarities and differences with other types of professionals;

1 (iii) Professional organizations (primarily the American Counseling Association
2 (ACA), its divisions, branches, and affiliates), including membership benefits,
3 activities, services to members, and current emphases;

4 (iv) Ethical standards of the National Board of Certified Counselors (NBCC) or the
5 ACA and related ethical and legal issues, and the applications to various professional
6 activities, including appraisals or group work;

7 (v) Professional counselor preparation standards, the evolution and current
8 applications;

9 (vi) Professional counselor credentialing, including counselor certification, licensure,
10 and accreditation practices and standards, and the effects of public policy on these
11 issues; and

12 (vii) Public policy processes, including the role of the professional counselor in
13 advocating on behalf of the profession and its clientele; and

14 j. Practicum or internship experiences shall be for a minimum of two (2) semester courses
15 and provide supervised counseling experience in an appropriate clinical setting, which
16 shall include:

17 (i) 600 clock hours of total experience;

18 (ii) At least 240 clock hours of direct service, which include diagnosis, treatment
19 planning, assessment, techniques, and intervention, and experience leading groups;

20 (iii) Weekly interaction that averages one (1) hour per week of individual or triadic
21 supervision throughout the internship, usually performed by the onsite supervisor;

(iv) An average of one and one-half (1 1/2) hours per week of group supervision provided on a regular schedule throughout the internship and performed by a licensed program faculty member;

(v) The opportunity for the student to become familiar with a variety of professional activities and resources in addition to direct service, including record keeping, assessment instruments, supervision, information and referral, and in-service and staff meetings;

(vi) The opportunity for the student to develop program-appropriate audio or video recordings for use in supervision or to receive live supervision of his or her interactions with clients; and

(vii) Evaluation of the student's counseling performance throughout the internship, including documentation of a formal evaluation after the student completes the internship by a program faculty member in consultation with the site supervisor;

5. Submit the results of a national and state criminal background investigation by means of a fingerprint check performed within the last ninety (90) days by the Department of Kentucky State Police (KSP) and the Federal Bureau of Investigation (FBI) which shall be provided directly to the board by the KSP and FBI, and make payment of any required fee to the KSP and FBI. Any cases officially expunged shall not have to be disclosed by the applicant and shall not be considered by the board as a conviction for the purposes of this subparagraph; and [If an applicant does not receive the criminal background check within 180 days of the issuance of a license, the applicant shall notify the board immediately in writing; and]

1 6. Submit a copy of the course description or syllabi for the courses taken to satisfy KRS
2 335.525(1)(d) or 335.527(1)(a) if the degree in counseling or the degree in a related field
3 is not from a CACREP accredited institution.

4 (b) If applying for licensure via endorsement, an applicant shall:

5 1. Meet the requirements in paragraph (a)1. and 2. of this subsection; and

6 2. Submit an official transcript.

7 (2) Each applicant for licensure as a licensed professional counselor associate shall:

8 (a) Submit an "Application for Licensed Professional Counselor Associate", DPL-LPC-05, July
9 2026 to the board;

10 (b) Pay the fee as established in 201 KAR 36:020;

11 (c) Submit an official transcript;

12 (d) Satisfy the requirements of subsection (1)(a)4. of this section;

13 (e) Submit the results of a national and state criminal background investigation~~[check]~~ by means
14 of a fingerprint check performed within the last ninety (90) days by the Department of Kentucky
15 State Police (KSP) and the Federal Bureau of Investigation (FBI) which shall be provided directly
16 to the board by the KSP and FBI, and make payment of any required fee to the KSP and FBI. Any
17 cases officially expunged shall not have to be disclosed by the applicant and shall not be considered
18 by the board as a conviction for the purposes of this subparagraph; and

19 (f) Submit a copy of each syllabi for the courses taken to satisfy KRS 335.525(1)(d) or
20 335.527(1)(a) if the degree in counseling or degree in a related field is not from a CACREP
21 accredited institution.

22 Section 5.

(1) An applicant for licensure shall be of good moral character. If an applicant lacks good moral character, the applicant has the duty to provide available evidence relative of rehabilitation.

(2) For evidence relative of rehabilitation, the board may consider relevant evidence including the successful completion of probation, the years since the incident without additional incidents, and the successful completion of inpatient or outpatient treatment.

(3) If the board finds that an applicant has not provided sufficient evidence of rehabilitation then the board may deny the application.

Section 6. Denial of Licensure. The board may refuse to issue, renew, or reinstate a license if the applicant:

(1) Committed fraud or misrepresentation in applying for a license in this state or another state;

(2) Has been convicted of:

(a) A misdemeanor within the last five (5) years, except for minor traffic offenses and in compliance with KRS 335B.020; or

(b) Any felony offense; or

(c) A crime involving moral turpitude, including a substantiated charge of child abuse or neglect pursuant to KRS Chapter 620; adult abuse, neglect or exploitation pursuant to KRS Chapter 209; or a crime classified as domestic violence, a sex offense or stalking;

(3) Is a respondent in a case with an active order of protection following notice and an opportunity to be heard pursuant to KRS Chapter 403 or KRS Chapter 456;

(4) Does not meet the qualifications as prescribed in KRS Chapter 335 and 201 KAR Title 36;

(5) Has been declared incompetent by a qualified mental health professional appointed by the board or by a court of competent jurisdiction, including those subject to KRS Chapter 202A and Chapter 387 proceedings; or

(6) Has engaged in fraud, dishonesty, or corruption on a certification of examination in this state or another state.

Section 7.

(1) The board may approve remedial work to correct any deficiency to satisfy Sections 1 and 4 of this administrative regulation.

(2) The board shall not approve remedial work for degrees listed in Section 1(3) of this administrative regulation.

Section 8. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Application for Licensed Professional Clinical Counselor", DPL-LPC-04, July 2026~~[December 2023]~~; and

(b) "Application for Licensed Professional Counselor Associate", DPL-LPC-05, July 2026~~[December 2023]~~.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Licensed Professional Counselors, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30~~[4:00]~~ p.m. This material is also available on the board's Web site at lpc.@ky.gov.

201 KAR 36:070E

APPROVED BY AGENCY:

Denise Hutchins

Denise Hutchins
Chair, Board of Licensed Professional Counselors

Date: July 15, 2026

AFFIDAVIT OF EMERGENCY STATEMENT BY BOARD CHAIR

Comes the Affiant, Denise Hutchins, LPCC-S, and after first being duly sworn, states the following:

1. I am Chair of the Kentucky Board of Licensed Professional Counselors.
2. The 2026 General Assembly enacted HB 657 requiring a criminal background investigation by means of a fingerprint check by the Department of Kentucky State Police and Federal Bureau of Investigation for all initial applicants for licensure, and applicants for reinstatement, who apply for authorization to engage in the practice of professional counseling, effective on July 15, 2026.
3. The Board of Licensed Professional Counselors considered these amendments at its April 17, 2026, regular meeting and authorized the filing of the accompanying emergency amendment to the administrative regulation prior to the effective date of HB 657 to ensure there is no undue delay in processing applications for initial licensure and reinstatement.
4. Based on a finding that an emergency exists in accordance with KRS 13A.190(1)(a)2., and an imminent deadline for the promulgation of amendments to the administrative regulation required by the passage of HB 657, the attached emergency amendment is being filed to ensure there is no undue delay in processing applications for initial licensure and reinstatement for licensed professional clinical counselors and licensed professional counselor associates.

Further the Affiant saith naught.

Denise Hutchins
Affiant