REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 36:100E
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Subject Headings: Occupations and Professions, Compacts, Interstate, Boards and Commissions

(1) Provide a brief summary of:

(a) What this administrative regulation does: This emergency administrative regulation implements KRS 335.560, the Counseling Compact.
(b) The necessity of this administrative regulation: This emergency administrative regulation is necessary because KRS 335.560 SECTION 16.B.1. requires rules adopted by the Counseling Compact to be promulgated as administrative regulations pursuant to KRS Chapter 13A.
(c) How this administrative regulation conforms to the content of the authorizing statutes: This emergency administrative regulation conforms to the specific requirements of the authorizing statute, KRS 335.560 SECTION 16.B.1., which requires rules adopted by the Counseling Compact to be promulgated as administrative regulations pursuant to KRS Chapter 13A.
(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This emergency administrative regulation conforms to the content of KRS 335.560 which requires this promulgation.

(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: The amendment will add three (3) new compact rules adopted by the Counseling Compact Commission on September 2, 2026.
(b) The necessity of the amendment to this administrative regulation: This amendment to the administrative regulation is necessary because KRS 335.560 SECTION 16.B.1. requires rules adopted by the Counseling Compact to be promulgated as administrative regulations pursuant to KRS Chapter 13A. Three (3) new rules were adopted on September 2, 2026 relating to conversion of a privilege to practice to a home state license, consistent credentialing, and supervised postgraduate experience.
(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms with the authorizing statutes by being filed within sixty (60) days of the adoption of the new rules by the Counseling Compact Commission.
(d) How the amendment will assist in the effective administration of the statutes: The amendment will ensure the Board and all affected licensees have access and full disclosure of the rules relating to the compact and the privilege to practice in Kentucky and other compact states.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? Yes. See KRS 335.560. Counseling Compact. Created 2022 Ky. Acts ch. 127, sec. 1, effective July 14, 2022.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation will affect the 5355 active and 71 inactive licensees in some capacity, and will also affect new applicants for licensure.

(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: No action is necessary.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): There is no additional cost imposed by this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): They will be in compliance with the regulation.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: There is no additional cost.

(b) On a continuing basis: There is no additional cost.

(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 credential holders and applicant.

(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 is anticipated at this time.

(9) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied? (Explain why or why not): Tiering was not applied as the changes apply to all equally.