

**329A.065 Disciplinary actions -- Civil penalty -- Permanent file -- Assurance of voluntary compliance -- Appeal.**

- (1) The board may refuse to issue a license, or suspend, revoke, impose probationary conditions, impose an administrative fine, issue a written reprimand, or any combination thereof regarding any licensee upon proof that the licensee or applicant has:
  - (a) Violated any provision of KRS 329A.010 to 329A.090 or any administrative regulation promulgated by the board;
  - (b) Knowingly and willfully made a material misstatement in connection with an application for license or renewal;
  - (c) Been convicted of a felony;
  - (d) Practiced fraud, deceit, or misrepresentation;
  - (e) Committed any act that would have been cause for refusal to issue the license had it existed and been known to the board at the time of issuance;
  - (f) Been incompetent or negligent in the practice of private investigating; or
  - (g) Violated the code of ethics promulgated by administrative regulation by the board.
- (2) In addition to or in lieu of any other lawful disciplinary action under this section, the board may assess a civil penalty not exceeding two thousand dollars (\$2,000).
- (3) When the board issues a written reprimand to the licensee a copy of the reprimand shall be placed in the permanent file of the licensee. The licensee shall have the right to submit a response within thirty (30) days of its receipt and to have that response filed in the permanent file.
- (4) At any time during the investigative or hearing processes, the board may accept an assurance of voluntary compliance from the licensee if the assurance effectively deals with the complaint.
- (5) The board may reconsider, modify, or reverse its probation, suspension, or other disciplinary action.
- (6) Any party aggrieved by a disciplinary action of the board may bring an action in Franklin Circuit Court pursuant to the provisions of KRS Chapter 13B.
- (7) A license shall be subject to expiration and renewal during any period in which the license is suspended.

**Effective:** July 15, 2002

**History:** Created 2002 Ky. Acts ch. 269, sec. 12, effective July 15, 2002.