

313.085 Law Enforcement Committee -- Emergency order for suspension of license or certificate -- Appeals.

- (1) The Law Enforcement Committee shall consist of three (3) members of the board, including at least two (2) licensed dentists, appointed by the president of the board.
- (2) The Law Enforcement Committee may, by a majority vote, issue an emergency order for the immediate temporary suspension of a license or certificate against which disciplinary action or an investigation is pending if the order is necessary to protect the public.
- (3) The emergency order shall be made in accordance with KRS 13B.125 and shall be based upon a finding by the board that the emergency order is in the public interest and there is substantial evidence of immediate danger to the health, welfare, and safety of any patient or the general public.
- (4) A licensee may appeal the emergency order by a written request to the board for an emergency hearing in accordance with KRS 13B.125 within thirty (30) days after receipt of the order.
- (5) The appeal of an emergency order shall address only the necessity for the action and shall not constitute an appeal of the merits of the underlying complaint or charge.
- (6) The emergency order shall remain in effect until modified or vacated by the Law Enforcement Committee or hearing officer or superseded by final disciplinary action of the Law Enforcement Committee or hearing officer on the underlying complaint or charge.
- (7) The Law Enforcement Committee shall expedite disciplinary hearings in which a license has been suspended under subsection (2) of this section.
- (8) Any party aggrieved by a final order of the board may appeal the final order to the Circuit Court of the county in which the licensee or certificate holder resides after a written decision is rendered.

Effective: July 15, 2010

History: Repealed and reenacted 2010 Ky. Acts ch. 85, sec. 14, effective July 15, 2010. -- Created 1964 Ky. Acts ch. 12, sec. 7.