

**319A.190 Unprofessional conduct -- Denial, refusal to renew, suspension, revocation, or imposition of probationary conditions upon a license.**

- (1) The board may deny or refuse to renew a license, may suspend or revoke a license, or may impose probationary conditions where the licensee or applicant for licensure has engaged in unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Unprofessional conduct shall include:
  - (a) Obtaining a license by means of fraud, misrepresentation, or concealment of material facts;
  - (b) Unprofessional conduct as defined by administrative regulations promulgated by the board, or violating the code of ethics promulgated by the board;
  - (c) Being convicted of a felony in any court if the act or acts for which he was convicted are found by the board to have a direct bearing on whether he should be entrusted to serve the public in the capacity of a licensed occupational therapist or licensed occupational therapy assistant;
  - (d) Violating any lawful order or administrative regulation rendered or promulgated by the board; or
  - (e) Violating any provision of this chapter.
- (2) A denial, refusal to renew, suspension, revocation, or imposition of probationary conditions upon a license may be ordered by the board in a decision made after an administrative hearing conducted in accordance with KRS Chapter 13B and administrative regulations promulgated by the board. The board shall have discretion to accept or reject an application for reinstatement following an administrative hearing conducted in accordance with KRS Chapter 13B.
- (3) The surrender of a license shall not serve to deprive the board of jurisdiction to proceed with disciplinary actions under this chapter.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 14, sec. 13, effective July 15, 2002. -- Amended 1996 Ky. Acts ch. 318, sec. 279, effective July 15, 1996. -- Created 1986 Ky. Acts ch. 78, sec. 19, effective July 15, 1986.