

1 GENERAL GOVERNMENT CABINET

2 Kentucky Board of Examiners of Psychology

3 (New Administrative Regulation)

4 201 KAR 26:320. Per diem and reimbursement.

5 RELATES TO: KRS 319.005-319.140, 319.990.

6 STATUTORY AUTHORITY: KRS 319.020(5) and KRS 319.032(2).

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 319.020(5) establishes per diem
8 and reimbursement rates for board members. KRS 319.032(2) authorizes the Board to promulgate
9 administrative regulations to carry out KRS Chapter 319. This administrative regulation establishes
10 per diem rates for Board members.

11
12 Section 1. Each member of the Board shall receive per diem compensation of \$100 for
13 attending each board meeting or otherwise discharging official duties of the Board.



Harwell Smith, Ph.D., Chair
Kentucky Board of Examiners of Psychology

3/12/25
Date: _____

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on May 23, 2025 at 1:00 p.m., at the Kentucky Board of Examiners of Psychology, 500 Mero Street, Frankfort, KY 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made prior to the end of the hearing. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through May 31, 2025. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Trish A. Provence, Administrative Board Specialist Senior, Kentucky Board of Examiners of Psychology, P.O. Box 1360, Frankfort KY 40601, phone (502) 782-8812 e-mail: PSY@KY.GOV

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 26:320

Contact Person: Trish A. Provence

Phone: (502) 782-8812

Email: PSY@KY.GOV

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the per diem rate of board member compensation.

(b) The necessity of this administrative regulation:

This regulation is necessary to establish the per diem rate for performance of official duties of the board.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This regulation conforms to the content of KRS 319.020(5), which establishes per diem and reimbursement rates for board members and KRS 319.032(2), which authorizes the Board to promulgate administrative regulations to carry out KRS Chapter 319.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation will assist in effective administration of KRS Chapter 319 by clearly delineating the compensation rate for official duties of the board.

(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:

N/A.

(b) The necessity of the amendment to this administrative regulation:

N/A.

(c) How the amendment conforms to the content of the authorizing statutes:

N/A.

(d) How the amendment will assist in the effective administration of the statutes:

N/A.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

This regulation affects the Kentucky Board of Examiners of Psychology and current and future Board Members thereof.

(4) Provide an analysis of how the entities identified in question (3) 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 (3) will have to take to comply with this administrative regulation or amendment:

Regulated individuals will not have to take any actions as the administrative regulation conforms to current practice of the board.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

No new costs are associated with compliance.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The Board and Board Members will have certainty regarding compensable activities for Board Members.

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

(a) Initially: No new costs are anticipated as the regulation conforms with current practices of the Board.

(b) On a continuing basis: No new costs are anticipated on a continuing basis as the regulation conforms with current practices of the Board.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

This administrative regulation does not establish fees. Funding for KBEP comes from licensure and certification fees; the Board does not receive any general funds.

(7) 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:

There is no anticipation of an increase in fees or needed funding to implement this administrative regulation, as the Board is currently paying per diem for board members.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

No fees are established or increased by this administrative regulation.

(9) TIERING: Is tiering applied? (Explain why or why not)

No. All regulated entities are subject to the same requirements.

FISCAL IMPACT STATEMENT

201 KAR 26:320

Contact Person: Trish A. Provence

Phone: (502) 782-8812

Email: PSY@KY.GOV

- (1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 319.020(5) establishes per diem and reimbursement rates for board members. KRS 319.032(2) authorizes the Board to promulgate administrative regulations to carry out KRS Chapter 319.

- (2) Identify the promulgating agency and any other affected state units, parts, or divisions:
The Kentucky Board of Examiners of Psychology is the promulgating agency. No other entities are affected.

- (a) Estimate the following for the first year:

Expenditures: The Board is currently paying per diems for Board members. No new expenditures are expected.

Revenues: The regulation does not generate revenue.

Cost Savings: There are no cost savings associated with this regulation.

- (b) How will expenditures, revenues, or cost savings differ in subsequent years? Per diem expenditures for official duties are expected to remain constant over time and not differ substantially from what is currently expended.

- (3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

No local entities will be affected.

- (a) Estimate the following for the first year:

Expenditures: None

Revenues: None

Cost Savings: None

- (b) How will expenditures, revenues, or cost savings differ in subsequent years?

N/A.

- (4) Identify additional regulated entities not listed in questions (2) or (3):

There are no additional regulated entities.

- (a) Estimate the following for the first year:
 - Expenditures: None
 - Revenues: None
 - Savings: None
 - (b) How will expenditures, revenues, or cost savings differ in subsequent years?
 - N/A.
- (5) Provide a narrative to explain the:
- (a) Fiscal impact of this administrative regulation:
 - This regulation should have no fiscal impact on the agency as the Board is currently paying per diem to Board members.
 - (b) Methodology and resources used to determine the fiscal impact:
 - The Board currently pays per diems based upon the performance of official duties. This regulation codifies existing practice.
- (6) Explain:
- (a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) – (4). (\$500,000 or more, in aggregate)
 - This administrative regulation will not have an overall negative or adverse major impact on the entities identified.
 - (b) The methodology and resources used to reach this conclusion:
 - The Board is currently paying per diem to Board members and this regulation is not expected to have any effect on the amounts paid.