

311A.075 Immediate temporary suspension of license or certification.

- (1) The state medical advisor, one (1) physician board member selected by the chair of the board, and one (1) member of the board of the same category of licensure or certification as the defendant selected by the chair of the board, in writing, may determine that immediate temporary suspension of a license or certification of a natural person against which disciplinary action or an investigation is pending is necessary in order to protect the public. If the defendant is employed by an emergency medical services provider, the input of the employer's emergency medical services medical director shall be sought with regard to the matter. In the event of an action against an organization, the determination that an immediate temporary suspension is necessary in order to protect the public shall be made by the state medical advisor, and two (2) other members of the board who are appointed by the chair of the board. When this action may be necessary, the executive director, in writing, shall issue an emergency order suspending the licensee or certificate holder. Upon appeal of an emergency order, an emergency hearing shall be conducted in accordance with KRS 13B.125.
- (2) No board member shall be disqualified from serving on a disciplinary action hearing panel for the reason that he or she has previously sat on a hearing panel considering temporary suspension of the same license.
- (3) Disciplinary actions in which a license or certification has been temporarily suspended and a hearing shall be held in accordance with KRS 13B.125 within ninety (90) days unless the defendant requests an extension of time.
- (4) The order of immediate temporary suspension shall remain in effect until either retracted or superseded by final disciplinary action by the office of the board. In cases where disciplinary action is imposed, the office of the board may additionally order that the temporary suspension continue in effect until the later expiration of time permitted for appeal or termination of the appellate process.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 243, sec. 6, effective July 12, 2006. -- Created 2002 Ky. Acts ch. 211, sec. 14, effective July 15, 2002.