

205.8475 Forfeiture of provider's license.

- (1) Any professional, licensed or regulated by any agency of the Commonwealth of Kentucky, who upon final and unappealable decision by a court of competent jurisdiction, is convicted or pleads guilty to a violation of any of the criminal provisions of KRS 205.8451 to 205.8483, shall, in addition to any other penalty provided by law, forfeit the license to practice his or her profession for a mandatory minimum period of five (5) years. The license to practice a profession shall be reinstated only after compliance with all conditions for reinstatement contained in administrative regulations of the applicable licensure or regulatory board or agency promulgated pursuant to the provisions of KRS Chapter 13A. For purposes of this subsection, an individual or entity is considered to have been "convicted" of an offense when:
 - (a) A judgment of conviction has been entered against the individual or entity by a federal or state court;
 - (b) There has been a finding of guilt against the individual or entity by any court of competent jurisdiction;
 - (c) A plea of guilty by the individual or entity has been accepted by any court of competent jurisdiction; or
 - (d) The individual or entity has entered into participation in a court imposed first offender, deferred adjudication, diversion, or other arrangement or program where judgment of conviction has been withheld.
- (2) Pending the final and unappealable decision of a court of competent jurisdiction, as provided under subsection (1) of this section, the provider shall not be eligible to participate in the Kentucky Medical Assistance Program.
- (3) No provider, owner, officer, or stockholder possessing more than forty percent (40%) of the shares of a provider shall receive payments for medical services or receive profits or remuneration from any other medical assistance provider with which the provider, owner, officer, or stockholder may thereafter become associated until all criminal penalties or civil payments assessed against the provider, owner, officer, or stockholder under KRS 205.8451 to 205.8483 have been satisfied.

Effective: July 15, 1994

History: Created 1994 Ky. Acts ch. 96, sec. 13, effective July 15, 1994; and ch. 316, sec. 13, effective July 15, 1994.

Legislative Research Commission Note (7/15/94). This statute was enacted by identical sections in two bills (1994 Ky. Acts chs. 96 & 316) which have been codified together.