

**311.604 Clinical competency examination and skills assessment program --
Demonstration of competency to resume practice.**

- (1) When a hearing or inquiry panel receives information that a physician has not been engaged in the active practice of medicine for at least two (2) years, the panel may order the physician to successfully complete a board-approved clinical competency examination or a board-approved clinical skills assessment program at the expense of the physician. The panel shall review the results of the examination or assessment and determine whether the physician may resume the practice of medicine without undue risk or danger to patients or the public.
- (2) Failure of a physician to successfully complete the clinical competency examination or the clinical skills assessment when directed shall constitute an admission that the physician is unable to practice medicine according to accepted and prevailing standards, unless the failure was due to circumstances beyond the control of the physician. The failure shall constitute a default and a final order may be entered without additional testimony or without presentation of additional evidence.
- (3) A physician whose license has been suspended, limited, restricted, or revoked under this section or KRS 311.595(8) shall be afforded an opportunity at reasonable intervals to demonstrate that he or she has the competency and skill to resume the practice of medicine.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 130, sec. 18, effective July 15, 2002.