

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation No. 201 KAR 13:070  
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Subject Headings: Ophthalmic Dispensing, Occupations and Professions, Licensing

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does: This administrative regulation repeals 201 KAR 13:070.
  - (b) The necessity of this administrative regulation: The existing administrative regulation appears to conflict with KRS 326.100 which requires a hearing for license revocation, and KRS 326.080 which requires payment of the fee for license renewal. Additionally, 201 KAR 13:040. Section 4.(5) establishes license expiration upon failure to timely renew so 201 KAR 13:070 is unnecessary
  - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 326.020(3) gives the board the authority to promulgate regulations.
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The repeal of this administrative regulation will eliminate the conflict with statutory authority.
- (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) Does this administrative regulation or amendment implement legislation from the previous five years? No.
- (4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: No entities will be affected by this repealer since licenses expire for failure to timely renew with payment of the fee and there are no licenses revoked for this reason.
- (5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment: No entities will be affected by this repealer.
  - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): There is no cost to repeal this administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): There is no financial benefit to repeal this administrative regulation; however, the entities will benefit from the repeal of conflicting regulatory procedures upon failure to pay the required renewal fees.

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

- (a) Initially: No new costs will be incurred by the repeal of this administrative regulation.
- (b) On a continuing basis: None.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The board's operations are funded by fees paid by credential holders and applicants. However, there is no funding used to implement and enforce the repeal of this administrative regulation.

(8) 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 anticipated increase in fees or funding necessary to repeal this administrative regulation.

(9) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: The repeal of this administrative regulation does not directly or indirectly increase any fees.

(10) TIERING: Is tiering applied? (Explain why or why not): No tiering is applied because this amendment repeals an earlier regulation that equally applied to all regulated entities.