

40.520 Notice of disapproval of claim to be sent to claimant -- Review procedure.

- (1) If a claim is disapproved, the adjutant general shall send a notice of such decision to the claimant by mail at the address shown in the application. The notice shall be in such form as the adjutant general may determine, contain a designation of the reason for disapproval, inform the claimant of his right to seek review, have attached such form of request for review as the adjutant general may prescribe, and shall give information as to the procedure for review.
- (2) Application for review of a disapproval shall be made only on the forms prescribed and be received in the designated office not later than the closing hour in the thirtieth day after the day upon which the notice of disapproval is mailed, or be forever barred.
- (3) Upon receiving an application for review, the administrator shall transmit the same, together with the original application and all papers in the case, to the board of review, hereinafter created.
- (4) The board of review shall promptly consider the same evidence which was available to the administrator, and promptly enter in the case file its decision either finally affirming the administrator's decision, or finally determining the claim and the amount thereof.
- (5) The board of review shall send a notice of its decision to the claimant by registered mail, and return the case file to the administrator. The decision of the board of review shall be a final determination of the claim shown in the application.

History: Created 1988 (1st Extra. Sess.) Ky. Acts ch. 6, sec. 12.