

44.086 Investigation of claims -- Additional information on claims under \$1,000 -- Hearings -- Order -- Review.

- (1) The board may require affected state agencies to investigate claims and the incidents on which they are based and to furnish to the board and the claimant in writing the facts learned by investigation. Such response shall be sufficiently specific to support a decision by the board to pay or deny the claim. If the agency believes the state should refute a claim, the agency shall cite the facts about the incident that support its belief.
- (2) If the claim is under one thousand dollars (\$1,000) it will be investigated by the board in-house and if the board believes it needs additional facts before deciding the claim, the parties may provide the needed information by letter or as directed by the board.
- (3) The board shall hold hearings on contested claims whose value is one thousand dollars (\$1,000) or greater but may decide claims under one thousand dollars (\$1,000) without a hearing.
- (4) At its hearings, the board, or any of its members, or any of its hearing officers shall hear the parties at issue and their representatives and witnesses.
- (5) The award or order shall be made by the board or by a member assigned by the chairman within thirty (30) days after final submission, except in cases involving large or complicated records or unusual questions of law, and shall be made within ninety (90) days after final submission in any event. The order or award, together with a statement of the findings of fact, rulings of law and other matters pertinent to the question at issue shall be filed with the record of the claim and a copy of the order or award shall immediately be sent to the parties in dispute.
- (6) If an application for review is made to the board within fourteen (14) days from the date of the order or award, the full board, if the first decision was not made by the full board, shall, as soon as practicable, review the evidence, or, if deemed advisable, hear the parties at issue, their representatives and witnesses, and shall make an order or award and file it as specified in subsection (5) above.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 304, sec. 2, effective July 14, 2000. -- Amended 1982 Ky. Acts ch. 355, sec. 1, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 299, sec. 1, effective June 17, 1978. -- Created 1960 Ky. Acts ch. 25, sec. 3.