

13B.100 Prohibited communications.

- (1) Unless required for the disposition of ex parte matters specifically authorized by statute, a hearing officer shall not communicate off the record with any party to the hearing or any other person who has a direct or indirect interest in the outcome of the hearing, concerning any substantive issue, while the proceeding is pending.
- (2) The prohibition stated in subsection (1) shall not apply to:
 - (a) Communication with other agency staff, if the communication is not an ex parte communication received by staff; and
 - (b) Communication among members of a collegial body or panel which by law is serving as a hearing officer.
- (3) If an ex parte communication occurs, the hearing officer shall note the occurrence for the record, and he shall place in the record a copy of the communication, if it was written, or a memorandum of the substance of the communication, if it was oral.

Effective: July 15, 1996

History: Created 1994 Ky. Acts ch. 382, sec. 10, effective July 15, 1996.