

**342.841 Applicability of open meetings and open records provisions.**

- (1) The board shall comply with KRS Chapter 61 in regard to open meetings and open records in the conduct of ordinary business. In addition to the exemptions listed in KRS Chapter 61, proceedings to discuss rates, proposed rates, or anything that relates to rates if that discussion would jeopardize the competitiveness of the authority may be closed, as well as, proceedings which would provide an unfair competitive advantage to private sector competitors providing workers' compensation coverage in the Commonwealth.
- (2) All records of the authority shall be deemed open records and subject to public inspection, unless:
  - (a) The record is excluded from inspection under KRS Chapter 61;
  - (b) The record includes information that would provide an unfair competitive advantage to private sector competitors providing workers' compensation coverage in the Commonwealth;
  - (c) In addition to the exemption provided by KRS 61.878(1)(c)1., the record is generated by the authority, generally recognized as confidential or proprietary, and which if openly disclosed would permit an unfair commercial advantage to competitors of the authority or other entity to which the record relates; and
  - (d) The record relates to a fraud investigation conducted by the authority and that does not become evidence in a criminal or civil action.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 361, sec. 7, effective July 15, 1998. -- Amended 1996 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 44, effective December 12, 1996. -- Created 1994 Ky. Acts ch. 181, Part 12, sec. 59, effective April 4, 1994.