

### **346.040 Powers and duties of board.**

The board shall have the following powers and duties:

- (1) To establish and maintain necessary offices within this state, appoint employees and agents as necessary, and prescribe their duties and compensation;
- (2) To promulgate, amend, and repeal suitable administrative regulations to carry out the provisions and purposes of this chapter, including administrative regulations for the approval of attorney's fees for representation before the board or upon judicial review as provided for in KRS 346.110;
- (3) To hear and determine all matters relating to claims for compensation, and the power to reinvestigate or reopen claims without regard to statutes of limitations;
- (4) To request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to determine whether, and the extent to which, a claimant qualifies for compensation. The statute providing confidentiality for juvenile session of District Court records does not apply to proceedings under this chapter;
- (5) To hold hearings in accordance with the provisions of KRS Chapter 13B. The powers provided in this subsection may be delegated by the board to any member or employee thereof. If necessary to carry out any of its powers and duties, the board may petition any Circuit Court for an order;
- (6) To take or cause to be taken affidavits or depositions within or without the state;
- (7) Upon the filing of an application by a claimant, to negotiate binding fee settlements with the providers of services to claimants that may be eligible for an award under KRS 346.130(3);
- (8) To make available for public inspection all board decisions and opinions, administrative regulations, written statements of policy, and interpretations formulated, promulgated, or used by it in discharging its functions;
- (9) To publicize widely the availability of reparations and information regarding the claims therefor; and
- (10) To make an annual report, by January 1 of each year, of its activities for the preceding fiscal year to the Office of the State Budget Director and to the Interim Joint Committee on Appropriations and Revenue. Each such report shall set forth a complete operating and financial statement covering its operations during the year.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 69, sec. 2, effective June 25, 2013. -- Amended 2002 Ky. Acts ch. 183, sec. 23, effective August 1, 2002. -- Amended 1996 Ky. Acts ch. 318, sec. 328, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 188, sec. 179, effective July 15, 1980. -- Created 1976 Ky. Acts ch. 263, sec. 4.

**Legislative Research Commission Note (6/25/97).** 1996 Ky. Acts ch. 318, sec. 357, effective July 15, 1996, repealed KRS 346.110, which is cited in subsection (2) of this statute. Judicial review in this area is now treated by KRS 346.080(8).