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TEAM EASTERN KENTUCKY FLOOD RELIEF FUND PROGRAM GUIDELINES

The Team Eastern Kentucky Flood Relief Fund (the “Fund”) was established to assist with recovery efforts related to the severe weather system that began on July 26, 2022, generating multiple rounds of heavy torrential rain and resulting in flooding, flash flooding, mudslides, and landslides throughout portions of the Commonwealth of Kentucky.

The above-referenced weather system has been catastrophic and has created dangerous conditions, death and injury, and damage to public infrastructure, utility distribution systems, and private properties that endanger public health and safety. Governor Andy Beshear therefore directed the Secretary of the Public Protection Cabinet (the “Cabinet”) to establish the Fund and to accept and expend monies from it pursuant to state law, including, but not limited to, KRS 11.065(2), KRS 12.020, KRS 12.070, KRS 12.252, and KRS 12.270(2), for the purpose of aiding the above-referenced recovery efforts by directly assisting individuals who were impacted by the devastating storms and flooding.

The following Program Guidelines establish: (1) the parameters under which monies donated to the Fund may be expended; (2) eligibility criteria for receipt of monies from the Fund; and (3) the process for receiving, adjudicating, and paying requests for assistance from the Fund.

Program Operations and Guidelines

Under KRS 11.065(2) and KRS 12.270(2), the Cabinet may accept monies from any source, public or private, for deposit into the Fund.

Under KRS 11.065(2) and KRS 12.270(2), the Cabinet shall expend monies from the Fund in order to assist and indemnify those persons, organizations, or entities that will assist Kentucky in response and rebuilding following the severe weather system that began on July 26, 2022, and may further provide awards directly to individuals detrimentally impacted by the above-referenced severe weather system, subject to the following terms and conditions:

1. No Administrative costs or fees (expenditures that are not direct aid to Kentucky residents affected by the above-referenced weather system that began on July 26, 2022) shall be

expended from the Fund except as should be necessary for the payment of processing fees imposed by merchant banks or credit card companies.

2. No benefits paid from federal sources, including without limitation monies from the Federal Emergency Management Agency (“FEMA”), shall be duplicated, so as not to require the repayment of any federal monies received by individuals or households and to maximize the financial resources available to impacted Kentuckians, pursuant to 42 U.S.C.A. § 5155 and 44 C.F.R. § 206.191.
3. Payments shall be limited to citizens of the Commonwealth of Kentucky who reside in counties that are listed or are later added to the FEMA Disaster Declaration DR-4663-KY and where FEMA Individual Assistance is available, and/or Qualified Nonprofit Organizations (a nonprofit organization, entity, or institution, including but not limited to tax exempt organizations under Internal Revenue Code Section 501(c)(3) or 501(c)(4) and religious organizations) with a physical presence within the Commonwealth of Kentucky.
4. The Fund shall be subject to audit, and any records generated as a result of administration of the Fund shall be subject to the provisions of the Kentucky Open Records Act, KRS 61.870, *et. seq.*

A recipient meeting the eligibility criteria set out below may receive a financial award which shall be paid directly to the recipient in the sole discretion of the Cabinet or its designee. Awards may be made in any amount. A Qualified Nonprofit Organization awarded any monies to pay directly to an individual shall agree not to expend financial awards made from the Fund on Administrative costs or fees.

All awards shall be subject to the availability of funds, and all awards made from the Fund shall be purely a matter of grace and not subject to any appeal. The establishment of the Fund is not intended to create and shall not create any individual or organizational right, privilege, property interest, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the Commonwealth of Kentucky, its agents, departments, political divisions, or other entities, or any officers, employees, or agents thereof, or any other persons.

Eligibility Criteria

The person who is responsible, or would be responsible absent donations, for the payment of funeral expenses for an individual whose death was related to the severe weather system that began on July 26, 2022, may receive direct financial assistance from the Fund in an amount not to exceed \$10,000 for the purpose of assisting in the payment of those funeral expenses or other expenses associated with the person’s death. The Cabinet or its designee shall coordinate such direct payments and shall obtain all necessary information from the Kentucky Office of Vital Statistics, coroners, or other appropriate entities to verify eligibility for any direct payment under this paragraph.

In addition, the Cabinet may make distributions from the Fund directly to Kentucky citizens who were detrimentally impacted by the severe weather system that began on July 26, 2022, and who reside in counties that are listed or are later added to the FEMA Disaster Declaration DR-4663-KY and where FEMA Individual Assistance is available.

Finally, a Qualified Nonprofit Organization shall be eligible to receive a financial award from the Fund if it agrees to use all awarded funds to serve Kentucky residents affected by the severe weather system that began on July 26, 2022, by assisting with the provision of food, clothing, shelter, utilities, medical expenses, household needs, or other necessities of life. Funds can also be used to provide long-term financial or other assistance and rebuilding to those impacted by the severe weather system that began on July 26, 2022.

Necessary Documentation

All recipients of financial awards from the Fund shall certify that they are in compliance with the Program Guidelines and eligibility requirements. Fraudulent applications will be referred to appropriate law enforcement entities for investigation and potential prosecution.

Any Qualified Nonprofit Organization that receives a financial award from the Fund shall document expenditures of all awarded monies. The documentation must be retained for at least two (2) years following the distribution of all awarded funds and shall be subject to inspection during that time by the Cabinet or its designee.

Team Eastern Kentucky Tornado Relief Fund

Supplement Assistance Payment

Summary

The supplemental assistance payment is a one-time payment issued to all individuals who have received assistance provided by the Federal Emergency Management Agency (FEMA) for losses as a result of the weather-related events in Kentucky beginning on July 26, 2022, identified by FEMA as DR 4663.

Process

- Individuals were not required to submit an application to the Team Eastern Kentucky Flood Relief Fund to receive a supplemental assistance payment.
- Under an information sharing access agreement, the Public Protection Cabinet obtained data from FEMA through Kentucky Emergency Management identifying individuals who received assistance.
- A supplemental assistance payment of \$500 dollars will be mailed directly to the individual to the address provided in the data from FEMA.