

17 KAR 5:020. Kentucky Medal for Freedom.

RELATES TO: KRS 40.353

STATUTORY AUTHORITY: KRS 40.353

NECESSITY, FUNCTION, AND CONFORMITY: KRS 40.353 authorizes the Kentucky Department of Veterans Affairs (KDVA) to award the Kentucky Medal for Freedom to eligible recipients and requires the Kentucky Department of Veterans Affairs (KDVA) to maintain a Kentucky Medal for Freedom honor roll and to promulgate administrative regulations to carry out the provisions of this section. This administrative regulation establishes the requirements for the Kentucky Medal for Freedom program.

Section 1. Definitions.

- (1) "Applicant" means a person, eighteen (18) years old or older, who is seeking the Medal for Freedom on behalf of the deceased recipient.
- (2) "Primary next of kin" means the person or persons with whom the Medal for Freedom shall be presented.
- (3) "Recipient" means the deceased military person who was killed in action and is being honored by award of the Medal for Freedom.

Section 2. Application Procedure to Nominate Recipient.

- (1) Any adult, age eighteen (18) or older, may nominate someone to receive the Kentucky Medal for Freedom.
- (2) The nomination process shall be initiated by filling out a Kentucky Medal for Freedom Nomination.
- (3) All requests and inquiries concerning the Kentucky Medal for Freedom shall be directed to: Kentucky Department of Veterans Affairs, Kentucky Medal for Freedom Contact Person, 1111B Louisville Rd., Frankfort, Kentucky 40601.
- (4) Each Medal for Freedom that is awarded shall be presented to the primary next of kin using this order of priority:
 - (a) Widow or widower;
 - (b) Children;
 - (c) Parents, unless legal custody was granted to another person;
 - (d) Blood or adoptive relative granted legal custody;
 - (e) Siblings in the order of age, beginning with the oldest;
 - (f) Grandparents;
 - (g) Another relative; or
 - (h) Close friend or associate.

Section 3. Medal for Freedom Award Panel.

- (1) A panel of three (3) full-time employees of the Kentucky Department of Veterans Affairs shall review all applications.
- (2) The commissioner or the deputy commissioner shall act as chairperson for the award panel.
- (3) The other two (2) members of the Panel shall be chosen from among the senior staff of the department, such as the executive director, Office of Kentucky Veterans Centers; Cemetery Branch Manager; Field Operations Branch Manager; cemetery directors; and administrators of the state veterans nursing homes.
- (4) The award panel shall decide whether an application shall be approved and, if so, which primary next of kin shall receive the medal.
- (5) Multiple medals for the same recipient may be awarded at the discretion of the award panel.

Section 4. Kentucky Medal for Freedom Honor Roll. The Department shall establish a permanent honor roll, listing each recipient's name and branch of service.

(1) The honor roll shall reside on a permanent basis in the Office of the Commissioner, Kentucky Department of Veterans Affairs, Frankfort, Kentucky.

(2) The Honor Roll shall be made available for display at special occasions such as Memorial Day, Veterans Day, or during special ceremonies conducted at state or federal cemeteries located throughout the Commonwealth.

Section 5. Incorporation by Reference.

(1) Kentucky Medal for Freedom Nomination, KDVA Form 5, January 2009, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Veterans Affairs, 1111B Louisville Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material shall also be available on the department's Web site at www.veterans.ky.gov/.

(47 Ky.R. 605, 1192; eff. 3-2-2021.)