

330.120 Investigation of complaint -- Conditions -- Authorized board actions for investigation -- Disposition hearing.

- (1) The board may upon its own motion, and shall upon the verified written complaint of any person, investigate the actions of any licensee or any person who assumes to act as a licensee if the complaint, or complaint together with other evidence presented in connection with it, presents a prima facie case of a violation of this chapter. If a prima facie case is not established or the violation is deemed inconsequential, the board may immediately dismiss the complaint.
- (2) To investigate allegations of practices violating this chapter, the board may:
 - (a) Issue subpoenas to compel attendance of witnesses and the production of books, papers, documents, or other evidence;
 - (b) Administer oaths;
 - (c) Review evidence;
 - (d) Examine witnesses; and
 - (e) Pay appropriate witness fees.
- (3) If, after an investigation that includes opportunity for the licensee to respond, the board determines that a violation took place but was not of a serious nature, it may issue a written admonishment to the licensee. A copy of the admonishment shall be placed in the file of the licensee. The licensee shall have the right to file a response to the admonishment within thirty (30) days of its receipt and to have the response placed in the licensure file. The licensee may alternatively, within thirty (30) days of the receipt, file a request for hearing with the board. Upon receipt of this request, the board shall set aside the written admonishment and set the matter for hearing under the provisions of KRS Chapter 13B.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 24, sec. 3, effective July 14, 2022. -- Amended 2009 Ky. Acts ch. 70, sec. 13, effective June 25, 2009. -- Amended 1998 Ky. Acts ch. 285, sec. 8, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 344, sec. 11, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 170, sec. 11, effective July 13, 1990. -- Created 1962 Ky. Acts ch. 251, sec. 12.