

212.635 Commissioner -- Appointment -- Qualifications -- Duties.

- (1) The board shall appoint a commissioner for the department with the qualifications specified and subject to the provisions set forth under subsection (3) of this section.
- (2) The board shall hear and decide appeals from rulings, decisions, and actions of the department or commissioner, where the aggrieved party makes a written request to the board within thirty (30) days after the ruling, decision, or action complained of.
- (3) The commissioner may be a physician, qualified as a public health administrator and licensed or eligible for a license as a medical practitioner in the Commonwealth of Kentucky, or may be a nonphysician with a minimum of a master's degree in public health or a related field and at least five (5) years of experience in public health or a related field. The commissioner of the health department shall receive an annual salary as prescribed by the board subject to the provisions of the department's merit system, payable as other salaries are paid, and shall serve at the pleasure of the board. If the commissioner is removed by the board he or she shall be notified in writing. Before his or her removal shall become effective, the commissioner shall have fourteen (14) calendar days within which to make a written request for a hearing. The board shall not be required to hold a hearing unless so requested by the commissioner. If no such request is made the removal shall become effective upon the expiration of the fourteen (14) day period. If a request for a hearing is made the hearing shall be held at the office of the board within fourteen (14) calendar days after the request is received by the board. The commissioner shall not be removed until after a hearing has been held if requested and a decision rendered by the board. The board's decision shall be final.
- (4) The commissioner shall serve as secretary to the board and keep full minutes of the proceedings of the board. The commissioner shall be the chief administrative officer of the department. The commissioner may employ and fix the compensation of, by contract or otherwise, all medical, technical, clerical, professional, and other employees necessary for the maintenance and operation of the department in accordance with the merit system as established by the board.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 180, sec. 2, effective June 29, 2023. -- Created 1976 Ky. Acts ch. 347, sec. 9, effective July 1, 1977.