

**43.035 Commonwealth Office of the Ombudsman -- Duties. (Effective July 1, 2024)**

The Commonwealth Office of the Ombudsman is hereby created and is an independent office that shall be administratively attached to the Auditor of Public Accounts. The Auditor shall appoint an executive director of the Commonwealth Office of the Ombudsman. The Commonwealth Office of the Ombudsman shall:

- (1) Investigate, upon complaint or on its own initiative, any administrative act of an organizational unit, employee, or contractor of the Cabinet for Health and Family Services without regard to the finality of the administrative act. Organizational units, employees, or contractors of the Cabinet for Health and Family Services shall not willfully obstruct an investigation, restrict access to records or personnel, or retaliate against a complainant or cabinet employee;
- (2) Make recommendations that resolve citizen complaints about the Cabinet for Health and Family Services and improve the cabinet's performance and may require corrective action when policy violations are identified;
- (3) Provide evaluation and information analysis of the Cabinet for Health and Family Service's performance and compliance with state and federal law;
- (4) Place an emphasis on research and best practices, program accountability, quality service delivery, and improved performance of the Cabinet for Health and Family Services;
- (5) Provide information on how to contact the office for public posting at all offices where Department for Community Based Services of the Cabinet for Health and Family Services employees or contractors work, at any facility where a child in the custody of the cabinet resides, and to all cabinet or contracted foster parents;
- (6) Report to the Cabinet for Health and Family Services, Office of Inspector General for review and investigation:
  - (a) Any charge or case against an employee of the Cabinet for Health and Family Services where it has cause to believe the employee has engaged in dishonest, unethical, or illegal conduct or practices related to his or her job duties; or
  - (b) A violation of state law or administrative regulation by any organization or individual regulated by or contracted with the cabinet;
- (7) Compile a report of all citizen complaints about programs or services of the Cabinet for Health and Family Services and a summary of resolution of the complaints and submit the report upon request to the Interim Joint Committee on Health Services and the Interim Joint Committee on Families and Children; and
- (8) Provide information to the Office of the Attorney General, when requested, related to substantiated violations of state law against an employee or contractor of the Cabinet for Health and Family Services or a foster or adoptive parent.

**Effective:** July 1, 2024

**History:** Created 2023 Ky. Acts ch. 124, sec. 86, effective July 1, 2024.

**Legislative Research Commission Note (7/1/2024).** Pursuant to Ky. Acts ch. 124, sec. 103, a reference to the Interim Joint Committee on Health, Welfare, and Family Services in subsection (7) of this section has been changed in codification to the Interim Joint Committee on Health Services and the Interim Joint Committee on

Families and Children.