LEGISLATIVE OVERSIGHT & INVESTIGATIONS COMMITTEE

Minutes

October 10, 2025

Call to Order and Roll Call
The fifth meeting of the Legislative Oversight and Investigations Committee was held on Thursday, October 10, 2025 at 1 p.m. in Room 131 of the Capitol Annex. Senator Greg Elkins, Chair, called the meeting to order, and the secretary called the roll.

Present were:
Members: Senator Greg Elkins, Co-Chair; Representative Scott Sharp, Co-Chair; Senator Jason Howell, Vice-Chair; Senators Danny Carroll, Gerald A. Neal, Aaron Reed, Reginald L. Thomas, and Phillip Wheeler; Representatives Lindsey Burke, Adrielle Camuel, Matt Lockett, and Tom Smith.

Guests: Lesa Dennis, commissioner, Department for Community Based Services; Wesley Duke, general counsel, Cabinet for Health and Family Services; Melanie Taylor, director of Division of Protection and Permanency, Department for Community Based Services; Beth Hertweck, executive advisor in the Commissioner's Office, Department of Revenue; Hamid Khan, doris program director, Department of Revenue; Bethany Adkins Rice, general counsel, Department of Revenue; Victoria Elridge, commissioner, Department of Aging and Independent Living; and Amy Metzger, division director, Department for Aging and Independent Living.

LRC Staff: Committee Staff Administrator William Spears; Committee Analysts Jacob Blevins, Austin Fraley, Christopher T. Hall, Taylor Johnston, Jonathan Rickett, Austin Sprinkles, Shane Stevens, Joel S. Thomas, and Holly Tracy; and Research Assistant Maegan Mohr.

Approve Minutes from September 11, 2025
Upon motion by Representative Lockett and second by Representative Burke the minutes for the September 11, 2025, meeting were approved without objection.

Statewide Emergency Responder Voice System Monthly Update
Co-Chair Elkins informed the committee that the Kentucky State Police did not send a representative to provide an update on the Statewide Emergency Responder Voice System program in the wake of the project manager's retirement. Instead, Kentucky State Police provided summaries and maps of progress from the last 30 days, which are available on the Legislative Oversight and Investigations webpage.

Child Removal and Reunification Update
Lesa Dennis, commissioner of Department for Community Based Services (DCBS) and Wesley Duke, general counsel for Cabinet for Health and Family Services gave an update on progress

implementing the recommendations from LOIC's September 2024 report, one of which was to provide an update to the committee by October 2025. Since 2023, DCBS has been reviewing their structured decision-making (SDM) tools to assess for accuracy, how the tools provide data decision-making data, and the safety impact. Over this 2-year review period, the intake assessment tool has remained consistent at 99 percent utilization in cases. The agency has observed a 5 percent increase between 2023 and 2024 in report referrals being screened for acceptance. Additionally, DCBS has seen an increased use of both the safety assessment tool and the risk assessment tool. From 2023 to 2024, use of the safety assessment tool rose from 91 percent to 94 percent and use of the risk assessment tool rose from 88 percent to 92 percent in the same amount of time. The percentage of children found safe with a plan rose from 67 percent in 2023 to 73 percent in 2024. Data also indicated a 12 percent improvement in cases opened where there were safety concerns identified.

This assessment considered opportunities for improvements to the tools to enhance decision-making transparency, collecting more information, and modifying the TWIST case management system for more detailed analysis. In some cases, social workers and their supervisors decide to make a different decision in a case than the recommendation provided by the tool. DCBS plans to add drop-down boxes to TWIST to indicate reasons social worker decisions differ from the tool. Additionally, DCBS is changing its policy to reflect the consultation that takes place between social workers and their supervisors to assess the history of the case, the current safety factors, and whether to open a case in those instances. DCBS expects the TWIST changes to be made by spring or summer 2026.

In response to a question from Representative Sharp, Commissioner Dennis explained that a conversation takes place between a supervisor and a social worker when the worker disagrees with the case management system's recommendations, with the supervisor having final approval. The current procedure is outlined in the manual and would be updated once the case management system changes are implemented.

In response to a question from Senator Howell, Commissioner Dennis said DCBS always assesses for safety when deciding whether to remove a child from their home. If needs can be met in home, then the children remain in the home. If the child's needs cannot be met, removal is the preferred option. The structured decision-making process has been in place for 2 years and they are monitoring the data regarding removals versus non-removals.

In response to a question from Senator Wheeler, Commissioner Dennis confirmed that the child removal process discussed was not about alternative response. DCBS's practice of assessing cases has not changed in response to the addition of the structured decision-making tool approximately 2 years ago and it is a way for the workers to manage case information. DCBS is constantly reevaluating cases for ways to keep children safe.

In response to a question from Representative Smith, Commissioner Dennis said DCBS has a hybrid work-from-home policy where employees can work remotely up to two days per week, although most of her employees are in the field every day of the week.

In response to a question from Representative Smith, Mr. Duke indicated that he had not received directives to not communicate with legislators and that they do their best to collect requested information and to respond to queries.

In response from a second question from Representative Smith, Mr. Duke said that Kentucky is a mandatory reporting state and workers follow protocol when a report comes in from a doctor. Commissioner Dennis said that if the case seems to meet acceptance criteria, then an agent would be assigned and a case would be opened. Representative Smith expressed concern over a recent call he received from a doctor who had reported a case that resulted in no follow up.

In response to a question from Representative Burke, Commissioner Dennis said that the number of available foster homes does not factor into a decision about removal and that a child's safety is the primary concern.

In response to a question from Senator Elkins about adhering to placement standards, Commissioner Dennis acknowledged it is a struggle to meet federal expectations and gave an overview of challenges that impact federally regulated time frames for permanency outcomes like delays in the court system. She emphasized that the lack of foster homes was not one of those factors.

Small Business Sales Tax Website

Beth Hertweck, executive advisor in the Commissioner's Office in the Department of Revenue (DOR); Hamid Khan, doris program director for DOR; and Bethany Atkins Rice, general counsel for DOR presented on the Department of Revenue's new tax-paying portal for small business owners. Ms. Hertweck gave an overview of the new modernization program known as doris which allows small businesses to file and pay business taxes and manage their tax accounts. The system is down for scheduled maintenance every other Thursday from 7 p.m. to 9 p.m., but the times are posted in advance. Outside of those times, the site has maintained above 99 percent availability since it was launched in March.

In response to a question from Senator Thomas, Ms. Hertweck answered that online tax services for the Department of Revenue have moved from the Kentucky Business One Stop website to its new site, mytaxes.ky.gov. Taxpayers can contact the customer contact center at 502-764-5555 or email portalhelp@ky.gov when they want to utilize the portal.

In response to a question from Senator Wheeler, Ms. Hertweck said that in the first 4 to 6 weeks the MyTaxes site experienced more downtime due to heavy traffic, but in the last 3 months, only one day of unexpected downtime has been recorded.

Senior Citizen Meal Programs

Victoria Elridge, commissioner of the Department for Aging and Independent Living (DAIL); Amy Metzger, division director for DAIL; and Wesley Duke, general counsel for the Cabinet of Health and Family Services presented on recent cuts to Kentucky's senior citizen meal program. The program is funded by both federal and state funds which are administered through 15 Area Development Districts (ADD) across the state. There have been no cuts to funding for the program, however, the program has experienced a 35 percent participation increase and a 55 percent increase in meals served from 2019 to 2025. This has caused the program to outgrow the budget that was created in 2023. The executive branch supplemented the program's funding in the last fiscal year with one-time funds to sustain operations; however, due to a $300 million deficit in the state budget, the funds were not available for this fiscal year. The absence of the one-time funds will not impact some ADDs. DAIL is prepared to provide technical assistance to the ADDs that will be impacted by lack of funding. They have also sent recommendations to each of the ADDs to support seniors with the highest malnutrition score.

In response to a question from Representative Lockett, Commissioner Elridge stated that the funds the program received in the previous fiscal year were American Rescue Plan Act (ARPA) dollars as well as vacancy credits or unexpended state funds. Commissioner Elridge stated that the $300 million shortfall is the reason that additional state funds are not available this fiscal year.

In response to questions from Senator Wheeler, Commissioner Elridge agreed that the legislature approved all the funds that the department requested. Ms. Metzger said that the ADDs anticipated the need for more funding, but the growth did not support additional expenditures in the budget request. Commissioner Elridge said the cabinet uses forecasting measures to predict funding needs. It is federal law that there is no income requirement for any person 60 and over to receive a meal through this program. State law dictates ability requirements in order to receive a delivered home meal.

In response to a question from Senator Wheeler, Mr. Duke said that he could not comment due to lack of context. He also said that demand has outgrown the prior funding estimates which has led to the current status of the program.

In response to questions from Senator Elkins, Commissioner Elridge said that anyone 60 or older can receive a meal at one of the state's senior centers. Mr. Duke said they can revisit the Older Americans Act of 1965 to see if DAIL is allowed to prioritize need when distributing meals. Commissioner Elridge said that the ADDs indicated they wanted to continue operating on a budget of $14 million, but the department's forecasting in 2023 anticipated a need of $10 million.

In response to a question from Senator Carroll, Mr. Duke said that he did not know why the governor has not called a special session to remedy the program's deficit. Commissioner Elridge indicated that last fiscal year the department expended $32 million for the program and $23 million appropriated for the current fiscal year. Some of the ADDs had federal carryover that they were able to use for their district in the prior fiscal year. Ms. Metzger said that there are $12.7 million in federal funds available for the current fiscal year, for a total of $23.9 million when state general funds are added. In response to Senator Carroll asking about limiting meals, Commissioner Elridge confirmed DAIL is operating within its available budget. In FY 2025, almost 30,000 Kentuckians were served meals, with 3.1 million meals served. More meals were served than were anticipated in the budget. The budget was developed in fall 2023 and DAIL was not aware there would be a budget shortfall in 2025.

In response to a question from Senator Carroll, Mr. Duke said he knew there were discussions, but he could not say there was a plan to locate funds for the meals program from somewhere else in the cabinet. Senator Carroll expressed a desire for the governor to call a special session or to find the money to bolster the program.

In response questions from Senator Thomas, Mr. Duke said he would have to confirm if the Older Americans Act of 1965 reads “can” instead of “shall” in regards to those over 60 receiving meals. Commissioner Elridge confirmed that anyone over the age of 60 can walk into a center and receive a meal from the program. The senior citizen meal program is a federal program and DAIL receives federal funds to sustain operations. The current government shutdown does not affect funding to the program. Mr. Duke said that he is not aware of any conversations between the Speaker of the House, the Senate President, and the Governor about calling a special session.

In response to a question from Representative Burke, Commissioner Elridge confirmed that the price of the meals is currently $10.16 which has increased from when the budget was calculated in fall of 2023. Mr. Duke said no preference has been indicated to him between solving the problem via special session or as soon as the regular session begins in January 2026.

In response to a question from Representative Smith, Mr. Duke said he would have to consult the cabinet’s budget staff before he could indicate if there was any money within the cabinet that could be allocated to the program.

In response to a question from Senator Carroll, Mr. Duke, Commissioner Elridge, and Ms. Metzger said they were not aware of any plans from the Governor for the program’s funding issues, and notice informing the ADDs of the state deficit was sent on September 8, 2025 resulting in a change of programming. Senator Carroll expressed his desire to find a solution for the program.

In response to a question from Senator Wheeler, Mr. Duke said that the constitution section regarding the governor having the sole responsibility to call a special session speaks for itself.

In response to a question from Representative Camuel, Commissioner Elridge confirmed that demand for this program has recently increased. Ms. Metzger said she did not know what the price per meal was when the budget was made in 2023, but that she could obtain that information for the committee. Commissioner Elridge said the current plan to operate within the deficit is to prioritize ADDs with the greatest need and the cabinet is working with those experiencing cuts to help them. Some ADDs will not experience a shortfall. She identified the Cumberland Valley ADD as the district bracing for the most cuts.

In response to a question from Senator Howell, Ms. Metzger said that the program is funded by monthly reimbursements from the general fund, and accounts, budgets, and balances are reviewed monthly. Ms. Metzger said she did not know how the program's budget compares with expenditures for the first quarter but that she would provide it to the committee.

In response to a question from Senator Howell regarding a notice sent to the ADDs, Commissioner Elridge said that "one-time funds" means funds only available once and that, during budget planning, she was aware that the $14 million in COVID funds would expire September 30, 2025. Ms. Metzger said that they were hoping to supplement the program deficit with an in-year appropriation increase before the Governor announced the $300 million shortfall. Ms. Metzger confirmed that DAIL was attempting to grow the program while the ADDs stated they needed more money. The cabinet was anticipating asking for more money during the next session.

In response to a question from Senator Howell regarding a memo sent from Commissioner Elridge to the ADDs on September 8, 2025, Commissioner Elridge clarified that the federal funds referenced recurring federal funding for this program which had decreased by 0.2 percent. In FY 2026, the program was awarded $12.7 million in federal funds. No other federal changes have occurred to the senior meal program. The funding for the program includes state general funds and federal funds. Ms. Metzger said that she would have to find the total amount of federal carryover funds that were available to the program for the 2025-26 fiscal year. Mr. Duke, Ms. Metzger, and Commissioner Elridge said that they were not aware of any general plans from the governor's office to supplement the program's funding.

In response to a question from Representative Lockett about contact with the governor's office since sending the notification letter to the ADDs, Commissioner Elridge and Mr. Duke said the only contact they had with the governor's office was to prepare for this committee meeting. Commissioner Elridge said that the Secretary for the Cabinet for Health and Family Services, Dr. Steven Stack, has had conversations about this issue with the Governor. Mr. Duke said that he believes the next steps will be to reassess resources as a department and cabinet to develop a solution.

In response to a question from Senator Elkins, Commissioner Elridge confirmed that a major factor in funding for meals was a statewide $300 million shortfall.

Representative Smith acknowledged firefighter training data in committee members' folders. The handout is available on the Legislative Oversight and Investigations Committee website.

Adjournment

Upon motion by Senator Reed and second by Representative Lockett, the meeting was adjourned at 2:47 p.m.