

1 AN ACT relating to boards of health.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 212.635 is amended to read as follows:

- 4 (1) The board shall appoint a commissioner for the department with the qualifications
5 specified and subject to the provisions set forth under subsection (3) of this section.
- 6 (2) The board shall hear and decide appeals from rulings, decisions, and actions of the
7 department or commissioner, where the aggrieved party makes a written request to
8 the board within thirty (30) days after the ruling, decision, or action complained of.
- 9 (3) The commissioner shall be a physician, qualified by training in public health,
10 preventive medicine and public administration and duly qualified and licensed or
11 eligible for a license as a medical practitioner in the Commonwealth of Kentucky.
12 He or she shall receive an annual salary as prescribed by the board subject to the
13 provisions of the department's merit system, payable as other salaries are paid, and
14 shall serve at the pleasure of the board. If the commissioner is removed by the board
15 he or she shall be notified in writing. Before his or her removal shall become
16 effective, the commissioner shall have fourteen (14) calendar days within which to
17 make a written request for a hearing. The board shall not be required to hold a
18 hearing unless so requested by the commissioner. If no such request is made the
19 removal shall become effective upon the expiration of the fourteen (14) day period.
20 If a request for a hearing is made the hearing shall be held at the office of the board
21 within fourteen (14) calendar days after the request is received by the board. The
22 commissioner shall not be removed until after a hearing has been held if requested
23 and a decision rendered by the board. The board's decision shall be final.
- 24 (4) The commissioner shall devote his or her entire time to the duties of his or her
25 office, which shall include teaching, research, service and administrative duties, and
26 shall not engage in the private practice of medicine. He or she shall serve as
27 secretary to the board and keep full minutes of the proceedings of the board. The

1 commissioner shall be the chief administrative officer of the department. The
2 commissioner may employ and fix the compensation of, by contract or otherwise,
3 all medical, technical, clerical, professional, and other employees necessary for the
4 maintenance and operation of the department in accordance with the merit system
5 as established by the board.