

1 AN ACT relating to operations within the Cabinet for Health and Family Services.

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

3 ➔Section 1. KRS 199.430 is amended to read as follows:

4 (1) In the discharge of the duties imposed by KRS 199.420 to 199.670 the secretary or  
5 his or her duly authorized representative may administer oaths and affirmations,  
6 take depositions, certify official acts, and issue subpoenas to compel the attendance  
7 of witnesses and production of books, papers, correspondence, memoranda and  
8 other records considered necessary and relevant as evidence in connection with the  
9 administration of the cabinet. Such subpoena shall be served in the same manner as  
10 a subpoena issued out of a circuit court. Witnesses subpoenaed shall be allowed  
11 mileage allowance according to KRS 421.015 for each day their attendance is  
12 actually required at a hearing.

13 (2) No person shall be excused from attending and testifying or from producing books,  
14 papers, correspondence, memoranda or other records in response to such subpoena  
15 on the grounds that the evidence required of him or her may tend to incriminate  
16 him or subject him to a penalty for forfeiture. No person shall be prosecuted or  
17 subjected to any suit, penalty, or forfeiture on account of any transaction, matter, or  
18 thing concerning which he or she or his or her agent or worker is compelled, after  
19 having claimed privilege against self-incrimination, to give evidence, except that  
20 such witness so testifying shall not be exempt from punishment for perjury.

21 (3) All letters, reports, communications, and other matters, written or oral, to the  
22 cabinet or any of its agents, representatives, or employees, or to any board or  
23 official functioning under KRS 199.420 to 199.670, which have been written, sent,  
24 or made in connection with the requirements and administration of the cabinet shall  
25 be absolutely privileged and shall not be the subject matter or basis for any suit for  
26 slander or libel in any court, but no person testifying before the secretary or his or  
27 her duly authorized representative shall be exempt from punishment for perjury.

1 Information obtained shall not be published or be open for public inspection, except  
2 to public employees in the performance of their duties, but any interested party at a  
3 hearing before the secretary or his or her duly authorized representative shall be  
4 supplied with information from such records to the extent necessary for the proper  
5 presentation of his or her case.