

921 KAR 2:060. Delegation of power for oaths and affirmations.

RELATES TO: KRS 205.170(1), 42 U.S.C. 601-619

STATUTORY AUTHORITY: KRS 194A.050(1), 205.170(1), 205.200, 42 U.S.C. 601-619

NECESSITY, FUNCTION, AND CONFORMITY: KRS 194A.050(1) requires the secretary of the cabinet to promulgate administrative regulations necessary under applicable state laws to protect, develop, and maintain the welfare, personal dignity, integrity, and sufficiency of the citizens of the Commonwealth and to operate the programs and fulfill the responsibilities of the cabinet. KRS 205.200 requires the Cabinet for Health and Family Services to administer the public assistance program in conformity with the Public Assistance Titles of the Social Security Act, its amendments, and other federal acts and regulations, including 42 U.S.C. 601 to 619, and to provide supplemental payments to persons who are aged, blind, or have a disability. This administrative regulation establishes the designation of certain employees by the secretary of the cabinet to administer oaths and affirmations, in conformity with KRS 205.170(1).

Section 1. Specific Worker Designation. The following classifications of employees shall be designated as duly authorized representatives of the Secretary of the Cabinet for Health and Family Services to administer an oath or affirmation to an applicant or recipient:

- (1) Family support specialist III;
- (2) Case management specialist;
- (3) Program specialist;
- (4) Field services supervisor;
- (5) Service region administrator associate; and
- (6) Service region administrator.

Section 2. Purpose. An oath or affirmation shall be administered by a designated representative to an applicant or recipient to:

- (1) Obtain a sworn statement regarding a claim that a check issued through a cabinet program has been:
 - (a) Lost;
 - (b) Misplaced; or
 - (c) Stolen;
- (2) Request a replacement check; or
- (3) View a check endorsement.

Section 3. Process.

- (1) A PAFS-60, Affidavit, shall be used if:
 - (a) A check is reported lost or stolen to request a replacement check within twelve (12) months of intended receipt; or
 - (b) A check endorsement is viewed when a reported lost or stolen check is cashed.
- (2) If the payee reports non-receipt, loss, or theft of a check, the payee shall come into the office to complete a PAFS-60 within four (4) work days of reporting non-receipt of the check in effort to place a stop payment on the check.
- (3) If the original check has been cashed, a photocopy of the cashed check shall be forwarded to the local office.
 - (a) The payee shall view the endorsement; and
 - (b) If the signature is not that of the payee, the payee shall sign the PAFS-60 stating the:
 1. Signature on the photocopy is not the payee's signature; and
 2. Payee received no benefit from the cashing of the check.

Section 4. Incorporation by Reference.

(1) The "PAFS-60, Affidavit", 12/28/15, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Cabinet for Health and Family Services, Department for Community Based Services, 275 East Main Street, Frankfort, Kentucky 40621, Monday through Friday, 8 a.m. to 4:30 p.m.

(3 Ky.R. 429; eff. 1-5-1977; Am. 7 Ky.R. 789; eff. 5-6-1981; 16 Ky.R. 246; eff. 9-20-1989; 20 Ky.R. 2252; eff. 3-14-1994; 22 Ky.R. 393; eff. 9-20-1995; 24 Ky.R. 988; 1520; eff. 1-12-1998; Recodified from 904 KAR 2:060, 10-30-1998; 28 Ky.R. 2276; 2593; eff. 6-14-2002; TAm eff. 10-27-2004; TAm eff. 1-27-2006; 39 Ky.R. 1327; eff. 3-8-2013; 40 Ky.R. 2910; eff. 9-5-2014; 42 Ky.R. 601; 1243; eff. 11-18-2015.)