

1 AN ACT relating to confidential treatment of records.

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

3 ➔Section 1. KRS 205.175 is amended to read as follows:

4 (1) All letters, reports, communications, and other matters, written or oral, to the
5 cabinet or any of its agents, representatives, or employees, or to any board or
6 official functioning under this chapter which have been written, sent, or made in
7 connection with the requirements and administration of the cabinet shall be
8 absolutely privileged and shall not be the subject matter or basis for any suit for
9 slander or libel in any court, but no person testifying before the secretary or his duly
10 authorized representative shall be exempt from punishment for perjury.

11 (2) Information received or transmitted shall not be published or be open for public
12 inspection, including instances in which the agency determines reasonable cause to
13 believe evidence of domestic violence or child abuse and the disclosure of the
14 information could be harmful to the custodial parent or the child of the parent,
15 except that necessary information and records may be furnished to:

16 (a) Public employees in the performance of their duties in connection with the
17 administration of the public assistance or child support enforcement program
18 pursuant to Part D of Title IV of the Social Security Act;

19 (b) All law enforcement agencies including county attorneys, Commonwealth's
20 attorneys, District and Circuit Judges and grand juries in discovering and
21 prosecuting cases involving fraud;

22 (c) Duly elected members of the General Assembly of the Commonwealth of
23 Kentucky and the Congress of the United States in connection with their
24 duties as members of such legislative bodies, but such information shall be
25 limited to cases of individual constituents of the legislator, who have
26 requested information regarding their application or grant, as specified in the
27 inquiry by such legislator;

- 1 (d) Any interested party at a hearing before the secretary or his duly authorized
2 representative to the extent necessary for the proper presentation of his case;
3 provided, that any names or information obtained through access to such
4 records shall not be used for any commercial or political purposes; and
- 5 (e) Any bank, savings and loan association, credit union, or other financial
6 institution to the extent necessary to ascertain or confirm information
7 submitted by the applicant or recipient and used to make eligibility or benefit
8 determinations.
- 9 (3) Information regarding a public assistance applicant or recipient may also be
10 released, in the discretion of the secretary or those he or she may designate, to such
11 individuals or agencies as meet the requirements of regulations promulgated by the
12 secretary and who are supplying or cooperating in securing services, employment,
13 or training for the applicant or recipient of public assistance.
- 14 (4) The unauthorized use by any employee of the cabinet of information obtained
15 pursuant to KRS 205.835 is prohibited.