

1 AN ACT relating to child welfare.

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

3 ➔Section 1. KRS 620.100 is amended to read as follows:

- 4 (1) If the court determines, as a result of a temporary removal hearing, that further
5 proceedings are required, the court shall advise the child and his parent or other
6 person exercising custodial control or supervision of their right to appointment of
7 separate counsel:
- 8 (a) The court shall appoint counsel for the child to be paid for by the Finance and
9 Administration Cabinet. Counsel shall document participation in training on
10 the role of counsel that includes training in early childhood, child, and
11 adolescent development. The clerk of the court shall arrange for service on all
12 parties, including the local representative of the Cabinet for Health and Family
13 Services, of the order appointing counsel. The fee to be fixed by the court
14 shall not exceed five hundred dollars (\$500); however, if the action has final
15 disposition in the District Court, the fee shall not exceed two hundred fifty
16 dollars (\$250);
- 17 (b) The court shall appoint separate counsel for the parent who exercises custodial
18 control or supervision if the parent is unable to afford counsel pursuant to
19 KRS Chapter 31. The clerk of the court shall arrange for service on all parties,
20 including the local representative of the Cabinet for Health and Family
21 Services, of the order appointing counsel. The parent's counsel shall be
22 provided or paid for by the Finance and Administration Cabinet. The fee to be
23 fixed by the court shall not exceed five hundred dollars (\$500); however, if
24 the action has final disposition in the District Court, the fee shall not exceed
25 two hundred fifty dollars (\$250);
- 26 (c) The court shall appoint separate counsel for a person claiming to be a de facto
27 custodian, as defined in KRS 403.270, if the person is unable to afford

1 counsel pursuant to KRS Chapter 31. The clerk of the court shall arrange for
2 service on all parties, including the local representative of the Cabinet for
3 Health and Family Services, of the order appointing counsel. The person's
4 counsel shall be provided or paid for by the Finance and Administration
5 Cabinet. The fee to be fixed by the court shall not exceed five hundred dollars
6 (\$500); however, if the action has final disposition in the District Court, the
7 fee shall not exceed two hundred fifty dollars (\$250);

8 (d) The court may, in the interest of justice, appoint separate counsel for a
9 nonparent who exercises custodial control or supervision of the child, if the
10 person is unable to afford counsel, pursuant to KRS Chapter 31. The clerk of
11 the court shall arrange for service on all parties, including the local
12 representative of the Cabinet for Health and Family Services, of the order
13 appointing counsel. Counsel for the person shall be provided or paid for by the
14 Finance and Administration Cabinet. The fee to be fixed by the court shall not
15 exceed five hundred dollars (\$500); however, if the action has final
16 disposition in the District Court, the fee shall not exceed two hundred fifty
17 dollars (\$250); and

18 (e) The court may, in the interest of justice, appoint a court-appointed special
19 advocate volunteer to represent the best interests of the child pursuant to KRS
20 620.500 to 620.550. The clerk of the court shall arrange for service on all
21 parties, including the local representative of the cabinet, of the order
22 appointing the court-appointed special advocate volunteer.

23 (2) If the court determines that further proceedings are required, the court also shall
24 advise the child and his parent or other person exercising custodial control or
25 supervision that they have a right to not incriminate themselves, and a right to a full
26 adjudicatory hearing at which they may confront and cross-examine all adverse
27 witnesses, present evidence on their own behalf and to an appeal.

- 1 (3) The adjudication shall determine the truth or falsity of the allegations in the
2 complaint. The burden of proof shall be upon the complainant, and a determination
3 of dependency, neglect, and abuse shall be made by a preponderance of the
4 evidence. The Kentucky Rules of Civil Procedure shall apply.
- 5 (4) The disposition shall determine the action to be taken by the court on behalf of the
6 child and his parent or other person exercising custodial control or supervision.
- 7 (5) Foster parents, preadoptive parents, or relatives providing care for the child shall
8 receive notice of, and shall have a right to be heard in, any proceeding held with
9 respect to the child. This subsection shall not be construed to require that a foster
10 parent, preadoptive parent, or relative caring for the child be made a party to a
11 proceeding solely on the basis of the notice and right to be heard.

12 **(6) If the court determines that further proceedings are required, the court shall, in**
13 **the interest of justice, ensure that separate counsel is available to advise a cabinet**
14 **employee in court anytime that the cabinet employee is required to be in court.**

15 ➔Section 2. KRS 620.142 is amended to read as follows:

- 16 (1) The cabinet shall develop custodial, permanency, and service options, including but
17 not limited to monetary supports, that shall be available to a relative or fictive kin
18 caregiver in the instance that a child, who would otherwise be placed in another out-
19 of-home placement, is placed with him or her due to a cabinet finding that the child
20 is abused, neglected, or dependent, as determined by an assessment or investigation
21 conducted in accordance with this chapter. **The custodial, permanency, and service**
22 **options available to a relative or fictive kin caregiver shall include but not be**
23 **limited to:**

24 **(a) A notification form that explains and describes the process by which a**
25 **relative or fictive kin caregiver can be certified as a child-specific foster**
26 **home and the financial and support benefits that come with that type of**
27 **placement;**

1 **(b) A one (1) time three hundred fifty dollar (\$350) electronic benefit transfer**
 2 **card per child given to the relative or fictive kin caregiver at the time a child**
 3 **is placed with the relative or fictive kin caregiver; and**

4 **(c) A detailed placement packet that lists all types of supports, financial and**
 5 **otherwise, that are available to a relative or fictive kin caregiver given to the**
 6 **relative or fictive kin caregiver at the time a child is placed with the relative**
 7 **or fictive kin caregiver.**

8 (2) The cabinet shall disclose to a prospective relative or fictive kin caregiver each of
 9 the options established in subsection (1) of this section prior to the child's
 10 placement. The prospective relative or fictive kin caregiver shall select the option
 11 that best represents the level of care and support needed for the child while the child
 12 is receiving treatment and care in the placement with the relative or fictive kin
 13 caregiver.

14 (3) The custodial, permanency, and service options required by subsection (1) of this
 15 section shall reflect nationally recognized best practices.

16 (4) The cabinet shall maximize services available under federal and state law, including
 17 but not limited to Titles IV and XIX of the Social Security Act, to fulfill the
 18 requirements of this section.

19 (5) The cabinet shall promulgate administrative regulations in accordance with KRS
 20 Chapter 13A to implement this section.

21 ➔Section 3. KRS 620.360 is amended to read as follows:

22 (1) Persons who provide foster care services to children who have been committed to
 23 the custody of the state shall be considered a primary partner and member of a
 24 professional team caring for foster children. Foster parents shall have the following
 25 rights:

26 (a) To be treated with respect, consideration, and dignity;

27 (b) To fully understand the role of the cabinet and the role of other members of

- 1 the child's professional team;
- 2 (c) To receive information and training about foster parents' rights,
3 responsibilities, and access to local and statewide support groups, including
4 but not limited to the Kentucky Foster/Adoptive Care Association, the
5 Kentucky Foster and Adoptive Parent Network, and Adoption Support of
6 Kentucky;
- 7 (d) To receive information and training to improve skills in the daily care and in
8 meeting the special needs of foster children;
- 9 (e) To receive timely and adequate financial reimbursement for knowledgeable
10 and quality care of a child in foster care within budgetary limitations;
- 11 (f) To maintain the foster family's own routines and values while respecting the
12 rights and confidentiality of each foster child placed in their home;
- 13 (g) To receive a period of respite from providing foster care, pursuant to cabinet
14 policies;
- 15 (h) To receive, upon an open records request, a copy of all information contained
16 in the cabinet's records about the family's foster home and the foster care
17 services provided by the family consistent with KRS 605.160;
- 18 (i) To access cabinet support and assistance as necessary twenty-four (24) hours
19 per day, seven (7) days per week;
- 20 (j) To receive, prior to a child being placed in the foster home pursuant to KRS
21 605.090, information relating to the child's behavior, family background, or
22 health history that may jeopardize the health or safety of any member of the
23 foster family's household, including other foster children, and similar
24 information that may affect the manner in which foster care services are
25 provided, consistent with KRS 605.160. In an emergency situation, the cabinet
26 shall provide information as soon as it is available;
- 27 (k) To refuse placement of a child within the foster home and to request, with

- 1 reasonable notice to the cabinet, the removal of a child from the foster home
2 without fear of reprisal;
- 3 (l) To communicate, with an appropriate release of information consistent with
4 KRS 605.160, with other professionals who work directly with the foster
5 child, including but not limited to teachers, therapists, and health care
6 practitioners and to notify the cabinet within twenty-four (24) hours of the
7 communication;
- 8 (m) To assist the cabinet in the development of the child's plan of care;
- 9 (n) To receive an explanatory notice from the cabinet, consistent with KRS
10 620.130 and when it is in the best interest of the child, when a foster child's
11 case plan has changed and, except in an immediate response to a child
12 protective services investigation involving the foster home, an explanatory
13 notice of termination or change in placement affecting the foster home within
14 fourteen (14) days of the change or termination in placement;
- 15 (o) To have priority consideration for placement if a child who has previously
16 been placed in the foster home reenters foster care, consistent with KRS
17 605.130 and 620.130 and to the extent it is in the best interest of the child;
- 18 (p) To have priority consideration for adoption if a foster child who has been
19 placed in the foster home for a period of at least twelve (12) consecutive
20 months becomes eligible for adoption consistent with KRS 605.130 and
21 620.130 and to the extent it is in the best interest of the child;
- 22 (q) To maintain contact with the foster child after the child leaves the foster
23 home, unless the child, a biological parent, the cabinet when the cabinet
24 retains custody of the child, or other foster or adoptive parent refuses such
25 contact; and
- 26 (r) To receive notice of, have a right to attend, and have a right to be heard in,
27 either verbally or in writing, any cabinet or court proceeding held with respect

1 to the child currently placed in their care or a child who was previously
2 placed in their care. This paragraph shall not be construed to require that a
3 foster parent caring for the child be made a party to a proceeding solely on the
4 basis of the notice and rights to attend and be heard.

5 (2) The responsibilities of foster parents shall include but not be limited to the
6 following:

- 7 (a) To maintain an orderly and clean home;
- 8 (b) To ensure that the child has adequate resources for personal hygiene and
9 clothing;
- 10 (c) To provide recreational and spiritual opportunities for the child, in accordance
11 with cabinet policies;
- 12 (d) To attend all school and case planning meetings involving a foster child
13 placed in their home whenever possible, subject to KRS 620.130 and the
14 confidentiality requirements of 42 U.S.C. sec. 671;
- 15 (e) To abide by cabinet policies relating to discipline of a foster child; and
16 (f) To support the involvement of a foster child's biological family whenever
17 possible and in accordance with cabinet policies.

18 (3) The cabinet shall provide specific training on investigations of alleged child abuse
19 or neglect in a foster home to a person appointed by the Kentucky Foster/Adoptive
20 Care Association. The training shall include the rights of a foster parent during an
21 investigation. Training shall be consistent with 42 U.S.C. sec. 5106(a).

22 (4) The cabinet shall promulgate administrative regulations within thirty (30) days of
23 the effective date of this Act to:

24 (a) Establish that all requirements of foster parent approval shall be effective for
25 a minimum of three (3) years before any reevaluation is required; and

26 (b) Establish that all foster parent reevaluation courses be offered as online
27 and in-person courses and allow the foster parent to choose the format that

1 *he or she wants to use for reevaluation.*

2 (5) Nothing in this section shall be construed to establish monetary liability of or cause
3 of action against the cabinet.

4 ➔Section 4. KRS 620.365 is amended to read as follows:

5 (1) If the cabinet determines that a child, who is in the custody of the cabinet through
6 an emergency, temporary, or permanent court order as a result of dependency,
7 neglect, or abuse and is in foster care, should be moved from a current placement to
8 a new placement or reunified with their family, the cabinet shall provide verbal and
9 written notification to the foster parents and the child-caring facility or child-placing
10 agency where the child is residing at least ten (10) calendar days prior to the new
11 placement or reunification occurring.

12 (2) *If a child, who is in the custody of the cabinet through an emergency, temporary,*
13 *or permanent court order as a result of dependency, neglect, or abuse, has been*
14 *in the same foster family home for a period of nine (9) months, it shall be*
15 *presumed that the cabinet has not identified any other placement options and the*
16 *child shall remain in the foster family home unless the cabinet has concerns for*
17 *the child's well-being. The foster parent or parents of the foster family home*
18 *shall, after this nine (9) month period, be the first persons considered to be the*
19 *child's permanent adoptive home after termination of parental rights occurs.*

20 (3) The cabinet's mandate to provide the notification required by this section shall not
21 be required if the cabinet determines the child is in imminent danger.

22 ➔Section 5. KRS 625.060 is amended to read as follows:

23 (1) In addition to the child, the following shall be the parties in an action for
24 involuntary termination of parental rights:

25 (a) The petitioner;

26 (b) The cabinet, if not the petitioner; and

27 (c) The biological parents, if known and if their rights have not been previously

1 terminated. It shall not be necessary to make the putative father a party if he is
2 exempted by KRS 625.065.

3 (2) Any party other than the child who is not the petitioner shall be a respondent.

4 (3) A foster parent of a child who is currently placed with the foster parent **and has**
5 **been for a minimum of six (6) months, or a foster parent of a child who was**
6 **previously placed with the foster parent in the last six (6) months,** may intervene
7 as a matter of right in any action for the involuntary termination of parental rights
8 involving a child who is placed with the foster parent. Such intervention may be
9 made anonymously or in the true name of the foster parent. If proceeding
10 anonymously, the foster parent shall be identified by initials and shall receive
11 service through his or her counsel or, if not represented by counsel, by providing a
12 preferred mailing address to receive notices from the court and other parties.

13 ➔Section 6. KRS 194A.030 is amended to read as follows:

14 The cabinet consists of the following major organizational units, which are hereby
15 created:

16 (1) Office of the Secretary. Within the Office of the Secretary, there shall be an Office
17 of the Ombudsman and Administrative Review, an Office of Legal Services, an
18 Office of Inspector General, an Office of Public Affairs, an Office of Human
19 Resource Management, an Office of Finance and Budget, an Office of Legislative
20 and Regulatory Affairs, an Office of Administrative Services, and an Office of
21 Application Technology Services, as follows:

22 (a) The Office of the Ombudsman and Administrative Review shall be headed by
23 an executive director who shall be appointed by the secretary with the
24 approval of the Governor under KRS 12.050 and shall:

25 1. Investigate, upon complaint or on its own initiative, any administrative
26 act of an organizational unit, employee, or contractor of the cabinet,
27 without regard to the finality of the administrative act. Organizational

- 1 units, employees, or contractors of the cabinet shall not willfully
2 obstruct an investigation, restrict access to records or personnel, or
3 retaliate against a complainant or cabinet employee;
- 4 2. Make recommendations that resolve citizen complaints and improve
5 governmental performance and may require corrective action when
6 policy violations are identified;
- 7 3. Provide evaluation and information analysis of cabinet performance and
8 compliance with state and federal law;
- 9 4. Place an emphasis on research and best practices, program
10 accountability, quality service delivery, and improved governmental
11 performance;
- 12 5. Provide information on how to contact the office for public posting at all
13 offices where Department for Community Based Services employees or
14 contractors work, at any facility where a child in the custody of the
15 cabinet resides, and to all cabinet or contracted foster parents;
- 16 6. Report to the Office of the Attorney~~Inspector~~ General for review and
17 investigation any charge or case against an employee of the Cabinet for
18 Health and Family Services where it has cause to believe the employee
19 has engaged in dishonest, unethical, or illegal conduct or practices
20 related to his or her job duties; or any violation of state law or
21 administrative regulation by any organization or individual regulated by,
22 or contracted with the cabinet;
- 23 7. Compile a report of all citizen complaints about programs or services of
24 the cabinet and a summary of resolution of the complaints and submit
25 the report upon request to the Office of the Attorney General, the Child
26 Welfare Oversight and Advisory Committee established in KRS 6.943,
27 and the Interim Joint Committee on Health and Welfare and Family

1 Services;~~and~~

2 8. Include oversight of administrative hearings;and

3 9. Provide information to the Office of the Attorney General, when
4 requested, related to citizen complaints against an employee or
5 contractor of the cabinet;

6 (b) The Office of Legal Services shall provide legal advice and assistance to all
7 units of the cabinet in any legal action in which it may be involved. The Office
8 of Legal Services shall employ all attorneys of the cabinet who serve the
9 cabinet in the capacity of attorney, giving legal advice and opinions
10 concerning the operation of all programs in the cabinet. The Office of Legal
11 Services shall be headed by a general counsel who shall be appointed by the
12 secretary with the approval of the Governor under KRS 12.050 and 12.210.
13 The general counsel shall be the chief legal advisor to the secretary and shall
14 be directly responsible to the secretary. The Attorney General, on the request
15 of the secretary, may designate the general counsel as an assistant attorney
16 general under the provisions of KRS 15.105;

17 (c) The Office of Inspector General shall be headed by an inspector general who
18 shall be appointed by the secretary with the approval of the Governor. The
19 inspector general shall be directly responsible to the secretary. The Office of
20 Inspector General shall be responsible for:

21 1. The conduct of audits and investigations for detecting the perpetration of
22 fraud or abuse of any program by any client, or by any vendor of
23 services with whom the cabinet has contracted; and the conduct of
24 special investigations requested by the secretary, commissioners, or
25 office heads of the cabinet into matters related to the cabinet or its
26 programs;

27 2. Licensing and regulatory functions as the secretary may delegate;

- 1 3. Review of health facilities participating in transplant programs, as
2 determined by the secretary, for the purpose of determining any
3 violations of KRS 311.1911 to 311.1959, 311.1961, and 311.1963;
- 4 4. The duties, responsibilities, and authority pertaining to the certificate of
5 need functions and the licensure appeals functions, pursuant to KRS
6 Chapter 216B; and
- 7 5. The notification and forwarding of any information relevant to possible
8 criminal violations to the appropriate prosecuting authority;
- 9 (d) The Office of Public Affairs shall be headed by an executive director
10 appointed by the secretary with the approval of the Governor in accordance
11 with KRS 12.050. The office shall provide information to the public and news
12 media about the programs, services, and initiatives of the cabinet;
- 13 (e) The Office of Human Resource Management shall be headed by an executive
14 director appointed by the secretary with the approval of the Governor in
15 accordance with KRS 12.050. The office shall coordinate, oversee, and
16 execute all personnel, training, and management functions of the cabinet. The
17 office shall focus on the oversight, development, and implementation of
18 quality improvement services; curriculum development and delivery of
19 instruction to staff; the administration, management, and oversight of training
20 operations; health, safety, and compliance training; and equal employment
21 opportunity compliance functions;
- 22 (f) The Office of Finance and Budget shall be headed by an executive director
23 appointed by the secretary with the approval of the Governor in accordance
24 with KRS 12.050. The office shall provide central review and oversight of
25 budget, contract, and cabinet finances. The office shall provide coordination,
26 assistance, and support to program departments and independent review and
27 analysis on behalf of the secretary;

- 1 (g) The Office of Legislative and Regulatory Affairs shall be headed by an
2 executive director appointed by the secretary with the approval of the
3 Governor in accordance with KRS 12.050. The office shall provide central
4 review and oversight of legislation, policy, and administrative regulations.
5 The office shall provide coordination, assistance, and support to program
6 departments and independent review and analysis on behalf of the secretary;
- 7 (h) The Office of Administrative Services shall be headed by an executive
8 director appointed by the secretary with the approval of the Governor in
9 accordance with KRS 12.050. The office shall provide central review and
10 oversight of procurement, general accounting including grant monitoring, and
11 facility management. The office shall provide coordination, assistance, and
12 support to program departments and independent review and analysis on
13 behalf of the secretary; and
- 14 (i) The Office of Application Technology Services shall be headed by an
15 executive director appointed by the secretary with the approval of the
16 Governor in accordance with KRS 12.050. The office shall provide
17 application technology services including central review and oversight. The
18 office shall provide coordination, assistance, and support to program
19 departments and independent review and analysis on behalf of the secretary;
- 20 (2) Department for Medicaid Services. The Department for Medicaid Services shall
21 serve as the single state agency in the Commonwealth to administer Title XIX of the
22 Federal Social Security Act. The Department for Medicaid Services shall be headed
23 by a commissioner for Medicaid services, who shall be appointed by the secretary
24 with the approval of the Governor under KRS 12.050. The commissioner for
25 Medicaid services shall be a person who by experience and training in
26 administration and management is qualified to perform the duties of this office. The
27 commissioner for Medicaid services shall exercise authority over the Department

1 for Medicaid Services under the direction of the secretary and shall only fulfill those
2 responsibilities as delegated by the secretary;

3 (3) Department for Public Health. The Department for Public Health shall develop and
4 operate all programs of the cabinet that provide health services and all programs for
5 assessing the health status of the population for the promotion of health and the
6 prevention of disease, injury, disability, and premature death. This shall include but
7 not be limited to oversight of the Division of Women's Health. The Department for
8 Public Health shall be headed by a commissioner for public health who shall be
9 appointed by the secretary with the approval of the Governor under KRS 12.050.
10 The commissioner for public health shall be a duly licensed physician who by
11 experience and training in administration and management is qualified to perform
12 the duties of this office. The commissioner shall advise the head of each major
13 organizational unit enumerated in this section on policies, plans, and programs
14 relating to all matters of public health, including any actions necessary to safeguard
15 the health of the citizens of the Commonwealth. The commissioner shall serve as
16 chief medical officer of the Commonwealth. The commissioner for public health
17 shall exercise authority over the Department for Public Health under the direction of
18 the secretary and shall only fulfill those responsibilities as delegated by the
19 secretary;

20 (4) Department for Behavioral Health, Developmental and Intellectual Disabilities. The
21 Department for Behavioral Health, Developmental and Intellectual Disabilities shall
22 develop and administer programs for the prevention of mental illness, intellectual
23 disabilities, brain injury, developmental disabilities, and substance abuse disorders
24 and shall develop and administer an array of services and support for the treatment,
25 habilitation, and rehabilitation of persons who have a mental illness or emotional
26 disability, or who have an intellectual disability, brain injury, developmental
27 disability, or a substance abuse disorder. The Department for Behavioral Health,

1 Developmental and Intellectual Disabilities shall be headed by a commissioner for
2 behavioral health, developmental and intellectual disabilities who shall be
3 appointed by the secretary with the approval of the Governor under KRS 12.050.
4 The commissioner for behavioral health, developmental and intellectual disabilities
5 shall be by training and experience in administration and management qualified to
6 perform the duties of the office. The commissioner for behavioral health,
7 developmental and intellectual disabilities shall exercise authority over the
8 department under the direction of the secretary, and shall only fulfill those
9 responsibilities as delegated by the secretary;

10 (5) Office for Children with Special Health Care Needs. The duties, responsibilities,
11 and authority set out in KRS 200.460 to 200.490 shall be performed by the office.
12 The office shall advocate the rights of children with disabilities and, to the extent
13 that funds are available, shall ensure the administration of services for children with
14 disabilities as are deemed appropriate by this office pursuant to Title V of the Social
15 Security Act. The office may promulgate administrative regulations under KRS
16 Chapter 13A as may be necessary to implement and administer its responsibilities.
17 The duties, responsibilities, and authority of the Office for Children with Special
18 Health Care Needs shall be performed through the office of the executive director.
19 The executive director shall be appointed by the secretary with the approval of the
20 Governor under KRS 12.050;

21 (6) Department for Family Resource Centers and Volunteer Services. The Department
22 for Family Resource Centers and Volunteer Services shall streamline the various
23 responsibilities associated with the human services programs for which the cabinet
24 is responsible. This shall include, but not be limited to, oversight of the Division of
25 Family Resource and Youth Services Centers and Serve Kentucky. The Department
26 for Family Resource Centers and Volunteer Services shall be headed by a
27 commissioner who shall be appointed by the secretary with the approval of the

1 Governor under KRS 12.050. The commissioner for family resource centers and
2 volunteer services shall be by training and experience in administration and
3 management qualified to perform the duties of the office, shall exercise authority
4 over the department under the direction of the secretary, and shall only fulfill those
5 responsibilities as delegated by the secretary;

6 (7) The Office of Health Data and Analytics shall identify and innovate strategic
7 initiatives to inform public policy initiatives and provide opportunities for improved
8 health outcomes for all Kentuckians through data analytics. The office shall provide
9 leadership in the redesign of the health care delivery system using electronic
10 information technology as a means to improve patient care and reduce medical
11 errors and duplicative services. The office shall facilitate the purchase of individual
12 and small business health insurance coverage for Kentuckians. The office shall be
13 headed by an executive director appointed by the secretary with the approval of the
14 Governor under KRS 12.050;

15 (8) Department for Community Based Services. The Department for Community Based
16 Services shall administer and be responsible for child and adult protection, violence
17 prevention resources, foster care and adoption, permanency, and services to enhance
18 family self-sufficiency, including child care, social services, public assistance, and
19 family support. The department shall be headed by a commissioner appointed by the
20 secretary with the approval of the Governor in accordance with KRS 12.050;

21 (9) Department for Income Support. The Department for Income Support shall be
22 responsible for child support enforcement and disability determination. The
23 department shall serve as the state unit as required by Title II and Title XVI of the
24 Social Security Act, and shall have responsibility for determining eligibility for
25 disability for those citizens of the Commonwealth who file applications for
26 disability with the Social Security Administration. The department shall be headed
27 by a commissioner appointed by the secretary with the approval of the Governor in

1 accordance with KRS 12.050; and

2 (10) Department for Aging and Independent Living. The Department for Aging and

3 Independent Living shall serve as the state unit as designated by the Administration

4 on Aging Services under the Older Americans Act and shall have responsibility for

5 administration of the federal community support services, in-home services, meals,

6 family and caregiver support services, elder rights and legal assistance, senior

7 community services employment program, the state health insurance assistance

8 program, state home and community based services including home care,

9 Alzheimer's respite services and the personal care attendant program, certifications

10 of assisted living facilities, the state Council on Alzheimer's Disease and other

11 related disorders, and guardianship services. The department shall also administer

12 the Long-Term Care Ombudsman Program and the Medicaid Home and

13 Community Based Waivers Participant Directed Services Option (PDS) Program.

14 The department shall serve as the information and assistance center for aging and

15 disability services and administer multiple federal grants and other state initiatives.

16 The department shall be headed by a commissioner appointed by the secretary with

17 the approval of the Governor in accordance with KRS 12.050.