

### **13B.010 Definitions for chapter.**

As used in this chapter, unless the context requires otherwise:

- (1) "Administrative agency" or "agency" means each state board, bureau, cabinet, commission, department, authority, officer, or other entity in the executive branch of state government authorized by law to conduct administrative hearings.
- (2) "Administrative hearing" or "hearing" means any type of formal adjudicatory proceeding conducted by an agency as required or permitted by statute or regulation to adjudicate the legal rights, duties, privileges, or immunities of a named person.
- (3) "Party" means:
  - (a) The named person whose legal rights, duties, privileges, or immunities are being adjudicated in the administrative hearing;
  - (b) Any other person who is duly granted intervention in an administrative hearing; and
  - (c) Any agency named as a party to the adjudicatory proceeding or entitled or permitted by the law being enforced to participate fully in the administrative hearing.
- (4) "Agency head" means the individual or collegial body in an agency that is responsible for entry of a final order.
- (5) "Recommended order" means the whole or part of a preliminary hearing report to an agency head for the disposition of an administrative hearing.
- (6) "Final order" means the whole or part of the final disposition of an administrative hearing, whenever made effective by an agency head, whether affirmative, negative, injunctive, declaratory, agreed, or imperative in form.
- (7) "Hearing officer" means the individual, duly qualified and employed pursuant to this chapter, assigned by an agency head as presiding officer for an administrative hearing or the presiding member of the agency head.
- (8) "Division" means the Division of Administrative Hearings in the Office of the Attorney General created pursuant to KRS 15.111.

**Effective:** July 15, 1996

**History:** Amended 1996 Ky. Acts ch. 318, sec. 1, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 382, sec. 1, effective July 15, 1996.