

**342.310 Assessment of cost of unreasonable proceedings -- Restitution.**

- (1) If any administrative law judge, the board, or any court before whom any proceedings are brought under this chapter determines that such proceedings have been brought, prosecuted, or defended without reasonable ground, he or it may assess the whole cost of the proceedings which shall include actual expenses but not be limited to the following: court costs, travel expenses, deposition costs, physician expenses for attendance fees at depositions, attorney fees, and all other out-of-pocket expenses upon the party who has so brought, prosecuted, or defended them.
- (2) If any administrative law judge, the board, or any court before whom any proceedings are brought under this chapter determines that a party has committed acts in violation of KRS 342.335(1) or (2), that party may be ordered to make restitution for any compensation paid as a result of the commission of such acts.

**Effective:** July 14, 2000

**History:** Amended 2000 Ky. Acts ch. 514, sec. 21, effective July 14, 2000. -- Amended 1996 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 62, effective December 12, 1996. -- Amended 1996 Ky. Acts ch. 355, sec. 10, effective July 15, 1996. -- Amended 1987 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 39, effective January 4, 1988. -- Amended 1984 Ky. Acts ch. 78, sec. 1, effective July 13, 1984. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4940.