

393A.630 Administrator's contract with another to conduct examination.

- (1) As used in this section, "related to the administrator" means an individual who is:
 - (a) The administrator's spouse, partner in a civil union, domestic partner, or reciprocal beneficiary;
 - (b) The administrator's child, stepchild, grandchild, parent, stepparent, sibling, stepsibling, half-sibling, aunt, uncle, niece, or nephew;
 - (c) A spouse, partner in a civil union, domestic partner, or reciprocal beneficiary of an individual in paragraph (b) of this subsection; or
 - (d) Any individual residing in the administrator's household.
- (2) The administrator may contract with a person to conduct an examination under KRS 393A.550 to 393A.650.
- (3) If the person with whom the administrator contracts under subsection (2) of this section is:
 - (a) An individual, the individual shall not be related to the administrator; or
 - (b) A business entity, the entity shall not be owned in whole or in part by the administrator or an individual related to the administrator.
- (4) If the administrator contracts with a person under subsection (2) of this section:
 - (a) The contract may provide for compensation of the person based on a fixed fee, hourly fee, or contingent fee;
 - (b) A contingent fee arrangement shall not provide for a payment that exceeds ten percent (10%) of the amount or value of property paid or delivered as a result of the examination; and
 - (c) On request by a person subject to examination by a contractor, the administrator shall deliver to the person a complete and unredacted copy of the contract and any contract between the contractor and a person employed or engaged by the contractor to conduct the examination.
- (5) A contract under subsection (2) of this section shall be subject to KRS 61.870 to 61.884.

Effective: July 14, 2018

History: Created 2018 Ky. Acts ch. 163, sec. 63, effective July 14, 2018.