

#### **40.080 Supporting documents -- Discretionary hearing.**

- (1) All facts material to determining whether the claimant is entitled to receive a veterans' bonus shall be evidenced:
  - (a) In any case where the same are shown in the official records of the Department of Defense, Department of Veterans Affairs, or any other department, bureau, or agency of the United States, by an authenticated copy of the record, or a certificate made by an authorized person in the department, bureau, or agency concerned, or by a written communication signed by such authorized person;
  - (b) In any case where the same are shown in any public record of the Commonwealth or of any public body in the Commonwealth, by a copy of the record, or the material part thereof, attested by the clerk or comparable officer;
  - (c) In any case where the same are shown in an instrument of writing, by tendering the instrument, or a photostat copy, or a copy authenticated in a manner acceptable to the administrator;
  - (d) Otherwise by affidavit.
- (2) No claimant shall be entitled to an oral hearing as a matter of right; but the administrator may in his discretion order a hearing in any case presenting unusual circumstances, or where it appears that documentary evidence of any material fact cannot reasonably be obtained, or where the claim cannot otherwise adequately be determined. If a hearing is ordered, it shall be conducted in accordance with KRS Chapter 13B. The administrator may investigate any matter which in his judgment is not adequately proven, or which shows or raises an inference of fraud, and may require submission of supplementary proof.

**Effective:** June 29, 2017

**History:** Amended 2017 Ky. Acts ch. 42, sec. 3, effective June 29, 2017. -- Amended 1996 Ky. Acts ch. 318, sec. 25, effective July 15, 1996. -- Created 1960 Ky. Acts ch. 15, sec. 8, effective February 20, 1960.