Call to Order

Chairman Hornung called the Board Meeting to order on Tuesday, May 3, 2016 at 12:02 pm.

Delegation of Authority to Decide Petitions of Review

Chairman Hornung called upon the Board’s legal counsel, Ms, Sarah Fertig, to provide an overview of the sole agenda item.

Ms. Fertig explained that most regulatory boards have delegated their authority to decide petitions of review to either a single member or a panel of Board members that are not directly involved with the investigation or the case proper.

It was further explained that petitions of review come up because a party is not pleased with the outcome of, or orders filed because of, a case and can request an appeal, a stay, or a reconsideration of the orders among some other items. It was explained that these occur infrequently and that this is the first occurrence since the Board began utilizing the Office of Administrative Hearings for initial hearings.
Ms. Fertig provided that the Board member(s) would provide review of the case, but that legal counsel would be assisting with the review throughout, create orders as needed, and provide responses as needed.

Chairman Hornung requested any volunteers willing to assist in this process. Mr. Dennis Franks and Director Jeri Smith both volunteered. Director Chad Pore provided comment that he felt it would be a good idea to have at least 2 individuals serve on this panel so that the burden of review could be shared by the two parties. No further comment noted.

- **Director Pore made the following motion:** “pursuant to K.S.A. 77-514(g), the Board delegate to Dennis Franks and Jeri Smith its authority as agency head to review, decide, and issue any orders in any case after a hearing has been held, including petitions for review, petitions for reconsideration, motions for stay, and any other pleading or correspondence related thereto that has been filed with the Board, and that this delegation continue until further action by the Board.” Director John Ralston seconded the motion. No further discussion noted. No opposition noted to the motion. The motion carried.

**Adjournment**

Being no further business of the Board, Chairman Hornung adjourned the meeting at 12:12 pm.

**Future 2016 Board Meeting Date(s)**

June 3rd, 2016
August 5th, 2016
October 7th, 2016
December 2nd, 2016