

Rule 920

INVESTIGATIONS

- (a) **Investigator Appointment.** Upon receipt of a referral under Rule 919(d) or a request under Rule 919(e), the chairperson must appoint a current or former council member to investigate the complaint. The director must forward a copy of the complaint and letter of appointment to:
 - (1) the appointed investigator;
 - (2) the approved individual or program; and
 - (3) the complainant.
- (b) **Response.** The approved individual or program may submit to the investigator a written response no later than 21 days after receipt of the complaint.
- (c) **Report and Recommendation.** On conclusion of the investigation, the investigator must submit a written report to the chairperson. The investigator must recommend:
 - (1) dismissing the complaint;
 - (2) additional training; or
 - (3) suspending the approved individual's or program's status for a stated period of time or indefinitely.
- (d) **Confidentiality of Records.** Any investigation conducted or information obtained or provided under these rules is subject to the confidentiality provisions and exceptions contained in K.S.A. 5-512, 23-3505, 60-452a, and any other applicable state or federal law regarding privacy and confidentiality. Information that is not reasonably necessary for any investigation or action under K.S.A. 5-512(b)(1), 23-3505(b)(1), or 60-452a(b)(1) remains confidential. Any record pertaining to any investigation conducted or information obtained or provided under this process is not subject to disclosure under the Kansas Open Records Act, K.S.A. 45-215 et seq.

[History: New rule adopted effective January 1, 2020.]