

COMMONWEALTH OF KENTUCKY
PERSONNEL BOARD
APPEAL NO. 2014-070

KIMBERLY A. COOMES

APPELLANT

VS. FINAL ORDER
SUSTAINING HEARING OFFICER'S
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER

JUSTICE AND PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS
J. MICHAEL BROWN, APPOINTING AUTHORITY

APPELLEE

** ** *

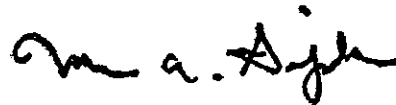
The Board at its regular December 2014 meeting having considered the Findings of Fact, Conclusions of Law and Recommended Order of the Hearing Officer dated November 18, 2014, having noted Appellant's exceptions, Appellee's response, oral arguments and being duly advised,

IT IS HEREBY ORDERED that the Findings of Fact, Conclusions of Law and Recommended Order of the Hearing Officer be, and they hereby are approved, adopted and incorporated herein by reference as a part of this Order, and the Appellant's appeal is therefore **DISMISSED**.

The parties shall take notice that this Order may be appealed to the Franklin Circuit Court in accordance with KRS 13B.140 and KRS 18A.100.

SO ORDERED this 17th day of December, 2014.

KENTUCKY PERSONNEL BOARD



MARK A. SIPEK, SECRETARY

A copy hereof this day sent to:

Hon. Edward Baylous
Kimberly A. Coomes
Bobbie Underwood

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DEPARTMENT OF CORRECTIONS
J. MICHAEL BROWN, APPOINTING AUTHORITY**

APPELLEE

This matter involves an appeal filed on April 8, 2014, that came on for an evidentiary hearing on September 16, 2014, at the offices of the Kentucky Personnel Board, Frankfort, Kentucky. The proceedings were recorded by audio-video equipment pursuant to the authority found at KRS Chapter 18A.

The Appellant, Kimberly A. Coomes, was present and was not represented by Counsel. The Appellee, the Department of Corrections (hereinafter "DOC") was represented by the Hon. Edward Baylous, legal counsel for the Justice and Public Safety Cabinet.

I. STATEMENT OF THE CASE

1. **Kimberly A. Coomes** appeals the DOC's decision stated in a letter dated March 10, 2014, from Clark Taylor, Warden of the Kentucky State Reformatory, that she was being suspended for three (3) days from duty and pay, based on her disregarding a direct order from her supervisor, Dr. Jody Eye, to not see an inmate transferred to another wing. Her action in visiting the inmate was held to be in violation of Kentucky State Reformatory's Institutional Policy and Procedures #KSR 03-00-14, Item I, Part K. "Failure to obey a properly given order by his supervisor." The letter alleged that Coomes disregarded a directive given by Dr. Eye on January 15, 2014, in which she was told that she and other clinicians were "not to see an inmate who was housed in C-Wing." The letter from the Warden stated that on that same day she did go to C-Wing to see the inmate, and later admitted she had indeed read her supervisor's directive to not do this.

2. Ms. Coomes prepared a letter to the Kentucky Personnel Board on April 7, 2014, in which she stated that her "obligation to the Social Work Code of Ethics (201 KAR 23:080, Section 3), Responsibility to Clients, was "more legally binding than a request from my supervisor." Her appeal with the Personnel Board was filed on April 8, 2014, in which she alleged, "My clinical, ethical obligations outweigh this request," denying that she was insubordinate.

3. A Pre-Hearing Conference was held before the Kentucky Personnel Board on May 27, 2014, at which the Appellant was not represented by counsel. The parties agreed that there was no dispute as to the events leading to the suspension, but was whether the action of Ms. Coomes, who believed the directive violated her code of ethics as a social worker, was misconduct.

4. The Evidentiary Hearing was conducted on September 16, 2014. The Appellant proceeded without representation of counsel. The burden of proof was on the Appellee to prove by a preponderance of the evidence that the DOC had just cause to suspend the Appellant from work and pay for three (3) days, and that the disciplinary action was neither excessive nor erroneous. At the conclusion of the presentation of the evidence, closing statements were made by the Appellant and by counsel on behalf of the Appellee.

II. STATEMENT OF EVIDENTIARY TESTIMONY

1. The first witness was **Clark Taylor**, Warden of the Kentucky State Reformatory and the appointing authority and author of the disciplinary letter dated March 26, 2014, stating that he was suspending Coomes. The letter informed her that the suspension was based on the authority of 101 KAR 1:345, and Kentucky State Reformatory Policy #03-00-14: "Prohibited Employee Conduct, Disciplinary Actions and Appeal Process, Item I, Part K: Failure to obey a properly given order by his supervisor."

2. Warden Taylor testified that Coomes was a social services clinician assigned to the Psychiatric Treatment Unit, B Wing. An inmate she was providing treatment to was transferred to the C Wing, an intensive care unit, where inmates are put on lockdown. Warden Taylor said that Dr. Jody Eye, Coomes supervisor, has a Ph.D. in psychology and is licensed by the Commonwealth of Kentucky. He said that Dr. Eye gave Coomes a directive that she was not to go see the inmate. Coomes disregarded that directive, even though she acknowledged to Warden Taylor that she had received the instructions from Dr. Eye. Coomes gave the excuse for disobeying the instructions to not see the inmate on the basis that from a clinical standpoint she disagreed with Dr. Eye and went to see him despite the instructions from Dr. Eye.

3. Warden Taylor testified that in a prison environment, with 650 employees and 2000 inmates, it is very important that the staff follows the chain of command and the prison rules. He said Dr. Eye gave a clear directive at 8:01 a.m., and that Coomes made the decision to see the inmate later that day without discussing it with anyone, and without following the prison's process of properly addressing her disagreement with the directive. Warden Taylor

testified that the prison has an administrative process that allows the disagreeing staff member to go to the supervisor to discuss a directive that the staff disagrees with, and if there is still a disagreement, the staff member can then go to the next line supervisor. He testified that this informal system of resolving disputes happens numerous times every day, adding that approximately 99% of disagreements on instructions are resolved informally.

4. Warden Taylor acknowledged that he met with Coomes about being suspended, stating that she was very emotional. He said that Coomes felt she was being picked on and had unfairly received numerous disciplinary complaints.

5. **Dr. Jody Eye** is a licensed psychologist employed at the Kentucky State Reformatory, and that her immediate supervisor is Dr. Russ Williams. She works in the B Wing of the Correctional Psychiatric Treatment Unit in the prison. She stated that she runs the "Focus Program," that supervises social work clinicians that work with selected severely mentally ill inmates. She testified that in order to obtain her license from the state, she was required to complete a doctoral program and pass the Kentucky State Board Licensing exam. In her position, she makes diagnosis of inmates, develops treatment plans, and oversees the treatment.

6. Dr. Eye testified that social service clinicians, such as Ms. Coomes, are not licensed. They are assigned to provide direct treatment services. Dr. Eye said that any treatment decisions and programming decisions pertaining to an inmate are made by her. She described the social services clinician's position equivalent to a nurse/doctor relationship. She added that while the clinician has an integral role in the treatment of inmates, they have no authority to make clinical judgment regarding an inmate's treatment.

7. Dr. Eye testified that she learned that Coomes based her decision to see the inmate on an assessment she had made of the inmate under a psychological evaluation itinerary known as the "STEPS Manual." Dr. Eye testified that she was not familiar with this program. Dr. Eye said that Coomes had no authority to make such diagnostic assessment, and that furthermore Coomes never discussed the use of this program nor the assessment she made of the inmate using the test with her. Dr. Eye further said that Coomes made no record of this assessment in the inmate's electrical medical records (EMR), adding if it is not written in the record, it never happened, as it deprives the doctors of key information. She said the importance of recording observations in the EMR by the social service clinicians is to allow the doctors and supervisors to make appropriate judgments on treating the inmate.

8. Dr. Eye said she had a problem with Coomes' action in making the assessment of the inmate, as Coomes did not discuss the alleged test findings of an unapproved program with her. She further said that the prison does not have the documentation of the STEPS Program she referenced, nor the exam given the patient, and thereby the alleged results were incomplete and invalid. Dr. Eye said that a team meeting is conducted once a week where every patient's treatment needs are discussed. Dr. Eye stated that Coomes cannot make an independent diagnosis, such as she claimed to make on this inmate. She testified that social service clinicians are not free to administer psychological evaluation instruments on a patient based on their own judgment.

9. Dr. Eye testified that the inmate involved had cut himself on January 14, 2014, and she ordered him transferred to the C Wing, which is a lockdown unit for close observation and intensive care of an inmate. She said that both Dr. Williams, her immediate supervisor, and Dr. King, who had the ultimate authority for the treatment of the inmate, agreed with her actions. She sent an email message to Coomes and others involved in the treatment of the inmate at 8:01 a.m. on January 15, informing them of the transfer of the inmate to C-Wing, and added, "I don't want to give this incident too much attention and therefore request that you not go to C-Wing to speak with him at this time." She testified that she had a subsequent brief conversation with Coomes and other clinicians about her directive to not go see the inmate. She did not want them to give the inmate the attention he was seeking and added that Coomes had no reason to go to the C-Wing.

10. Dr. Eye said that although her email message framed the instructions under the term "request," her use of that word was a polite form of a directive. She said that later that afternoon she received an email from Coomes informing her that she had gone that afternoon to briefly see the inmate to inform him she would be out the next week and she didn't want him to think she was ignoring or avoiding him. Coomes added that the inmate told her that he was not doing well and was struggling emotionally. Coomes added that Dr. Eye had already gone when she decided to go see the inmate.

11. Dr. Eye said that Coomes did not discuss her decision to see the inmate before Dr. Eye left that day. Dr. Eye said she discussed Coomes' actions with Dr. Russell, and that they went to see the Warden and Deputy Warden, Paige McGuire. They discussed Coomes' violation of Dr. Eye's directive and the violation of the Prison's policy. The decision was made and agreed to by everyone to suspend Coomes for three days' work with loss of pay.

12. Dr. Eye testified about an event that had occurred a week earlier with this inmate, when Coomes informed Dr. Eye that the inmate had used Suboxone, a prescription drug taken for pain. She said that Coomes asked her if this information could be kept from the treatment team and recorded in the EMR. Dr. Eye considered the information to be a breach of the prison policy, in not being reported, and was a threat to the safety and security of the prison institution. Dr. Eye also acknowledged that she had done an annual performance evaluation of Coomes the day before the incident, and that her relationship with Coomes "waxed and waned over time." She had cited Coomes for potential boundary violations and not completing the documentation, and that Coomes had also received a written reprimand.

13. Dr. Eye testified that Coomes had made a diagnosis of the inmate as having a "borderline personality disorder," of feeling distrust and abandonment, of which Dr. Eye agreed. Dr. Eye acknowledged that there were occasions where a social service clinician would go to the C-Wing to see an inmate, on a case-by-case basis and only with the permission of Dr. Eye. She said this was the first occasion that someone did this without permission.

14. **Russell Howard Williams** is a licensed psychologist and the FOCUS program administrator at the Kentucky State Reformatory. In the chain of command, he is Dr. Eye's first line supervisor, and the second line administrator for Coomes. He is aware of the medical record

of the inmate in issue, who had been in special management for years, with a diagnosis of substance abuse.

15. Dr. Williams said that the goal of treating the inmate was to allow him "yard access." The fact that he had just been allowed yard access when it was learned he had obtained and used the prescription drug Suboxone caused "incredible repercussions." Dr. Williams said this was a major violation of the inmate's treatment program, as this drug was known to cause death, and created multiple drug side effect issues, including hallucination.

16. Dr. Williams testified that he consulted with Dr. Eye and Dr. King that it would be best after the inmate's cutting episode that he be transferred to the lockdown unit and that there not be any outside intervention or staff-splitting in order to see how he coped and progressed with the isolation treatment. This inmate had a significant disorder history and they agreed that it would be best that his treatment be kept within the staff of the C-Wing and there not be staff-splitting, where more than one staff person would be treating the patient, in order to prevent the patient from trying to manipulate the staff by playing one staff member against the other. Dr. Williams said that although Coomes had access to the inmate's electronic medical records (EMR), she did not have access to the departmental level decisions. He stated that the fact Coomes made a clinical decision, which impacts the patient, and disobeyed a directive that she not go to the C-Wing to see the inmate, was a very serious issue and very concerning to him that she would make the independent decision and see the inmate without consulting with her direct supervisor.

17. Dr. Williams said that the discretion for dictating the treatment of an inmate is solely with the licensed psychologist. He stated that Coomes not reporting the inmate's use of Suboxone was improper, as she made a judgment decision concerning the treatment of the inmate that she was not allowed to do, and for the safety and security of the institution that decision should have been made at a higher level. Dr. Williams said that a reprimand of Coomes for this action was appropriate.

18. Dr. Williams testified that he was not aware that Coomes had administered the STEP Manual program to the inmate, and responded that he did not believe the STEP Manual had any useful role in the clinical decision to transfer the inmate to a lockdown unit. He said their decision was that the inmate should be isolated and there not be staff-splitting of his treatment, which Dr. Eye appropriately communicated to the social services clinicians including Coomes. Dr. Williams said any purported findings made by the STEP analysis, had it been available to them, would not have changed their decision. Dr. Williams said that the independent action of Coomes, based on her own alleged clinical decision, was wrong and against the treatment plan they were attempting to achieve.

19. Dr. Williams stood by the decision that none of the treating clinicians should go see the inmate, as they wanted him isolated. With the diagnosis the inmate had of borderline personality disorder, the social services clinician works with the inmate as a primary caregiver on a daily basis; however, her treatment is at the discretion of the licensed psychologist. He said the primary decider of treatment is the clinical psychologist, and the role of the social services

clinician is to do what they are directed to do by the licensed psychologist who directs and monitors the treatment.

20. Dr. Williams testified that there are multiple published guidelines and multiple codes of ethics for different disciplines that form the foundation for making decisions. He described the ethical decision impacts the individual, whereas the clinical decision impacts the patient. He testified that the reason the clinical decisions are so important is the dire consequences and repercussions it has on the patient. He stated that the problem with the action taken by Coomes is that it not only went against the clinical decision they had made concerning the treatment to be given to the inmate, it also violated the institution's administration procedures guidelines

21. **Julie Barber** is a licensed clinical psychologist at the Kentucky State Reformatory. Dr. Barber was Coomes' supervisor the first year and a half she was at the institution. She also had worked with the inmate for two years, stating he suffers severe mental illness, characterized by mood behavior that is very unstable, very reactive, and that situations are either all good or all bad. She said the inmate had suffered from severe mental trauma since childhood, involving sexual abuse. She said his diagnosis of borderline personality disorder is moderate to severe, with a tendency to engage in self-harming relationships.

22. Dr. Barber testified that a change in his support service would impact the ability of people to work with him. She stated that she thought it was very important and consistent with the inmate's treatment that Coomes made the brief contact with the inmate, to let him know she was not rejecting him. She said she believed Coomes would have acted unethically if she had not acted to contact him.

23. Dr. Barber acknowledged that matters of treatment concerning an inmate are typically a treatment team decision. She further admitted she had no knowledge of what went on in the making of the decision for the inmate to be in isolation, nor did she have knowledge of why the decision was made.

24. **Kimberly Coomes** testified that when she read the email from Dr. Eye, she felt it was vague and left room for interpretation, and that in her opinion it was not a properly given order. She said that she was going on a week's vacation the next day, and that she was concerned that she was not going to be able to pick up with his treatment where they had left off, and that she was concerned he would believe that she had abandoned him. She wrote an email to Dr. Eye at 4:33 p.m. on the afternoon of January 15, after Dr. Eye had left for the day, explaining that she has made a brief two-minute visit with the inmate "just to touch base with him" and tell him she would be out for a week so that he wouldn't think she was ignoring or avoiding him. She stated that she hoped Dr. Eye would understand her motives and that she was not trying to go against her wishes.

25. Dr Eye responded to Coomes with an email on January 17, 2014, at 10:43 a.m., asking Coomes if she had read Dr. Eye's email on January 14 before going to see the inmate. Coomes responded that afternoon at 12:57 p.m., acknowledging that she in fact read Dr. Eye's

email, but that she got to thinking how it would look to the inmate and that he would assume she had abandoned him, and that she followed her “clinical judgment,” based on a psychological “filter” she had given him a couple months earlier.

26. Coomes referenced a document prepared by the American Psychological Association of its “Ethical Principles of Psychologists and Code of Conduct.” Coomes specifically referenced General Principle B: “Fidelity and Responsibility.” She quoted this principle that states in part: “Psychologists establish relationships of trust with those whom they work. . . . Psychologists consult with, refer to, or cooperate with other professionals and institutions to the extent needed to serve the best interests of those with whom they work.” Coomes testified that although she is not licensed as a psychologist, she has been a member of the APA since 2004, which requires her to fulfill “an obligation to the APA Code of Ethics.” She went on to assert that she is a “certified” social worker and that, with her experience, qualifies her as a mental health professional, which allows her to make decisions concerning appropriate treatment.

27. When Coomes received the notice from Warden Taylor of the intent to suspend her, she wrote a response dated March 12, 2014, in which she stated that her decision to see the inmate “was the right thing to do – from a moral, ethical and clinical perspective.” She then described the additional clinical information, of which Dr. Eye “was not aware,” as justification for her seeing the inmate, which was “in the best interest of the offender, unit and institution.”

28. Coomes stated that following this incident, the relationship between her and Dr. Eye deteriorated to the point they would not talk with each other. She stated that she never received any disciplinary write up until this incident, and that now she is facing other disciplinary actions to the extent she feels she is ganged up on.

29. Coomes acknowledged that Dr. Eye’s email directing her and other clinicians not to see the inmate came at 8:01 a.m., and that Dr. Eye left at 4:00 p.m. During the intervening time, Coomes did not discuss the directive with her or Dr. Williams, her second-line supervisor. She said that she was so busy during the day seeing other patient-inmates that she didn’t think about the issue until she was leaving and became concerned that she had an “ethical obligation” to see the inmate so he would not feel he had been abandoned. She said that she was worried he would do something destructive to himself for which she would have been unable to forgive herself.

30. Coomes testified that she believes that ethical obligations are higher than legal obligations, adding that she did not see Dr. Eye’s directive as a legally binding order. She stated that she believed it was appropriate, as a social services clinician, to disregard a directive that she considered inappropriate.

III. CONCLUSIONS OF LAW

1. Kentucky Revised Statute (KRS) 18A.095(2) states that "a classified employee with status shall not be dismissed, demoted, suspended, or otherwise penalized except for cause." The question in this case is whether the Department of Corrections provided a preponderance of evidence to establish just cause for the Appellant's three day suspension, and that the disciplinary action taken was not erroneous nor excessive.

2. Kentucky State Reformatory Policy #03-00-14: "Prohibited Employee Conduct, Disciplinary Actions and Appeal Process," describes as one of the Prohibited Activities and Conduct under Item I, Part K: "Failure to obey a properly given order by his supervisor."

3. The evidence clearly established that the Appellant was employed as a social services clinician at the Kentucky State Reformatory, engaged in treating inmates with mental issues. In that capacity, the evidence shows the Appellant intentionally violated the directive issued by Dr. Eye to not go see an inmate transferred the previous day to the intensive care lockdown unit in another wing of the prison. The evidence further establishes that the directive was issued by Dr. Eye with the concurrence of her superiors Dr. Williams and Dr. King, early in the morning at 8:01, that the Appellant never discussed her concerns about the directive and that after Dr. Eye left the prison, the Appellant went to see the inmate for a brief two-minute visit for the purpose of telling him she would be on vacation and was not abandoning him.

4. The Appellant alleges that her actions in disregarding the directive from Dr. Eye were an obligation by her under the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct, and by the Social Worker Code of Conduct. Coomes' testimony of her "obligation" to see the inmate, regardless of the directive from Dr. Eye, confers a Holy Grail like status upon her rudimentary interpretation of these principles. However, the APA ethical principle she cited concerning "Fidelity and Responsibility" clearly states that the psychologist shall "consult with, refer to, or cooperate with other professionals and institutions to the extent needed to serve the best interests of those with whom they work." By her own admission, Coomes did not consult with anyone, but acted on her own volition.

5. Had the Appellant "consulted with, referred to, or cooperated with" her superiors, as her APA Ethical Principles suggests, she might have learned that this decision to isolate the inmate and not allow staff-splitting in the treatment of the inmate, was a decision that was jointly made in consultation about the inmate's situation between Dr. Eye, Dr. Williams and Dr. King, who had the ultimate authority concerning the treatment of the inmate.

6. Coomes became very emotional during her testimony. It became apparent during Coomes' testimony that the "rupture in the relationship" she described with Dr. Eye was in part based on some sort of resentment she had towards Dr. Eye, whom Coomes described as "not knowing what she was doing." Repeatedly during her testimony, Coomes wanted to address her opinion about the supervision of Dr. Eye and Dr. Williams. Regardless of her attitude towards the qualifications of her supervisors, the evidence established that she had the entire workday to consult with her line supervisors, as directed by the APA Ethical Principles, which she said she

was obligated to follow. However, Coomes admitted that she consulted with no one, but made her own decision to go visit the inmate in the lockdown unit. She claimed in her April 7 letter forwarding her appeal to the Personnel Board that her actions in disobedience of Dr. Eye's directive was in accordance with the Social Work Code of Ethics, which was "more legally binding than a request from my supervisor," and stated in her appeal that "My clinical, ethical obligations outweigh this request." Instead of consulting about the directive with any of her line supervisors, Coomes relied on her own alleged status as a "professional" mental health care worker to the extent that she claimed a belief that her "ethical obligations" trumped any legal order or directive issued by those who had the responsibility for the inmate's treatment. Had such consultation been taken by Coomes about her concern of the impact of the isolation of the inmate, she would have learned that was precisely the objective of the directive issued by Dr. Eye following consultation and agreement with Dr. Williams and Dr. King, the other licensed clinical psychologists responsible for the inmate's treatment.

7. The evidence presented established that a social services clinician has the obligation to make clinical observations from their treatment of a patient and to report those observations on the record for the use by the licensed psychologists who are required to make the clinical "judgments" concerning treatment. However, the evidence was that Coomes did not want it reported in the inmate's EMR that he had used Suboxone, a highly intensive pain killer with hallucinatory side effects. The evidence also established that the diagnosis she made of the inmate under the STEP Manual, which was not a psychological instrument approved or utilized by the prison's mental health care staff, was also not reported in the inmate's EMR record, nor was it known by Dr. Eye, or the other licensed psychologists in charge of the inmate's treatment. This evidence established that the Appellant believed she had the right to make and act upon her own diagnostic decisions and treat the inmate without consulting with her supervisors or keeping them informed of the information obtained by her clinical observations.

8. Warden Taylor testified that in a prison environment, with 650 employees and 2000 inmates, it is very important that the staff follows the chain of command and the prison rules. However, the Appellant's decision to see the inmate in violation of the directive from Dr. Eye was in keeping with her history of doing what she deemed on her own beliefs to be in the best interest of the inmate.

9. Upon review of the evidence and the entire record, the Hearing Officer reaches the conclusion of law that the preponderance of the evidence clearly established the Appellant's conduct constituted insubordination and that the decision to suspend the Appellant for three days' work and pay was with just cause and was neither excessive nor erroneous, and was authorized by 101 KAR 1:345(1), as the Appellant's actions constituted a violation of a duty of good behavior and satisfactory performance.

IV. RECOMMENDED ORDER

Having considered and weighed all the evidence and the laws of the Commonwealth of Kentucky, and based upon the foregoing findings of fact and conclusions of law, the Hearing Officer recommends to the Kentucky Personnel Board, based on the foregoing Findings of Fact and Conclusions of Law, that the appeal of **KIMBERLY COOMES V. JUSTICE AND PUBLIC SAFETY CABINET, DEPARTMENT OF CORRECTIONS (APPEAL NO. 2014-070)** BE **DISMISSED**.

NOTICE OF EXCEPTION AND APPEAL RIGHTS

Pursuant to KRS 13.B.110(4), each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file exceptions to the Recommended Order with the Personnel Board. In addition, the Kentucky Personnel Board allows each party to file a response to any exceptions that are filed by the other party within five (5) days of the date on which the exceptions are filed with the Kentucky Personnel Board. 101 KAR 1:365, § 8(1). Failure to file exceptions will result in preclusion of judicial review of those issues not specifically excepted to. On appeal, a circuit court will consider only the issues a party raised in written exceptions. See *Rapier v. Philpot*, 130 S.W.3d 560 (Ky. 2004).

The Personnel Board also provides that each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file a Request for Oral Argument with the Personnel Board. 101 KAR 1:365, § 8(2).

Each Party has thirty (30) days after the date the Personnel Board issues a Final Order in which to appeal to the Franklin Circuit Court pursuant to KRS 13B.140 and KRS 18A.100.

ISSUED at the direction of the **Hearing Officer E. Patrick Moores**, this 18th day of November, 2014.

KENTUCKY PERSONNEL BOARD


Mark A. Sipek
Executive Director

A copy hereof this day mailed to:

Kimberly Coomes
Hon. Edward Baylous