



## COMMONWEALTH OF KENTUCKY OFFICE OF THE ATTORNEY GENERAL

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**26-ORD-042**

February 10, 2026

In re: Randy Skaggs/Cabinet for Health and Family Services

**Summary:** The Cabinet for Health and Family Services (“the Cabinet”) violated the Open Records Act (“the Act”) when it failed to respond to a request under the Act.

### *Open Records Decision*

On December 5, 2025, Randy Skaggs (“Appellant”) submitted a request for records to the Cabinet “to personally review all documents and files related to and pertaining to [his] SNAP account.”<sup>1</sup> Having received no response by January 7, 2026, the Appellant initiated this appeal.

Under KRS 61.880(1), upon receiving a request for records under the Act, a public agency “shall determine within five (5) [business] days . . . after the receipt of any such request whether to comply with the request and shall notify in writing the person making the request, within the five (5) day period, of its decision.” Here, the Appellant submitted a request to the Cabinet on December 5, 2025, and the Cabinet did not respond to that request within five business days. On appeal, the Cabinet explains it did not respond to the Appellant’s request because “the email containing the records request was missed.”<sup>2</sup> Thus, the Cabinet violated the Act.

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<sup>1</sup> The Appellant specified the scope of his request was limited to “emails and letters for the last three years, 2023, 2024 and 2025.”

<sup>2</sup> Specifically, the Cabinet admits it failed to respond to the Appellant’s request because it “was received by the local office in Grayson, Kentucky,” and forwarded to the Cabinet’s “open records email inbox,” but “[t]he employee who normally oversees the inbox has been on leave” and “the email containing the records request was missed.” The Cabinet did not disclose when it received the Appellant’s request, but asserts it “provid[ed] records responsive to his request via USPS.”

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court under KRS 61.880(5) and KRS 61.882 within 30 days from the date of this decision. Under KRS 61.880(3), the Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to [OAGAppeals@ky.gov](mailto:OAGAppeals@ky.gov).

**Russell Coleman**  
**Attorney General**

/s/ Matthew Ray  
Matthew Ray  
Assistant Attorney General

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Distributed to:

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