

7521.0200 DETERMINATION OF CLAIMS.

Subpart 1. **Filing claim.** A claim for public safety officer death benefits under Minnesota Statutes, section 299A.44 must be on a form provided by the commissioner of public safety and must contain information relevant to the claimant's eligibility for benefits.

Certified copies of reports, certificates, and affidavits relevant to the claimant's eligibility for benefits must be filed with the claim form in order for the claim to be considered a complete claim.

A claim is considered to be filed upon receipt by the commissioner of a complete claim with the claim form signed by the claimant or the claimant's representative.

Subp. 2. **Investigation by commissioner.** When a complete claim is filed, the commissioner shall determine whether the claimant is eligible for benefits. The commissioner shall make the inquiries or investigation necessary to make the determination. The commissioner shall base the determination on the information provided on the complete claim and by the investigation of the claim.

Subp. 3. **Determination of eligibility.** On determining that the claimant is eligible for benefits, the commissioner shall initiate the payment procedure and inform the claimant. On determining that the claimant is not eligible for benefits, or that there is insufficient information on which to make a determination, the commissioner shall deny the claim and inform the claimant of the grounds for denial. The commissioner shall also give notice of a claim denial to the deceased officer's former employer and to the deceased officer's labor organization, if the claimant has consented in writing to the giving of this notice in the manner provided by Minnesota Statutes, section 13.05, subdivision 4, paragraph (d).

Subp. 4. **Request for reconsideration.** The claimant, within 30 days after receiving a notice of denial from the commissioner, may submit additional information to the commissioner and request a reconsideration of the claim. Upon receipt of the additional information, the commissioner shall reevaluate the claim in light of the new information and shall perform additional inquiries or investigation as necessary. The commissioner shall affirm, modify, or reverse the previous determination and shall notify the claimant of the determination and its basis.

Subp. 5. **Starting a contested case hearing.** A claimant may request a contested case hearing under Minnesota Statutes, chapter 14.

A claimant who has not requested reconsideration under subpart 4 shall submit a written request for a contested case hearing to the commissioner.

A claimant who has requested reconsideration under subpart 4 shall submit a written request for a contested case hearing to the commissioner.

Statutory Authority: *MS s 299A.46*

History: *16 SR 2618*

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