

1 Department of Public Safety

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3 Adopted Permanent Rules Relating to Public Safety Officer Death  
4 Benefits

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6 Rules as Adopted

7 7521.0200 DETERMINATION OF CLAIMS.

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

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

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

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

27 Subp. 3. **Determination of eligibility.** On determining  
28 that the claimant is eligible for benefits, the commissioner  
29 shall initiate the payment procedure and inform the claimant.  
30 On determining that the claimant is not eligible for benefits,  
31 or that there is insufficient information on which to make a  
32 determination, the commissioner shall deny the claim and inform  
33 the claimant of the grounds for denial. The commissioner shall  
34 also give notice of a claim denial to the deceased officer's  
35 former employer and to the deceased officer's labor

1 organization, if the claimant has consented in writing to the  
2 giving of this notice in the manner provided by Minnesota  
3 Statutes, section 13.05, subdivision 4, paragraph (d).

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

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

17 A claimant who has not requested reconsideration under  
18 subpart 4 shall submit a written request for a contested case  
19 hearing to the commissioner ~~no more than 30 days after the~~  
20 ~~claimant receives the notice of denial.~~

21 A claimant who has requested reconsideration under subpart  
22 4 shall submit a written request for a contested case hearing to  
23 the commissioner ~~no more than 30 days after the claimant~~  
24 ~~receives the notice of denial upon reconsideration.~~