

## SECTION .0200 - RULES OF COMMISSION

### 11 NCAC 23H .0201 DETERMINATION OF CLAIMS BY THE COMMISSION

(a) Upon application for an award under the provisions of the Public Safety Employees' Death Benefits Act, the Commission shall determine whether sufficient evidence is contained in the Commission's workers' compensation or other files upon which to base an order for the payment of benefits. If the Commission is satisfied that such an order should be issued, it shall, without conducting a hearing, file an award directing the payment of benefits.

(b) If the Commission is of the opinion that the Commission's workers' compensation or other files have insufficient evidence upon which to base an award for the payment of benefits, the Commission shall place the case upon the Commission's hearing docket. The Commission shall set a contested case for hearing in a location deemed convenient to witnesses and the Commission.

*History Note:* Authority G.S. 143-166.4;  
Eff. August 1, 1979;  
Amended Eff. July 1, 2014;  
Recodified from 04 NCAC 10H .0201 Eff. June 1, 2018;  
Amended Eff. January 1, 2019.