

Subpart C—Disability Benefit Claims

- 32.21 Scope of subpart.
- 32.22 Time for filing claim.
- 32.23 Definitions.
- 32.24 PSOB Office determination.
- 32.25 Prerequisite certification.
- 32.26 Payment.
- 32.27 Motion for reconsideration of negative disability finding.
- 32.28 Reconsideration of negative disability finding.
- 32.29 Request for Hearing Officer determination.

Subpart D—Educational Assistance Benefit Claims

- 32.31 Scope of subpart.
- 32.32 Time for filing claim.
- 32.33 Definitions.
- 32.34 PSOB Office determination.
- 32.35 Disqualification.
- 32.36 Payment and repayment.
- 32.37 Request for Hearing Officer determination.

Subpart E—Hearing Officer Determinations

- 32.41 Scope of subpart.
- 32.42 Time for filing request for determination.
- 32.43 Appointment and assignment of Hearing Officers.
- 32.44 Hearing Officer determination.
- 32.45 Hearings.
- 32.46 Director appeal.

Subpart F—Director Appeals and Reviews

- 32.51 Scope of subpart.
- 32.52 Time for filing Director appeal.
- 32.53 Review.
- 32.54 Director determination.
- 32.55 Judicial appeal.

AUTHORITY: Public Safety Officers' Benefits Act of 1976 (42 U.S.C. ch. 46, subch. 12); Public Law 107–37; USA PATRIOT Act, sec. 611 (42 U.S.C. 3796c–1).

SOURCE: 71 FR 46037, Aug. 10, 2006, unless otherwise noted.

§ 32.0 Scope of part.

This part implements the Act.

Subpart A—General Provisions**§ 32.1 Scope of subpart.**

This subpart contains provisions generally applicable to this part.

§ 32.2 Computation of time; filing.

(a) In computing any period of time prescribed or allowed, the day of the

act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a federal legal holiday, or, when the act to be done is a filing with the PSOB Office, a day on which weather or other conditions have caused that Office to be closed or inaccessible, in which event the period runs until the end of the next day that is not one of the aforescribed days.

(b) A filing is deemed filed with the PSOB Office, a Hearing Officer, the Director, or any other OJP office, -officer, -employee, or -agent, only on the day that it actually is received at the office of the same. When a filing is prescribed to be filed with more than one of the foregoing, it shall be deemed filed as of the day the last such one so receives it.

(c) Notice is served by the PSOB Office upon an individual on the day that it is—

(1) Mailed, by U.S. mail, addressed to the individual (or to his representative) at his (or his representative's) last address known to such Office;

(2) Delivered to a courier or other delivery service, addressed to the individual (or to his representative) at his (or his representative's) last address known to such Office; or

(3) Sent by electronic means such as telefacsimile or electronic mail, addressed to the individual (or to his representative) at his (or his representative's) last telefacsimile number or electronic-mail address, or other electronic address, known to such Office.

(d) In the event of withdrawal or abandonment of a filing, the time periods prescribed for the filing thereof shall not be tolled, unless, for good cause shown, the Director grants a waiver.

(e) No claim may be filed (or approved) under the Act, at 42 U.S.C. 3796(a) or (b), with respect to an injury, if a claim under the Act, at 42 U.S.C. 3796c–1 or Public Law 107–37, has been approved, with respect to the same injury.

(f) No claim may be filed (or approved) under the Act, at 42 U.S.C. 3796c–1 or Public Law 107–37, with respect to an injury, if a claim under the