

eyeglasses and other corrective lenses, mental health counseling, funeral expenses, or other services necessary as a result of the injury upon which [such] THE claim is based.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 7 of the Code.

The only changes are in style.

## 822. DECISIONS ON CLAIMS.

(a) A claim, when accepted for filing, shall be assigned by the chairman to [3] THREE members of the Board. All claims arising from the death of an individual as a direct result of a crime shall be considered together by [3] THREE Board members. The chairman may reassign cases as necessary.

(b) The Board members to whom the claim is assigned shall examine the papers filed in support of the claim and shall [thereupon] cause an investigation to be conducted into the validity of the claim. The investigation shall include, but not be limited to, an examination of police, court and official records and reports concerning the crime and an examination of medical and hospital reports relating to the injury upon which the claim is based.

(c) Claims shall be investigated and determined, regardless of whether the alleged criminal has been apprehended or prosecuted for or convicted of any crime based upon the same incident, or has been acquitted, or found not guilty of the crime in question owing to criminal responsibility or other legal exemption.

(d) The Board members to whom a claim is assigned may recommend a tentative decision and advise the claimant of that recommendation. The claimant may request a hearing before the Board members for the purpose of presenting additional information. If the Board members are unable to decide the claim upon the basis of the [said] papers and report, they shall order a hearing. At the hearing any relevant evidence, not legally privileged, shall be admissible.

(e) After examining the papers filed in support of the claim and the report of investigation, and after a hearing, if any, the Board members to whom the claim was assigned shall make a decision either granting an award [ pursuant to § 12 of this article] UNDER § 825 OF THIS SUBHEADING or deny the claim.

(f) The Board members making a decision shall file with the Secretary a written report setting forth the decision and the reasons [therefor] IN SUPPORT OF THE DECISION. After reviewing the records, the Secretary shall modify, affirm, or reverse the decision of the Board members. The action of the Secretary in affirming, modifying, or reversing the decision of the Board members shall be final. The claimant shall be furnished with a copy of the final report upon request.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 8 of the Code.

The only changes are in style.