

**RULES  
OF  
BOARD OF CLAIMS**

**CHAPTER 0300-1  
RULES OF THE BOARD OF CLAIMS**

**TABLE OF CONTENTS**

0300-1-.01	Presentation of Claims	0300-1-.09	Repealed
0300-1-.02	Repealed	0300-1-.10	Repealed
0300-1-.03	Repealed	0300-1-.11	Repealed
0300-1-.04	Repealed	0300-1-.12	Repealed
0300-1-.05	Consideration of Claims	0300-1-.13	Repealed
0300-1-.06	Repealed	0300-1-.14	Liability with Third Party
0300-1-.07	Repealed	0300-1-.15	Repealed
0300-1-.08	Repealed		

**0300-1-.01 PRESENTATION OF CLAIMS.** Persons having claims against the State arising under the jurisdiction of the Board of Claims must file their claims with the Secretary of the Board of Claims within one (1) year after the occurrence of the incident giving rise to the claim. The claim must state the circumstances upon which the claim is based, including, but not limited to: the state department, board, institution, agency, commission or other state entity that allegedly caused the injury; the time and place of the incident from which the claim arises; and the nature of the claimant's injury. The claimant has the burden of presenting to the Board written documentation to establish all facts necessary in determining whether the claimant is entitled to compensation under this part.

*Authority:* T.C.A. §9-8-108. *Administrative History:* Original rule certified June 6, 1974. Amendment filed October 26, 1999; effective February 28, 2000.

**0300-1-.02 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.03 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.04 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.05 CONSIDERATION OF CLAIMS.** At the first meeting of the Board following the filing of the recommendation by the Board's designee, the claim shall be considered by the Board upon such recommendation and the record in the case without appearance of the claimant or his counsel. If the decision of the Board is against an award or is less than the amount requested by the claimant, the Secretary of the Board shall so notify the claimant or his attorney and provide the claimant or his attorney with a copy of the recommendation. If the claimant believes the Board erred in its interpretation of the facts or law, the claimant may file exceptions thereto within thirty (30) days from the date of the notice letter. Any exceptions must be in writing and must specify in detail the legal basis upon which the claimant believes the decision to be erroneous. If exceptions are filed, the Board may, in its discretion, hold a hearing or decide the exceptions on the record at such meeting date as the Board shall determine.

*Authority:* T.C.A. §9-8-108. *Administrative History:* Original rule certified June 6, 1974. Amendment filed October 26, 1999; effective February 28, 2000.

**0300-1-.06 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.07 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.08 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.09 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.10 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.11 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.12 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.13 REPEALED.**

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.

**0300-1-.14 LIABILITY WITH THIRD PARTY.** When a claim has been filed by an employee wherein it appears liability may rest with a third party involved, the Board of Claims, shall make disbursements on behalf of the employee only after a subrogation agreement has been executed by him to the effect that the State will be reimbursed to the extent of one-third of any sum he may receive from such third party, but only to the full amount expended if it should be less than one-third of the recovery. No part of the recovery due the State hereunder shall be diminished by any collection fees or for any reason whatsoever.

*Authority:* T.C.A. §9-804. *Administrative History:* Original rule certified June 6, 1974.

**0300-1-.15 REPEALED.**

*Authority:* T.C.A. § 9-804. *Administrative History:* Original rule certified June 6, 1974. Repealed by Public Chapter 261; effective July 1, 1983.