

party may request that it be reviewed by the three-member Board, or the three-member Board may review the decision on its own initiative.

**§261.7 Effect of revised decision.**

A revised decision is binding unless:

- (a) The revised decision is reconsidered or appealed in accord with part 260 of this chapter;
- (b) The three-member Board reviews the revised decision; or
- (c) The revised decision is further revised consistent with this part.

**§261.8 Time and place to request review of a revised decision.**

A party to a revised decision may request, as appropriate, further review of the decision in accordance with the rules set forth in part 260 of this chapter.

**§261.9 Finality of findings when later claim is filed on same earnings record.**

If two claims for benefits are filed on the same record of compensation, findings of fact made in a decision in the first claim may be revised in determining or deciding the second claim, even though the time limit for revising the findings made in the first claim has passed. However, a finding in connection with a claim that a person was fully or currently insured at the time of filing an application, at the time of death, or any other pertinent time, may be revised only under the conditions stated in §261.2 of this part.

**§261.10 Increase in future benefits where time period for reopening has expired.**

If, after the time period for reopening under §261.2(b) of this part has expired, new evidence is furnished showing a different date of birth or new evidence is furnished which would cause a correction in a record of compensation as provided for in part 211 of this chapter and, as a result of the new evidence, increased benefits would be payable, the Board will pay increased benefits, but only for the months following the month the new evidence is received.

**§261.11 Discretion of the three-member Board to reopen or not to reopen a final decision.**

In any case in which the three-member Board may deem proper, the Board may direct that any decision, which is otherwise subject to reopening under this part, shall not be reopened or direct that any decision, which is otherwise not subject to reopening under this part, shall be reopened.

**PART 262 [RESERVED]**

**PART 266—REPRESENTATIVE PAYMENT**

Sec.

- 266.1 Introduction.
- 266.2 Recognition by the Board of a person to act in behalf of another.
- 266.3 Information considered in determining whether to make representative payments.
- 266.4 Information considered in selecting a representative payee.
- 266.5 Order of preference in selecting a representative payee.
- 266.6 Information to be submitted by a representative payee applicant; face-to-face interview.
- 266.7 Accountability of a representative payee.
- 266.8 Advance notice of the determination to make representative payment.
- 266.9 Responsibilities of a representative payee.
- 266.10 Use of benefit payments.
- 266.11 Conservation and investment of benefit payments.
- 266.12 Effect of matters or actions submitted or taken by legal guardian, etc.
- 266.13 When a new representative payee will be selected.
- 266.14 When representative payment will be stopped.
- 266.15 Transfer of accumulated benefit payments.

AUTHORITY: 45 U.S.C. 231k and 231f.

SOURCE: 59 FR 3992, Jan. 28, 1994, unless otherwise noted.

**§266.1 Introduction.**

(a) *Explanation of representative payment.* This part explains the principles and procedures that the Board follows in determining whether to make representative payment and in selecting a representative payee. It also explains the responsibilities that a representative payee has concerning the use of