

APPEAL NO. 990580

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). In Texas Workers' Compensation Commission Appeal No. 982338, decided November 16, 1998, the Appeals Panel affirmed the determinations of the hearing officer, that the appellant's (claimant) compensable neck and low back injury of _____, does not extend to bilateral carpal tunnel syndrome (BCTS) and that the respondent (carrier) did not waive its right to contest the compensability of the BCTS. We reversed and remanded the determinations of the hearing officer that the claimant reached maximum medical improvement (MMI) on May 23, 1997, with a 20% impairment rating (IR), as certified by Dr. C, D.C., the designated doctor selected by the Texas Workers' Compensation Commission (Commission) and remanded these determinations for further consideration and inquiry of Dr. C. A contested case hearing on remand was held on February 12, 1999, as a result of which the hearing officer determined that the claimant reached MMI on May 23, 1997, with a 25% IR as certified by Dr. C in a third, amended report. The claimant again seeks review of the prior determinations, affirmed by the Appeals Panel, regarding extent of injury and waiver of the right to dispute, and appeals the findings of MMI and IR made on remand solely on the basis that the compensable injury includes BCTS. The carrier replies that "no new evidence has been presented that should disturb" the determinations previously affirmed by the Appeals Panel and that the decision on remand should be affirmed.

DECISION

Affirmed.

We decline to revisit those portions of our Decision in Appeal No. 982338, *supra*, which affirmed the extent of injury and timely dispute determinations of the hearing officer. Texas Workers' Compensation Commission Appeal No. 990360, decided March 22, 1999; Texas Workers' Compensation Commission Appeal No. 990124, decided February 23, 1999; Texas Workers' Compensation Commission Appeal No. 982711, decided January 5, 1999; Texas Workers' Compensation Commission Appeal No. 982360, decided November 17, 1998; Texas Workers' Compensation Commission Appeal No. 981860, decided September 23, 1998; Texas Workers' Compensation Commission Appeal No. 981114, decided July 9, 1998; Texas Workers' Compensation Commission Appeal No. 970996, decided July 7, 1997; Texas Workers' Compensation Commission Appeal No. 970384, decided April 17, 1997; Texas Workers' Compensation Commission Appeal No. 962002, decided November 25, 1996; Texas Workers' Compensation Commission Appeal No. 94797, decided August 5, 1994. Because the current appeal is premised on a reversal of these matters already decided, we find no merit in the appeal.

For the foregoing reasons, we affirm the decision and order of the hearing officer.

Alan C. Ernst
Appeals Judge

CONCUR:

Judy L. Stephens
Appeals Judge

Dorian E. Ramirez
Appeals Judge