

## APPEAL NO. 991840

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on August 4, 1999. The issue at the CCH involved whether the appellant, (Name), who is the claimant, was injured on \_\_\_\_\_, whether he had disability as a result of his injury, and whether the employer tendered a bona fide offer of employment.

The hearing officer found that claimant sustained a compensable injury and had disability beginning January 5, 1999, through the date of the hearing. She found that no bona fide job offer was made. However, in her fact finding on inability to work, she described the injury as a back injury. The injury claimed involved the chest and pectoral muscles, and no claim for a back injury was made or considered.

The claimant has appealed, but what he actually seeks is a clerical correction of the finding of fact attributing his inability to work to a back injury. There is no response from the carrier.

### DECISION

We agree that the finding of fact referring to a back injury is a typographical error.

That Finding of Fact No. 14 currently reads:

14. Due to the back injury, Claimant was unable to obtain and retain employment at wages equivalent to claimant's pre-injury wage beginning on January 5, 1999 through the date of this hearing.

Finding of Fact No. 14 is changed to read:

14. Due to the **compensable** injury, claimant was unable to obtain and retain employment at wages equivalent to claimant's pre-injury wage beginning on January 5, 1999 through the date of this hearing.

So ordered.

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Stark O. Sanders, Jr.  
Chief Appeals Judge

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Philip F. O'Neill  
Appeals Judge