

APPEAL NO. 000228

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on November 23, 1999. The hearing officer determined that the appellant (carrier) was not entitled to a reduction in the payment of income benefits based on the respondent's (claimant) unreported earnings; that the claimant had no post-injury earnings during the period of disability; and that the claimant had disability for a period of time. The carrier appeals only the disability determination, contending that the hearing officer made a typographical error in a conclusion of law and in the decision portion of the decision and order which stated that the disability began on April 28, 1999. The appeals file contains no response from the claimant.

DECISION

Affirmed as reformed.

The claimant sustained a compensable low back injury on \_\_\_\_\_. In Conclusion of Law No. 3, the hearing officer found that the claimant had disability beginning on April 28, 1999, and continuing through December 31, 1998. The same beginning date appears in the decision section of the decision and order. The carrier contends on appeal that this is a typographical or clerical error. We agree. For this reason, we reform these sections of the decision and order to reflect that disability began on April 28, 1998. See Section 410.206 of the 1989 Act.

The decision and order of the hearing officer are affirmed as reformed.

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Alan C. Ernst  
Appeals Judge

CONCUR:

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Stark O. Sanders, Jr.  
Chief Appeals Judge

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Joe Sebesta  
Appeals Judge