

APPEAL NO. 001871

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 July 25, 2000. The issues at the hearing were whether the respondent (carrier) complied with 13 Texas Workers' Compensation Commission (Commission) Orders (Orders) by paying the fees as ordered, whether the appellants (attorneys) are owed fees, and, if so, how much. The attorneys asserted that the carrier failed to pay in accordance with the 13 orders. The hearing officer determined that the Commission's Hearings division does not have jurisdiction to determine whether the carrier has complied with the 13 orders. The hearing officer also determined that the orders had been entered for the fees. The attorneys appeal, complaining that there is no other remedy when a carrier fails to comply with a Commission order for fees. The does not contain a response from the carrier or the claimant.

DECISION

We affirm.

The hearing officer determined that the Commission issued 13 Orders, totaling \$4,162.50 in attorneys fees for claimant's attorneys. Carrier issued a check to the claimant's attorneys for \$1,800.00 when it paid benefits to claimant. The attorneys urge that carrier should have paid them \$3,843.75. The attorneys do not appeal the Orders in this case. The attorneys are appealing from the hearing officer's decision and order in which she determined that the Hearings division does not have jurisdiction to determine whether carrier has complied with an attorneys fee order. We agree that the Hearings division does not have jurisdiction over the carrier's actual conduct after a decision or order has been entered and we perceive no error in the hearing officer's decision and order.

We affirm the hearing officer's decision and order.

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Judy L. Stephens  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge