

APPEAL NO. 002870

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 21, 2000. The hearing officer determined that the impairment rating (IR) of the appellant (claimant) is zero percent, in accordance with the report of the designated doctor, Dr. T. Claimant appealed this determination and contended that her IR should be 16%. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

Claimant contends the hearing officer erred in determining that her IR is zero percent. She asserts that this determination is contrary to the other medical evidence because her treating doctor, Dr. B, and the first designated doctor, Dr. N, both found that she had some impairment. She states that her treating doctor's 16% IR should be adopted as her IR.

The hearing officer discussed the facts and procedural history of this case and we will not repeat it here. In this case, the hearing officer reviewed the record and decided whether the great weight of the other medical evidence is contrary to the designated doctor's report. The role of the Texas Workers' Compensation Commission-selected designated doctor is explained in Texas Workers' Compensation Commission Appeal No. 001604, decided August 23, 2000, an IR case involving assertions that are similar to those made in the case before us. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

Judy L. Stephens
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Philip F. O'Neill
Appeals Judge