

APPEAL NO. 002892

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 27, 2000. The hearing officer determined that appellant (claimant) is not entitled to supplemental income benefits for the 18th quarter. Claimant appealed this determination on sufficiency grounds, contending that she had no ability to work during the qualifying period. Respondent self-insured ("carrier" herein) responded that the Appeals Panel should affirm the hearing officer's decision and order. The direct result determination in claimant's favor was not appealed.

DECISION

We affirm.

We have reviewed the complained-of determination and conclude that the issue of good faith involved a fact question for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determination is 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

Robert W. Potts
Appeals Judge