

## APPEAL NO. 010417

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On January 30, 2001, a hearing was held. The hearing officer determined that: (1) the respondent (claimant) sustained a compensable occupational injury to his pulmonary system on \_\_\_\_\_; and (2) the claimant had disability from October 26, 1999, through January 14, 2000. The appellant (carrier) urges reversal, asserting that the hearing officer's determination that the claimant sustained a compensable injury is against the great weight and preponderance of the evidence. The claimant seeks affirmance on both issues.

### DECISION

Affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable occupational injury to his pulmonary system on \_\_\_\_\_. The claimant had the burden to prove a causal connection between his employment and his condition. Texas Workers' Compensation Commission Appeal No. 94309, decided April 29, 1994. Where the matter of causation of the claimed injury is beyond common knowledge or experience, expert evidence to a reasonable degree of medical probability is required. Schaefer v. Texas Employers' Insurance Association, 612 S.W.2d 199 (Tex. 1980). Conflicting evidence was presented at the hearing regarding this issue. 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 (Tex. 1986).

Based upon the determination that there was a compensable injury, the hearing officer's determination that the claimant had disability from October 26, 1999, through January 14, 2000, is supported by the record.

The decision and order of the hearing officer are affirmed.

---

Susan M. Kelley  
Appeals Judge

CONCUR:

---

Judy L. S. Barnes  
Appeals Judge

---

Thomas A. Knapp  
Appeals Judge