

APPEAL NO. 010674

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 February 26, 2001. The hearing officer determined that the compensable injury of the respondent/cross-appellant (claimant) extends to and includes a torn right meniscus and that claimant had disability from November 1, 2000, through February 26, 2001. Appellant/cross-respondent (carrier) appealed these determinations on sufficiency grounds. Claimant responded that the Appeals Panel should affirm the determination regarding extent of injury. Claimant appealed the determination that his period of disability ended on the date of the hearing, contending that he was not released to return to work until March 15, 2001. Carrier responded that, even if claimant had disability after October 31, 2000, any disability after the date of the hearing had not yet accrued.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. 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). Regarding the ending date of disability, we note that the hearing officer did not have jurisdiction to determine any future dates of disability and properly did not determine such.

We affirm the hearing officer's decision and order.

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Michael B. McShane  
Appeals Judge