

APPEAL NO. 010716

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 8, 2001. The hearing officer determined that the respondent's (claimant) compensable injury of \_\_\_\_\_, included "an injury for a herniated disc at the L5-S1 level." The hearing officer also determined that claimant's prior compensable injuries, dated \_\_\_\_\_, and \_\_\_\_\_, did "not include, nor extend to include, an injury for a herniated disc at the L5-S1 level." The appellant (carrier C), which provided workers' compensation insurance to claimant's employer when he sustained the \_\_\_\_\_, injury, appealed the determination on sufficiency grounds. The claimant responded and urged affirmance of the hearing officer's decision. (Carrier F) responded that the Appeals Panel should affirm the hearing officer's decision and order. (Carrier W) did not respond.

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 (Tex. 1986).

We affirm the hearing officer's decision and order.

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Robert W. Potts  
Appeals Judge