

APPEAL NO. 011179  
FILED JULY 05, 2001

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 May 7, 2001. The hearing officer determined that the respondent's (claimant) compensable right knee injury extends to and includes an injury to the left knee.

The appellant (carrier) appeals, contending that the left knee injury was not "naturally resulting" from the right knee injury, citing some cases which involved follow-on falls due to spinal injuries, and asserting that the left knee injury did not occur "during" physical therapy (PT). The claimant responds, urging affirmance.

DECISION

Affirmed.

The carrier has accepted a compensable right knee injury sustained on \_\_\_\_\_. It is undisputed that, due to that injury, the claimant had two surgeries on his right knee and was prescribed PT, which included walking on an automated treadmill. The claimant testified that on \_\_\_\_\_, while walking on the treadmill, he misstepped, resulting in a jerking and injury to his left knee. The hearing officer found that injuries occurring while undergoing PT for a compensable injury become a part of the compensable injury. The hearing officer's determination is supported by Dr. H's report of January 15, 2001, which states that the claimant's injury was "caused directly from his incident on the treadmill while rehabing his right knee."

The carrier's citation of cases dealing with follow-on falls due to spinal injuries and overuse injuries are not applicable to the instant case where the hearing officer found a specific incident during prescribed PT to be the cause of the left knee injury. In Texas Workers' Compensation Commission Appeal No. 981422, decided August 10, 1998, the Appeals Panel held that "[i]t is well settled that an injury resulting from the medical treatment of a compensable injury is itself compensable because it 'naturally results from'" the compensable injury. See *also* Texas Workers' Compensation Commission Appeal No. 952015, decided January 11, 1996 (Unpublished). The hearing officer weighed the credibility of the evidence, and the hearing officer's determination on the issue before her 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).

Accordingly, the hearing officer's decision and order are affirmed.

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge