APPEAL NO. 011276
FILED JULY 17, 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 (CCH) was held on May 18, 2001. The hearing officer found that the appellant (claimant) injured his right knee in an incident of _____, but did not also injure his neck, back, or left knee. The hearing officer found that the claimant had disability from February 19, 2001, until the date of the CCH.

The claimant has appealed the extent-of-injury finding. He argues that his medical evidence was not given consideration by the hearing officer and proves the full extent of his injuries. The respondent (carrier) recites facts in support of affirming the decision.

DECISION

We affirm the hearing officer's decision.

The hearing officer did not err in his decision concerning the scope of the claimant's claimed injuries. The claimant described how he had been holding a piece of equipment that was being pulled along from a cart in which he rode. There was conflicting testimony offered by the claimant and the driver of the cart as to how the claimant fell. In any case, the evidence indicated that he initially claimed (and eventually had surgery for) an injury to his right knee; however, injury to other regions of his body was asserted after some delay.

We would caution that while chronology alone does not establish a causal connection between an accident and a later-diagnosed injury (Texas Workers' Compensation Commission Appeal No. 94231, decided April 8, 1994), neither does a delayed manifestation nor the failure to immediately mention an injury to a health care provider necessarily rule out a connection. *See* Texas Employers Insurance Company v. Stephenson, 496 S.W.2d 184 (Tex. Civ. App.-Amarillo 1973, no writ). Generally, lay testimony establishing a sequence of events which provides a strong, logically traceable connection between the event and the condition is sufficient proof of causation. Morgan v. Compugraphic Corp., 675 S.W.2d 729, 733 (Tex. 1984). However, a trier of fact is not required to accept a claimant's testimony at face value, even if not specifically contradicted by other evidence. Bullard v. Universal Underwriters Insurance Company, 609 S.W.2d 621 (Tex. Civ. App.-Amarillo 1980, no writ). In this case, there were different accounts of the mechanism of injury, some evidence that the claimant had preexisting back and neck problems, and the claimant's contention that his pain extended beyond his knee form the very first, which the hearing officer might have believed made it illogical that he would not also complain early on.

An appeals-level body is not a fact finder and does not normally pass upon the credibility of witnesses or substitute its own judgment for that of the trier of fact, even

if the evidence would support a different result. National Union Fire Insurance Company of Pittsburgh, Pennsylvania v. Soto, 819 S.W.2d 619, 620 (Tex. App.-El Paso 1991, writ denied); American Motorists Insurance Co. v. Volentine, 867 S.W.2d 170 (Tex. App.- Beaumont 1993, no writ). In considering all the evidence in the record, we cannot agree that the findings of the hearing officer are so against the great weight and preponderance of the evidence as to be manifestly wrong and unjust. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). We affirm the decision and order.

Susan M. Kelley
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Robert W. Potts
Appeals Judge