

APPEAL NO. 011514  
FILED AUGUST 16, 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 June 11, 2001. The hearing officer determined that respondent (claimant) sustained a compensable injury and that she had disability from September 6, 2000, through the date of the hearing. Appellant (carrier) appealed these determinations on sufficiency grounds. Claimant responded that the Appeals Panel should affirm the hearing officer's decision and order.

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). Carrier complained that the hearing officer misstated the evidence by stating that carrier's peer review doctor related claimant's carpal tunnel syndrome (CTS) to "the compensable event." The record reflects that Dr. C stated that "the current complaints are consistent with a wrist tendonitis causally related to the compensable event," but that Dr. C did not relate the CTS to the claimant's work. However, we find no reversible error in this case, given the fact that there was sufficient evidence to support a determination that claimant sustained a compensable injury, regardless of diagnosis. Regarding the article attached to carrier's appeal, we decline to consider it for the first time on appeal. See Texas Workers' Compensation Commission Appeal No. 002144, decided October 30, 2000.

We affirm the hearing officer's decision and order.

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge