APPEAL NO. 011538
FILED JULY 30, 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 18, 2001. The hearing officer determined that the appellant's (claimant) compensable injury sustained on _____, did not extend to and include bilateral carpal tunnel syndrome (CTS), and that the claimant did not have disability from _____, through February 13, 2001. The claimant has appealed these adverse determinations on sufficiency of the evidence grounds. The respondent (carrier) urges that the hearing officer's decision and order be affirmed.

DECISION

Affirmed.

Whether a compensable injury extends to and includes a particular body part is a question of fact for the hearing officer to decide. The hearing officer found no causal connection between the claimant's compensable low back and bilateral knee injuries and the alleged bilateral CTS. She noted that the medical records are devoid of any mention of any kind of wrist injury prior to _____. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given the evidence. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). We will reverse a factual determination of a hearing officer only if that determination is so against the great weight and preponderance of the evidence as to be clearly wrong and manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986). Applying this standard of review to the record of this case, we decline to substitute our opinion of the evidence for that of the hearing officer.

We likewise affirm the decision of the hearing officer that the claimant did not have disability from _____, through February 13, 2001. The hearing officer had evidence before her showing that the claimant's treating doctor and the carrier-selected required medical examination doctor had released the claimant to return to work without restrictions as of _____, and January 10, 2001, respectively. Despite the claimant's testimony that she was still unable to return to work at that time, we cannot say that the hearing officer's determination is against the great weight of the evidence.

We affirm the decision and order of the hearing officer.

Michael B. McShane
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge