

APPEAL NO. 011628
FILED AUGUST 20, 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 21, 2001. With regard to the issues before her, the hearing officer determined that the appellant (claimant herein) had a compensable injury on _____, but did not have disability. The claimant appeals the hearing officer's determination regarding disability, contending that the evidence established he had disability. The respondent (carrier herein) replies that there is sufficient evidence to support the hearing officer's finding of no disability.

DECISION

Finding sufficient evidence to support the decision of the hearing officer and no reversible error in the record, we affirm the decision and order of the hearing officer.

There was conflicting evidence as to disability. The claimant testified that he was unable to work as a result of his injury, and presented medical evidence to this effect. However, there was contrary medical evidence showing that the claimant could work and some evidence indicating that the claimant was working. Disability is a question of fact to be determined by the hearing officer. Texas Workers' Compensation Commission Appeal No. 93560, decided August 19, 1993. We will only reverse a factual determination if it is so contrary to the great weight and preponderance of the evidence as to be manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). We do not find that to be the case here.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **(carrier)** and the name and address of its registered agent for service of process is

RL (address)

Gary L. Kilgore
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge