

APPEAL NO. 011684  
FILED SEPTEMBER 6, 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 July 19, 2001. He determined that the respondent/cross-appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the ninth and tenth compensable quarters. The appellant/cross-respondent (carrier) urges on appeal that the finding that claimant's unemployment for the ninth and tenth SIBs quarters was a direct result of his impairment is against the great weight and preponderance of the evidence. Claimant expresses disagreement with the finding that he is not entitled to SIBs. In response to claimant's appeal, carrier urges affirmance with regard to the SIBs entitlement determination.

DECISION

We reverse and remand.

This case is remanded for the sole purpose of compliance with HB2600, amending Section 410.164, effective June 17, 2001. Section 410.164 was amended by the addition of subsection (c), which provides as follows:

- (c) At each [CCH], as applicable, the insurance carrier shall file with the hearing officer and shall deliver to the claimant a single document stating the true corporate name of the insurance carrier and the name and address of the insurance carrier's registered agent for service of process. The document is part of the record of the [CCH].

The procedure for implementing this statutory amendment is in the June 19, 2001, Texas Workers' Compensation Commission (Commission) memorandum to hearing officers, entitled: "Required Insurance Carrier Information."

A rehearing on remand is required to obtain this information from both the carrier and the self-insured and ensure that both deliver a copy of the document to the claimant and admit the document into the record. The hearing officer may reissue his original decision, as the Decision on Remand, with the added information, or he may incorporate by reference the original decision into a Decision on Remand, with the added information.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Commission's Division of Hearings, pursuant to Section 410.202

(amended June 17, 2001). See Texas Workers' Compensation Commission Appeal No. 92642, decided January 20, 1993.

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Michael B. McShane  
Appeals Judge