

APPEAL NO. 011718  
FILED SEPTEMBER 13, 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 June 28, 2001. With regard to the issue before him, the hearing officer determined that the appellant's (claimant) compensable bilateral shoulder injury did not include the neck, and that the claimant reached maximum medical improvement (MMI) on June 28, 2000, with a zero impairment rating.

The claimant appealed contending that some of her testimony had been misconstrued, that she is not at MMI because she is still receiving medical care, and that the designated doctor did not rate all of her injury. The file does not contain a response from the respondent (carrier).

DECISION

Reversed and remanded.

We must remand for the purpose of obtaining compliance with House Bill 2600, which amended 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].

In this case, the address provided for the registered agent was a post office box, where personal service of process cannot be effectuated. Therefore, we remand so that a street address may be provided by the carrier for its registered agent, in order to carry out the purpose of the legislation.

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 Texas Workers' Compensation 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.

---

Thomas A. Knapp  
Appeals Judge

CONCUR:

---

Gary L. Kilgore  
Appeals Judge

---

Robert W. Potts  
Appeals Judge