

APPEAL NO. 011842  
FILED SEPTEMBER 25, 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 July 5, 2001. With respect to the issues before her, the hearing officer determined that the respondent (claimant) sustained a compensable injury \_\_\_\_\_, and that the appellant (carrier) was not relieved of liability under Section 409.002, because the claimant did timely notify her employer pursuant to Section 409.001. The carrier appeals on sufficiency grounds and seeks reversal. There is no response from the claimant in the file.

DECISION

Reversed and remanded.

This case is remanded 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:

At each [hearing], 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 [hearing].

In the present case, Hearing Officer's Exhibit No. 2 purports to contain the carrier information. However, the name of the carrier listed in that document, Security Insurance Company of Hartford, is different from the of the carrier stipulated by the parties as the correct carrier at the hearing, Connecticut Indemnity Company. Under these circumstances, it is unclear whether or not the required carrier information is correct. Thus, we remand the case to the hearing officer to ascertain who the correct carrier is, to obtain the correct name and street address of the registered agent for that carrier. The hearing officer should also correctly identify the carrier in the stipulation and the caption.

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, which was amended June 17, 2001, to exclude Saturdays, Sundays, and holidays listed in the Texas Government Code in the computation of the 15-day appeal and response periods.

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge