

APPEAL NO. 011876  
FILED SEPTEMBER 24, 2001

Following a contested case hearing (CCH) held on July 12, 2001, pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act), the hearing officer resolved the disputed issues by determining that the respondent's (claimant) compensable right wrist sprain injury of \_\_\_\_\_, extends to and includes right de Quervain's tenosynovitis; that the employer did not tender a bona fide offer of employment to the claimant on either January 27, 2001, or April 18, 2001; and that the claimant had disability beginning on January 25, 2001, and continuing through June 3, 2001, and for no other period. An appeal has been filed by Great American Insurance Company (carrier A), asserting that these determinations are not sufficiently supported by the evidence and should be reversed. The claimant has filed a response urging that the evidence is sufficient to support the challenged determinations and to warrant our affirmance.

DECISION

Reversed and remanded.

The hearing officer's Decision and Order is styled to reflect that the insurance carrier for this claim is Agricultural Insurance Company (carrier B). The parties stipulated that on \_\_\_\_\_, the claimant was the employee of employer and that the employer had workers' compensation insurance with carrier B. Hearing Officer's Exhibit No. 2, the carrier information sheet, reflects that the insurance carrier is carrier A, as does the carrier's appeal.

We reverse the hearing officer's decision and order and remand for the hearing officer to reconcile the problem with the identity of the carrier and to comply with House Bill 2600 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 the statutory amendment is contained 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 and admit it into the record.

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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Philip F. O'Neill  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Robert W. Potts  
Appeals Judge