

APPEAL NO. 011889
FILED SEPTEMBER 27, 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 3, 2001. The appellant (claimant) appeals the hearing officer's determinations that the designated doctor did not have a disqualifying association with one of the claimant's referral doctors, that the claimant reached maximum medical improvement on February 23, 2000, with an impairment rating of 5%, and that the original injury did not extend to or include the claimant's neck (cervical spine), hypertension, or bilateral carpal tunnel syndrome. The respondent (carrier) responds, urging affirmance.

DECISION

Affirmed.

There was conflicting evidence concerning each of these findings. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. When reviewing a hearing officer's decision for factual sufficiency of the evidence we should reverse such decision only if it is so contrary to the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Co., 715 S.W.2d 629, 635 (Tex. 1986). Applying this standard, we find no grounds to reverse the factual findings of the hearing officer.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **EMPLOYERS GENERAL INSURANCE GROUP** and the name and address of its registered agent for service of process is

**ROBERT RAMSOWER
1601 ELM STREET, SUITE 1600
DALLAS, TEXAS 75221-9010.**

Michael B. McShane
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge