

APPEAL NO. 011924
FILED SEPTEMBER 20, 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 12, 2001. He determined that the appellant (claimant) did not sustain an injury while in the course and scope of her employment on _____, or on _____, and that the compensable injury sustained by the claimant on _____, is not a producing cause of the right knee strain or medial meniscus tear after October 29, 2000. Claimant expresses disagreement with this decision and requests that a new decision be rendered finding that, with regard to case number 1, she sustained a compensable injury on _____; or, alternatively, that, with regard to case number 2, the compensable injury sustained in 1997, is a producing cause of the most recent problems with her right knee. Respondent (carrier A), the carrier on April 26, 1997, urges affirmance. The file does not contain a response from respondent (carrier B), who was the carrier on November 1, 2000.

DECISION

We reverse and remand.

This case is remanded for the 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].

In this case, carrier B did provide the name and address of its registered agent in Texas for service of process and it is listed below. However, carrier A provided the name and address of a registered agent in Connecticut. As explained in Texas Workers' Compensation Commission Appeal No. 011845-S, decided September 11, 2001, the carrier is required to provide a physical address of a registered agent in Texas for service of process. Therefore, the case is remanded for carrier A to provide the required information for its registered agent in Texas.

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. Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code are not included in the computation of the time.

The true corporate name of carrier B is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750
COMMODORE 1
AUSTIN, TEXAS 78701.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Gary L. Kilgore
Appeals Judge