

APPEAL NO. 011975  
FILED OCTOBER 11, 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 24, 2001. With respect to the issues before him, the hearing officer determined that the respondent (claimant) sustained a compensable injury on \_\_\_\_\_, and had disability, as a result of his compensable injury, from December 27, 2000, to May 6, 2001. In its appeal, the appellant (carrier) argues that those determinations are against the great weight of the evidence. The appeal file does not contain a response to the carrier's appeal from the claimant.

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, Indemnity Insurance Company of North America, is different from the name of the carrier stipulated to by the parties as the correct carrier at the hearing, Pacific Employers Insurance 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 and 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 Section 662.003(a) of the 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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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge