

APPEAL NO. 011993
FILED OCTOBER 8, 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 31, 2001. The hearing officer determined that the impairment rating (IR) of the appellant (claimant) is six percent, in accordance with the report of the designated doctor, Dr. S. Claimant appealed this determination, raising several issues with regard to the designated doctor's IR. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of determination regarding claimant's IR and conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). The designated doctor set forth his inclusion of impairment regarding sensory function and we perceive no error regarding the alleged failure to rate claimant's reflex sympathetic dystrophy. Given the wording of Table 36 of the Guides to the Evaluation of Permanent Impairment, third edition, second printing, dated February 1989, published by the American Medical Association, we also perceive no error regarding the failure to include impairment for loss of range of motion. Regarding whether the designated doctor failed to include impairment for a meniscectomy, the designated doctor stated that claimant did not have a meniscectomy and the hearing officer could find from the operative report that this was so. To the extent that claimant complains of the examination procedure, this was for the hearing officer to consider in making his determination, and we perceive no reversible error. We conclude that the hearing officer did not err in according presumptive weight to the designated doctor's report.

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **RELIANCE NATIONAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

TIMOTHY J. McGUIRE
633 NORTH STATE HIGHWAY 161, SUITE 200
IRVING, TEXAS 75308.

Judy L. S. Barnes
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge