

APPEAL NO. 011999  
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 26, 2001. The hearing officer resolved the disputed issues by determining that the appellant's (claimant) compensable injury sustained on \_\_\_\_\_, does not extend to include a bilateral wrist injury with the following diagnosis: avascular necrosis of the lunate bone with non-united fracture and mild post-traumatic deformity, tear of the triangular fibrocartilage complex at the site of attachment with distal radius, with posterior subluxation of distal radial ulnar joint and increased distal radial ulnar joint fluid, mildly increased radioulnar joint fluid, osteoarthritis, radioulnar joint and Kienbock's disease (bilateral wrist condition); and that the claimant did have disability as a result of the injury sustained on \_\_\_\_\_, beginning January 3, 2001, and continuing through the date of the hearing. The claimant appealed the hearing officer's determination as to the extent of the injury and the respondent (self-insured) responded, urging affirmance.

DECISION

Affirmed.

An injury is "damage or harm to the physical structure of the body and a disease or infection naturally resulting from the damage or harm." Section 401.011(26). Whether an employee has "a disease or infection naturally resulting from the damage or harm," or whether an injury extends to a particular member of the body is a factual matter for the hearing officer to determine. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993.

There was conflicting medical evidence presented regarding the etiology of the claimant's current bilateral wrist condition. 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 the weight and credibility that is to be given the evidence. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). The hearing officer's determination that the claimant did not meet her burden of proof that her \_\_\_\_\_, compensable injury extends to her current bilateral wrist condition is supported by sufficient evidence and it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **VF CORPORATION AND SUBSIDIARIES** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
ATTN: CINDY HARRIS  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

---

Susan M. Kelley  
Appeals Judge

CONCUR:

---

Thomas A. Knapp  
Appeals Judge

---

Michael B. McShane  
Appeals Judge