

APPEAL NO. 012096  
FILED OCTOBER 24, 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 30, 2001. He determined that the compensable injury sustained by the appellant (claimant) on \_\_\_\_\_, is not a producing cause of the claimant's low back injury after the subsequent injury which occurred on \_\_\_\_\_, and that the claimant did not have disability after \_\_\_\_\_. On appeal, the claimant expresses disagreement with these determinations. The respondent (self-insured) urges affirmance.

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, the address provided on the self-insured's information form for the person identified as the registered agent is a post office box, where service of process cannot be effectuated. Therefore, we remand so that a street address may be provided by the self-insured for its registered agent, in order to carry out the purpose of the legislation. See Texas Workers' Compensation Commission Appeal No. 011587, decided August 24, 2001.

The hearing officer made the following finding of fact:

**FINDING OF FACT**

6. The Claimant was involved in a motor vehicle accident on \_\_\_\_\_, for which he sought treatment at the emergency room.

Additionally, the hearing officer references the emergency room treatment in his statement of evidence. The claimant argues on appeal that this finding is incorrect because he did not receive emergency room treatment. The evidence reflects that the claimant sought medical treatment at a clinic the day after the motor vehicle accident, which occurred on \_\_\_\_\_ however, there is no indication that the claimant sought emergency room

treatment. On remand, the hearing officer should either correct all references to the emergency room treatment or clarify the basis for such statement.

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 and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods.

---

Gary L. Kilgore  
Appeals Judge

CONCUR:

---

Elaine M. Chaney  
Appeals Judge

---

Robert W. Potts  
Appeals Judge