APPEAL NO. 012154
FILED OCTOBER 12, 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 27, 2001. The hearing officer found that (1) the appellant's (claimant) bilateral carpal tunnel syndrome (CTS) was caused by the repetitive nature of her job duties; (2) the claimant knew or should have known that her injury was work-related on _____; (3) the claimant notified her employer of her injury on March 6, 2001; and (4) the claimant was unable to obtain and retain employment at her preinjury wages from March 6, 2001, through the date of the hearing. The hearing officer concluded that the claimant failed to timely notify her employer of the injury, thereby, relieving the carrier of liability for this claim, pursuant to Section 409.002. Accordingly, the hearing officer further concluded that the claimant did not sustain a compensable injury in the form of an occupational disease and did not have disability. The claimant urges reversal, asserting that the hearing officer's date of injury determination is against the great weight of the evidence. Specifically, the claimant asserts that her bilateral CTS did not exist on _____. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the date of injury is _____. Section 408.007 provides that the date of injury for an occupational disease is the date on which the employee knew or should have known that the disease may be related to the employment. We have said that the date of injury is when the injured employee, as a reasonable person, could have been expected to understand the nature, seriousness, and work-related nature of the disease. Texas Workers' Compensation Appeal No. 94534, decided June 13, 1994, citing Commercial Insurance Co. of Newark, N.J. v. Smith, 596 S.W.2d 661 (Tex. Civ. App.-Fort Worth 1980, writ ref'd n.r.e.). A definitive diagnosis from a doctor is not required, nor is the employee held to the standard of a doctor's knowledge of causation. *See* Texas Workers' Compensation Commission Appeal No. 91097, decided January 16, 1992. In view of the claimant's recorded statement and testimony, we cannot conclude that the hearing officer's determination is 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 decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **TEXAS WORKERS' COMPENSATION INSURANCE FUND** (Referred to as Texas Mutual Insurance Company after September 21, 2001) and the name and address of its registered agent for service of process is

RUSSELL R. OLIVER, PRESIDENT
221 WEST 6TH STREET
AUSTIN, TEXAS 78701.

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Susan M. Kelley
Appeals Judge