

APPEAL NO. 012193
FILED NOVEMBER 5, 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 June 19, 2001. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable injury on _____; that the claimant had disability beginning on _____, through January 15, 2001, and from January 18, 2001, through March 19, 2001; and that the claimant timely reported his injury to his employer. The carrier appealed the hearing officer's decision on the issues of compensable injury and disability and the claimant responded. In Texas Workers' Compensation Commission Appeal No. 011583, decided August 22, 2001, the Appeals Panel reversed the hearing officer's decision and remanded for the sole purpose of compliance with HB2600, which amended Section 410.164 effective June 17, 2001, by adding subsection (c) regarding the carrier information document. On remand, the carrier provided the required information form and it was made a Hearing Officer's Exhibit. In her decision on remand, the hearing officer made the same determinations in favor of the claimant as in her original decision. The carrier has appealed the hearing officer's decision on remand with regard to the issues of compensable injury and disability, and the claimant has responded. There is no appeal of the hearing officer's decision on remand that the claimant timely notified his employer of his injury.

DECISION

The hearing officer's decision on remand is affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable injury on _____, and that the claimant had disability from _____ through January 15, 2001, and from January 18, 2001, through March 19, 2001, resulting from the compensable injury. Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The claimant's testimony and the medical reports of his treating doctor support the hearing officer's determinations on the appealed issues. The hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

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

**NICHOLAS PETERS
12801 NORTH CENTRAL EXPRESSWAY, SUITE 100
DALLAS, TEXAS 75243.**

Robert W. Potts
Appeals Judge

CONCUR:

Robert E. Lang
Appeals Panel
Manager/Judge

Thomas A. Knapp
Appeals Judge