

APPEAL NO. 012195  
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 August 9, 2001. The hearing officer determined that the compensable injury of the appellant (claimant) did not extend to claimant's lumbar spine. The hearing officer also determined that claimant did not have disability after April 26, 2001. Claimant appealed only the disability determination on sufficiency grounds. Respondent self-insured (carrier herein) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of disability determination and conclude that the issue involved a fact question for the hearing officer. The hearing officer reviewed the record and decided what facts were established. Although there was medical evidence that claimant had not been released to work, this merely presented a fact question for the hearing officer to consider. The hearing officer could also consider the MRI and other test results and claimant's testimony in determining the disability issue. We note that the report from Dr. H was merely one report that the hearing officer could have considered in making his determination. We conclude that the hearing officer's determination is 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).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

**C. T. CORPORATION SYSTEM  
350 N. ST. PAUL STREET  
DALLAS, TEXAS 75201.**

---

Judy L. S. Barnes  
Appeals Judge

CONCUR:

---

Elaine M. Chaney  
Appeals Judge

---

Thomas A. Knapp  
Appeals Judge