

APPEAL NO. 012373
FILED NOVEMBER 19, 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 September 18, 2001. She determined that the respondent (claimant) sustained a compensable injury on _____, and has had disability from March 20, 2001, through the date of the CCH. The appellant (self-insured) urges on appeal that these determinations are not sufficiently supported by the evidence and are against the great weight of the evidence. The appeal file contains no response from the claimant.

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 self-insured's information form reflects that its true corporate name is (self-insured) which appears to be the third-party administrator for the claim. While someone has interlined on the typed information form, "(self-insured)," this only serves to create further confusion as to what is the self-insured's true corporate name and registered agent. As it would be unusual for a self-insured to be insured through another corporation, we remand for the hearing officer to seek clarification on this issue and to obtain the true corporate name as well as the registered agent and address for service of process for the self-insured.

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:

Susan M. Kelley
Appeals Judge

Michael B. McShane
Appeals Judge