

APPEAL NO. 012392
FILED NOVEMBER 26, 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 20, 2001. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury on _____, and that the claimant did not have disability.

The claimant appealed, arguing essentially that the hearing officer erred in determining compensability and disability. The respondent (carrier) urges affirmance.

DECISION

Reversed and rendered.

It is undisputed that the claimant fell and sustained injuries while working at home on _____. There is evidence to support the hearing officer's decision that the claimant had authority to work at home at the time. The hearing officer determined that the injuries were not compensable because an instrumentality of the employer inherent in the employment was not involved. We disagree. The claimant was in the course and scope of her employment furthering the business affairs of her employer at the time. The work environment at the time the claimant was injured was her home. The claimant was injured when she fell, causing her body to strike her kitchen cabinets and floor. The claimant's injuries arose out of her employment because the employment had a causal connection with her injuries either through her activities, its conditions, or its environments. See Garcia v. Texas Indemnity Insurance Company, 209 S.W.2d 333 (Tex. 1948).

Accordingly, we reverse the hearing officer's decision that the claimant did not sustain a compensable injury in the course and scope of employment. We render a new decision that the claimant sustained a compensable injury and that the claimant had disability from June 10, 2001, through the date of the CCH.

The true corporate name of the insurance carrier is **STATE OFFICE OF RISK MANAGEMENT (a self-insured governmental entity)** and the name and address of its registered agent for service of process is as follows:

For service in person the address is:

**RON JOSSELET, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
300 W. 15TH STREET
WILLIAM P. CLEMENTS, JR. STATE OFFICE BUILDING, 6TH FLOOR
AUSTIN, TEXAS 78701.**

For service by mail the address is:

**RON JOSSELET, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
P.O. BOX 13777
AUSTIN, TEXAS 78711-3777.**

Robert E. Lang
Appeals Panel
Manager/Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge