

APPEAL NO. 012535  
FILED DECEMBER 6, 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 September 26, 2001. The hearing officer resolved the disputed issue by concluding that the respondent/cross-appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the third quarter. The appellant/cross-respondent (carrier) appeals, contending that the hearing officer erred in finding that claimant's unemployment is a direct result of his impairment. The file does not contain a response from claimant. Claimant appeals, contending that he made a good faith effort to find work and that he is entitled to SIBs. In its response, carrier contends that the record reflects that claimant failed to look for work each and every week of the qualifying period and that claimant was simply going through the motions to attempt to qualify for SIBs.

DECISION

We affirm.

We have reviewed the complained-of determinations regarding good faith and direct result and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. The hearing officer could, and did, find from the evidence that claimant is not entitled to SIBs because he did not make a good faith weekly job search. The hearing officer could find that claimant's unemployment is a direct result of his impairment, given claimant's restrictions that prevent him from returning to his former work. We conclude that the hearing officer's determinations are 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.

According to information provided by carrier, the true corporate name of the insurance carrier is **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Robert W. Potts  
Appeals Judge