

APPEAL NO. 013113
FILED JANUARY 22, 2002

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 October 25, 2001. The hearing officer determined that appellant (claimant) did not sustain a compensable injury and that she did not timely report the claimed injury. Claimant appealed these determinations on sufficiency grounds. Claimant also complained about the addition of an issue. Respondent (self-insured) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

Claimant's appeal was not timely filed. Thus, it did not invoke the jurisdiction of the Appeals Panel, and the hearing officer's decision and order have become final pursuant to Section 410.169.

We note that Section 410.202 was amended effective June 17, 2001, to exclude Saturdays, Sundays, and holidays listed in the Texas Government Code in the computation of the 15-day appeal period. In this instance, the hearing officer's decision and order was distributed to the parties on October 29, 2001. In the request for review, claimant stated that claimant received a copy of the hearing officer's decision on October 29, 2001. Based on that date of receipt, the 15-day deadline for mailing the appeal was November 20, 2001. The mailing envelope indicates that the appeal was returned to claimant due to insufficient postage and was remailed by claimant to the Texas Workers' Compensation Commission (Commission). The postage meter date for remailing is dated December 4, 2001, and the appeal was not received by the Commission until December 17, 2001. The appeal was not timely filed.

Because claimant did not timely file her request for review, the request for review did not properly invoke the Appeals Panel's jurisdiction. The hearing officer's decision and order became final pursuant to Section 410.169 and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 142.16(f) (Rule 142.16(f)).

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

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
THE STATE OFFICE OF RISK MANAGEMENT
P.O. BOX 13777
AUSTIN, TEXAS 78711-3777.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Robert E. Lang
Appeals Panel
Manager/Judge

Terri Kay Oliver
Appeals Judge