

APPEAL NO. 013130  
FILED FEBRUARY 6, 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 November 29, 2001. With respect to the single issue before him, the hearing officer determined that the respondent's (claimant) compensable injury of \_\_\_\_\_, includes cervicobrachial syndrome. The appellant (self-insured) appealed, arguing that the hearing officer erred in determining extent of injury. The claimant did not file a response.

DECISION

Affirmed.

The claimant testified that she was employed as an administrative technician answering the telephones, keyboarding, and entering data into the computer. The claimant stated that on \_\_\_\_\_, she sustained injuries to her hands, neck, and shoulders due to the repetitive motions of her job duties. The self-insured accepted a bilateral carpal tunnel syndrome injury and contested a cervical spine injury. The claimant's treating doctor, Dr. L, testified that the claimant's repetitive trauma actions caused cervicobrachial syndrome, which he defined as a "low grade sprain/strain to the mid and lower level facet joint[s] of the cervical spine."

The hearing officer did not err in determining that the claimant's compensable injury of \_\_\_\_\_, includes cervicobrachial syndrome. Extent of injury is a question of fact. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. The opinion of the treating doctor could be accepted as probative evidence of the causal connection between the claimant's employment activities and the cervicobrachial syndrome. The hearing officer commented that he found Dr. L's medical opinion credible and that cervicobrachial syndrome "constitutes damage or harm to the physical structure of the body, and that the claimant's repetitive trauma activities at work caused the cervicobrachial syndrome." The hearing officer is the sole judge of the weight and credibility of the evidence including the medical evidence. Section 410.165(a). It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence and to decide what facts that evidence has established. Garza v. Commercial Ins. Co., 508 S.W.2d 701, 702 (Tex. Civ. App.-Amarillo 1974, no writ). Nothing in our review of the record reveals that the hearing officer's determination that the claimant's compensable injury extended to and included a cervical injury is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse the challenged determination on appeal. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the self-insured is **STATE OFFICE OF RISK MANAGEMENT** 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  
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For service by mail the address is

**RON JOSSELET, EXECUTIVE DIRECTOR  
THE STATE OFFICE OF RISK MANAGEMENT  
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AUSTIN, TEXAS 78711-3777.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Terri Kay Oliver  
Appeals Judge