

APPEAL NO. 013166
FILED FEBRUARY 12, 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 13, 2001. The hearing officer resolved the sole issue before her by determining that the appellant (claimant) is not entitled to reimbursement of travel expenses for medical treatment. Claimant appealed on equitable grounds. Respondent (carrier) responded that the hearing officer's decision should be affirmed.

DECISION

We affirm.

At issue in this case is whether claimant is entitled to reimbursement for travel expenses from her home in (City A), to her surgeon who practiced in (City B). The disputed travel was for postoperative visits for the right knee and preoperative, operative, and postoperative visits for her left knee. All of the travel took place after _____. Nothing in our review of the record indicates that the hearing officer erred in her application of Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 134.6 (Rule 134.6) to the facts of this case.

Claimant argues that this rule should not apply to her because it would disrupt her continuity of care. The rule contains no such exception and, while claimant is entitled to continue to see the surgeon, she has not met her burden to prove that she is entitled to reimbursement for her travel expenses. We further note that estoppel does not apply to this case. The new version of Rule 134.6 became effective _____. The fact that carrier paid claimant's travel expenses for the entire calendar year of 2000, does not mean it is estopped from contesting future reimbursement pursuant to the version of Rule 134.6 in effect at the time of the travel.

We affirm the hearing officer's decision and order.

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

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Edward Vilano
Appeals Judge