

APPEAL NO. 013207  
FILED FEBRUARY 21, 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 27, 2001. The hearing officer determined that appellant (claimant) reached maximum medical improvement (MMI) on August 31, 2001, with a four percent impairment rating (IR). Claimant appealed these determinations, contending that the designated doctor was improperly selected and that he may not be at MMI if he needs surgery. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the hearing officer did not err in making the MMI and IR determinations in this case. The hearing officer could find that claimant waited too long, until after he received the designated doctor's report, to raise any concerns with the selection of the designated doctor. The hearing officer could also find that the great weight of the other medical evidence is not contrary to the designated doctor's report. The hearing officer reviewed the record and decided what facts were established. 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 **ST. PAUL FIRE & MARINE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MIKE MARINO  
225 E. JOHN W. CARPENTER FREEWAY, SUITE 1100  
IRVING, TEXAS 75062.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Terri Kay Oliver  
Appeals Judge