

APPEAL NO. 020155  
FILED MARCH 4, 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 (CCH) was held on December 18, 2001. The appellant (claimant) appeals the hearing officer's determination that he is not entitled to supplemental income benefits (SIBs) for the 12th and 13th quarters because the issue at the CCH was whether the claimant was entitled to SIBs for the 14th quarter. There is no response from the respondent (carrier) contained in our file.

DECISION

We reverse and remand.

The issue at the CCH was whether the claimant is entitled to SIBs for the 14th quarter. The hearing officer erred in his findings of fact and conclusions of law in making determinations for the 12th and 13th quarters of SIBs rather than the 14th quarter of SIBs. Much of the discussion also refers only to the previous quarters. Consequently, we remand this case back to the hearing officer to properly consider the evidence presented for the 14th quarter of SIBs and base his findings of fact and conclusions of law on that evidence for that quarter. The exhibits admitted at the CCH should be listed in the decision as well.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202, which was amended June 17, 2001, to exclude Saturdays, Sundays, and holidays listed in the Texas Government Code in the computation of the 15-day appeal and response periods.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**RUSSELL R. OLIVER, PRESIDENT  
221 WEST 6TH STREET  
AUSTIN, TEXAS 78701.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge