

APPEAL NO. 020190
FILED MARCH 5, 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 January 2, 2002. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable injury on _____, and that the claimant has had disability from August 31, 2001, through the date of the CCH. The appellant (self-insured) appealed and the claimant responded.

DECISION

The hearing officer's decision is affirmed.

Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The hearing officer's determinations are supported by sufficient evidence and are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

Section 410.168(a)(1) of the 1989 Act provides that the hearing officer shall make findings of fact and conclusions of law. Section 2001.141(d) of the Administrative Procedure Act, which is cited by the self-insured, does not apply to benefit contested case hearings. See Section 410.153(4) of the 1989 Act. Under the circumstances presented in the instant case, we do not find the hearing officer's findings of fact to be insufficient.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**MANAGER
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Michael B. McShane
Appeals Judge