

APPEAL NO. 020220
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 was held on January 7, 2002. The hearing officer resolved the disputed issues before her by determining that the respondent (claimant) did sustain a compensable repetitive trauma injury in the form of a lumbar sprain/strain on _____; that the compensable injury does not extend to and include the diagnoses of L4-5 desiccation and bulging of the intervertebral discs with facet arthropathy producing bilateral recess and neural foraminal stenosis and L3-4 desiccation and bulging disc with facet arthropathy producing bilateral neural foraminal stenosis; and that the claimant had disability beginning on July 30, 2001, and continuing through the date of the hearing. The appellant (carrier) appealed the hearing officer's determinations as to injury and disability on sufficiency grounds. The claimant responded, urging affirmance.

DECISION

We affirm.

The hearing officer did not err in her determination that the claimant sustained a repetitive trauma injury in the form of a lumbar sprain/strain and that he had resulting disability. The claimant testified that he has been employed as a machine operator for the employer for 22 years and that his job involved lifting and twisting. The claimant submitted medical records from his treating doctor to support his position that he had sustained a compensable injury and that he had disability. In a report dated October 2, 2001, the carrier's required medical examination doctor indicated that the claimant had sustained a lumbar sprain/strain injury; that there is a causal relationship between his condition and the work performed; and that the claimant was not yet ready to return to his regular job duties.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer to resolve. The hearing officer reviewed the record and determined what facts were established. We conclude that 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 or manifestly unjust. 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 insurance carrier is **ST. PAUL FIRE & MARINE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATE SERVICE COMPANY
800 BRAZOS**

AUSTIN, TEXAS 78701.

Gary L. Kilgore
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Edward Vilano
Appeals Judge