

APPEAL NO. 020241
FILED MARCH 19, 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 3, 2002. The hearing officer determined that the respondent (claimant) is entitled to supplemental income benefits (SIBs) for the first four quarters and that the appellant (carrier) is relieved of liability for SIBs because of the claimant's failure to timely file an Application for [SIBs] (TWCC-52) for the third quarter from June 1, 2001, through July 17, 2001. The carrier appealed only the determinations regarding entitlement to SIBs, citing sufficiency grounds. The carrier appealed regarding both the good faith and direct result determinations. The claimant responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

The carrier contends the hearing officer erred in determining that the claimant is entitled to SIBs for the first four quarters. We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. 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 **ZURICH NORTH AMERICA** and the name and address of its registered agent for service of process is

**GARY SUDOL
ZURICH NORTH AMERICA
9330 LBJ FREEWAY, SUITE 1200
DALLAS, TEXAS 75243.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Philip F. O'Neill
Appeals Judge