

APPEAL NO. 020251  
FILED MARCH 22, 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 December 4, 2001. With respect to the single issue before him, the hearing officer determined that the decedent did not suffer a compensable injury on \_\_\_\_\_, which resulted in his death on \_\_\_\_\_. In her appeal, the appellant (claimant beneficiary), the decedent's wife, argues that the hearing officer's determination that she did not sustain her burden of proving the causal connection between the decedent's death and his fall at work on \_\_\_\_\_, is against the great weight of the evidence. In its response to the claimant beneficiary's appeal, the respondent (carrier) urges affirmance.

DECISION

Affirmed, as modified.

Initially, we note, as did the claimant beneficiary, that throughout the hearing officer's decision, he misstates the date of the decedent's death. The hearing officer consistently states that the decedent died on \_\_\_\_\_. The actual date of death is \_\_\_\_\_, as is reflected on the death certificate. Accordingly, every reference to the date of death in the hearing officer's decision and order is hereby changed from \_\_\_\_\_, to \_\_\_\_\_.

The claimant beneficiary had the burden to prove the causal connection between the decedent's fall at work and his death on \_\_\_\_\_. The 1989 Act makes the hearing officer the sole judge of the weight and credibility to be given to the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Workers' Compensation Commission Appeal No. 950084, decided February 28, 1995. In this instance, Dr. H, a board certified neurologist who reviewed the decedent's medical records at the request of the Texas Workers' Compensation Commission, opined that the "cause of death was . . . , the interparenchymal hemorrhage in the right frontal lobe, the subarachnoid hemorrhage, and the intraventricular hemorrhage." Dr. H also stated that "[i]n all medical probability these were related to a ruptured right anterior communicating artery aneurysm." Finally, Dr. H stated that the aneurysmal rupture was "not related to trauma," that it was "in no way related to [decedent's] workers' compensation injury," and that it was "a congenital condition . . . ." Dr. H's opinion provides sufficient evidentiary support for the challenged determination and nothing in our review of the record reveals that the hearing officer's determination that the decedent did not sustain a compensable injury that resulted in his death is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Thus, no sound basis exists for us to reverse the hearing officer's decision on appeal. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

As modified to correctly reflect the date of death, the hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge