APPEAL NO. 020272
FILED MARCH 13, 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 10, 2001. With respect to the issues before her, the hearing officer determined that the appellant (claimant) reached maximum medical improvement (MMI) on November 8, 2000, with an 11% impairment rating (IR). The claimant appealed, arguing that the hearing officer erred in giving presumptive weight to the report of the designated doctor selected by the Texas Workers' Compensation Commission (Commission) because the great weight of the other medical evidence was contrary thereto. The respondent (self-insured) replied, urging affirmance.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable injury to her cervical spine on _____; that the physician who performed the required medical examination (RME) found the claimant at MMI on October 2, 2000, with an 8% IR; and that the designated doctor evaluated the claimant and assessed an IR of 11% with an MMI date of November 8, 2000.

Sections 408.122 and 408.125 of the 1989 Act provide that a report of a Commission-selected designated doctor shall have presumptive weight on the issues of MMI and IR, and the Commission shall base its determination on such report, unless the great weight of other medical evidence is to the contrary. The hearing officer determined that the great weight of the other medical evidence is not contrary to the designated doctor's report. The opinions of the treating doctors that cervical epidural steroid injections should be administered represents a difference in medical opinion and simply does not rise to the level of the great weight of the other evidence contrary to the designated doctor's certification of MMI and IR. The claimant argues that the designated doctor applied the wrong standard to determine MMI based on her interpretation of an answer the designated doctor gave to a question on written deposition. However, the designated doctor gave the definition of MMI as specified in Section 401.011(30) and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.1(b) (Rule 130.1(b)). Both the designated doctor and the RME doctor reported inconsistent effort by the claimant during their examinations. In addition, both doctors opined that surgery was not warranted. The fact that there was evidence from other physicians that the claimant is a surgical candidate presented an evidentiary conflict for the hearing officer to resolve in her role as the fact finder. Our review of the record does not reveal that the great weight of the other medical evidence is contrary to the designated doctor's report; thus, the hearing officer did not err in giving presumptive weight to the designated doctor's report in accordance with Sections 408.122 and 408.125

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The claimant alleges that the decision and order of the hearing officer had no discussion of the evidence she presented, that the decision gave the impression of having been "hastily assembled," and "that not all of the evidence was considered." The hearing officer is not required to detail all of the evidence in her decision. *See* Texas Workers' Compensation Commission Appeal No. 93164, decided April 19, 1993 (Unpublished), and cases cited therein. We are satisfied that, as she states in her decision, the hearing officer based her findings of fact and conclusions of law on all of the evidence presented, despite the fact that she made no reference to the claimant's documentary evidence or the testimony from the doctors called by the claimant.

The hearing officer's decision and order are affirmed.

The true corporate name of the self-insured is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

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

Elaine M. Chaney
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Edward Vilano
Appeals Judge