APPEAL NO. 020644
FILED APRIL 30, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). This case returns following our remand in Texas Workers' Compensation Commission Appeal No. 012511, decided December 4, 2001. In that decision, which sets out the pertinent evidence, we found no error in the determination of the hearing officer, not to adopt the report of the designated doctor, Dr. L, which assigns a 0% impairment rating (IR), and not to obtain the appointment of a second designated doctor, as the appellant (claimant) sought, but instead to adopt the report of another doctor, Dr. P, which assigns a 0% IR. However, we felt compelled to remand because, given the evidence and a statement of the hearing officer, we were uncertain whether, in reviewing the reports of other doctors to decide which to adopt, the hearing officer had considered the February 12, 2001, report of the treating doctor, Dr. C, which assigns a 24% IR. In his decision on remand, the hearing officer has made an additional finding clarifying the ambiguity causing the remand and has again adopted the report of Dr. P, which assigns a 0% IR. The claimant has appealed, asserting a number of reasons why she believes that the hearing officer should have adopted the 24% IR of Dr. C instead of the 0% IR of Dr. P. The respondent (self-insured) states in its response that the hearing officer was correct in adopting Dr. P's report and that his determination that the claimant's IR is 0% is not against the great weight of the evidence.

DECISION

Affirmed.

The pertinent facts and the provisions of Section 408.125(e) are set out in our earlier decision in this case. Suffice to say that the claimant feels she should be assigned a 24% IR for visual disturbances, which she relates to her _____, compensable injury. Neither Dr. L nor Dr. P feel that the claimant has any ratable impairment for visual problems. The hearing officer did not adopt the report of Dr. L because he felt it was not in compliance with the Guides to the Evaluation of Permanent Impairment, third edition, second printing, dated February 1989, published by the American Medical Association, not because he felt it was contrary to the great weight of the other medical evidence, and instead adopted the report of Dr. P. We are satisfied that the hearing officer's determination of the claimant's IR is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **HOUSTON INDEPENDENT SCHOOL DISTRICT** and the name and address of its registered agent for service of process is

KAYE STRIPLING
3830 RICHMOND
HOUSTON, TEXAS 77027.

Philip F. O'Neill
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge