

APPEAL NO. 020845
FILED MAY 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 March 12, 2002. The hearing officer resolved the issues before him by determining that the respondent's (claimant) _____, compensable injury did result in her developing reflex sympathetic dystrophy (RSD) in her left upper extremity. Further, the hearing officer determined that the claimant had disability from August 29, 2000, through March 12, 2002, as a result of her compensable injury, including her RSD. The appellant (self-insured) appealed both determinations on sufficiency of the evidence grounds. The claimant responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, resulted in her developing RSD in her left upper extremity. The medical records show that although the claimant had some preexisting neck conditions, including CREST syndrome (a vascular/blood disease akin to scleroderma), the injury in the form of RSD developed after the compensable injury and was causing more serious symptoms. The claimant testified that her symptoms in her upper left extremity became markedly worse after her date of injury, and that her treating doctor, as well as several other doctors, advised that she had developed RSD. The hearing officer is the sole judge of the weight and the credibility to be given the evidence. Section 410.165(a). While the self-insured introduced conflicting medical evidence on the issue, upon our review of the record, we conclude that the hearing officer's determination that the claimant's compensable injury resulted in her developing RSD in her left upper extremity, is sufficiently supported by the evidence, and that it is 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); Texas Workers' Compensation Commission Appeal No. 001360, decided July 27, 2000.

As we affirm the hearing officer's decision regarding the claimant's injury, we likewise affirm his determination of disability. The hearing officer's determination that the claimant was unable to obtain and retain employment at her preinjury wage as a result of her compensable injury, including RSD, is sufficiently supported by the evidence.

The decision and order of the hearing officer are affirmed.

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

**MANAGER
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Philip F. O'Neill
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Michael B. McShane
Appeals Judge