

APPEAL NO. 020855
FILED MAY 28, 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 (CCH) was held on March 13, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) sustained a compensable injury on _____, to her left shoulder and left wrist and that the claimant has not had disability as a result of the compensable injury. The claimant appealed the hearing officer's disability determination. The respondent (self-insured) withdrew its appeal of the hearing officer's injury determination and filed a response requesting affirmance of the disability determination.

DECISION

The hearing officer's decision is affirmed.

Section 401.011(16) defines "disability" as the inability because of a compensable injury to obtain and retain employment at wages equivalent to the preinjury wage." The claimant had the burden to prove that she has had disability as defined by Section 401.011(16). Texas Workers' Compensation Commission Appeal No. 020613, decided April 22, 2002. Conflicting evidence was presented at the CCH on the disability issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The following information was provided by the self-insured in reply to our inquiry to verify the accuracy of the registered agent information that was provided at the CCH:

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**SECRETARY
(ADDRESS)
(CITY), TEXAS (ZIP CODE)**

The following registered agent information was presented at the CCH:

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**HEALTH SYSTEMS
(ADDRESS)
(CITY), MISSOURI (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge