

APPEAL NO. 020966  
FILED MAY 30, 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 26, 2002. The hearing officer determined that the respondent's (claimant) compensable (right shoulder) injury extends to include a right wrist and neck injury; that the claimant had disability from September 15, 2000, through the date of the CCH; and that the claimant is not entitled to reimbursement of travel expenses for medical treatment. The hearing officer's decision on the travel reimbursement issue has not been appealed and has become final pursuant to Section 410.169.

The appellant (carrier) appealed, basically on sufficiency of the evidence, reciting in some detail its version of the evidence. The claimant responded urging affirmance.

DECISION

Affirmed.

The claimant worked on a production line and it is undisputed that the claimant sustained a compensable injury when she slipped and fell forward using her hands to break her fall. The carrier accepted liability for a right shoulder injury. There is some disagreement on the date of injury (whether it was on \_\_\_\_\_ or \_\_\_\_\_), but the parties stipulated that the claimant sustained a compensable injury "on or about \_\_\_\_\_." The claimant reported her injury the same day (a Friday), finished the one hour or so left on her shift, and was sent to the company doctor on Monday, \_\_\_\_\_. The company doctor diagnosed a right shoulder and rotator cuff strain, released the claimant to light duty (which she continued to work 12 hours a day) and referred the claimant to an orthopedic specialist. The claimant began treating with her own choice of doctor, a chiropractor, who took the claimant off work, ordered MRI testing, and eventually referred her to an orthopedic surgeon, who performed right shoulder surgery.

The evidence is in conflict as to whether the compensable right shoulder injury extends to the right wrist and neck. Questions of extent of injury and disability involved questions of fact for the hearing officer to resolve. The claimant's treating doctor diagnosed a right wrist sprain/strain and cervical sprain/strain, and the designated doctor diagnosed cervical radiculopathy with an MRI showing some cervical bulging at C5-6 and C6-7. Although there was evidence to the contrary, the hearing officer's determinations on extent of injury and disability are supported by the claimant's testimony and, at as a minimum, the treating doctor's reports.

After review of the record before us and the complained-of determinations, we have concluded that the hearing officer's decision 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).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **LUMBERMENS MUTUAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Michael B. McShane  
Appeals Judge