

APPEAL NO. 021234  
FILED JULY 8, 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 April 15, 2002, with the record closing on April 19, 2002, with (hearing officer) presiding as hearing officer. The appellant (carrier) appeals the hearing officer's determination that the injury did not occur while the respondent (claimant) was in a state of intoxication, thereby relieving the carrier of liability, and that the carrier is liable for the payment of accrued benefits for the period resulting from its failure to dispute or initiate the payment of benefits within seven days from the date it received, or reasonably should have received, notice of the results of the \_\_\_\_\_, drug test. There is no response from the claimant contained in our file.

DECISION

Affirmed.

There was conflicting evidence offered on the issues. After review of the record and the complained-of determinations, we have concluded that there is sufficient legal and factual support for the hearing officer's determinations that the injury did not occur while the claimant was in a state of intoxication, thereby relieving the carrier of liability, and that "the Carrier is liable for the payment of accrued benefits under [Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 124.3] Rule 124.3 for the period resulting from its failure to dispute or initiate the payment of benefits within seven days from the date it received or reasonably should have received notice of the results of the \_\_\_\_\_, drug test." Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1976).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

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

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Roy L. Warren  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Elaine M. Chaney  
Appeals Judge