

APPEAL NO. 021241  
FILED JUNE 28, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). Following a contested case hearing held on April 22, 2002, the hearing officer determined that the appellant (claimant) sustained a compensable injury to his left hand and shoulder on \_\_\_\_\_, and that he has had disability from November 29, 2001, through the date of the hearing. Although the disputed issues were resolved favorably for the claimant, he has filed a request for review, pointing out that in the "Order" portion of the hearing officer's Decision and Order, she orders the respondent (carrier) "to pay medical benefits in accordance with this decision, the Texas Workers' Compensation Act [the 1989 Act] and the Commission's [Texas Workers' Compensation Commission] Rules." The claimant requests that the Appeals Panel modify the Order of the hearing officer to provide that the carrier is ordered to pay medical and income benefits. The carrier's response states that the carrier agrees that the hearing officer found disability from \_\_\_\_\_, through the date of the hearing; points out that in the "Decision" portion of her Decision and Order the hearing officer states that "[t]emporary income benefits are to be paid with interest in a lump sum"; and suggests that the requested modification is more in the nature of a clerical error and not inconsistent with the factual findings and the decision.

DECISION

Affirmed, as reformed.

The hearing officer's determinations of the disputed issues of injury and disability have not been appealed and thus have become final. Section 410.169. Because the carrier is liable for income benefits as well as medical benefits, we reform the "Order" in the hearing officer's Decision and Order to state that the carrier is ordered to pay medical and income benefits in accordance with this decision, the 1989 Act, and the rules of the Commission.

We affirm the hearing officer's decision and order, as reformed.

The true corporate name of the insurance carrier is **COMMERCE & INDUSTRY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750, COMMODORE 1  
AUSTIN, TEXAS 78701.**

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Philip F. O'Neill  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Robert W. Potts  
Appeals Judge