

APPEAL NO. 021282  
FILED JUNE 26, 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 May 3, 2002. The hearing officer determined that the claimant's request for spinal surgery should be approved.

The carrier appeals, contending that a finding of fact was contrary to the conclusion of law and the hearing officer's decision. The carrier requests that the Appeals Panel review the hearing officer's decision and render a new decision that the claimant's spinal surgery is not approved. The file does not contain a response from the claimant.

DECISION

Affirmed.

Finding of Fact No. 2 as originally sent out is indeed contrary to the ultimate conclusion of law and decision. However the Texas Workers' Compensation Commission, on an Order on Motion to Correct Clerical Error, corrected Finding of Fact No. 2 by the insertion of the word "not" between the words "is" and "contrary" in Finding of Fact No. 2.<sup>1</sup> The hearing officer's decision and order were modified by order dated May 15, 2002, effective May 7, 2002. With that clerical correction the finding of fact, conclusion of law, and the decision are consistent and correct.

The hearing officer's decision and order, as modified by the Order on Motion to Correct Clerical Error, are affirmed.

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<sup>1</sup> In the hearing officer's original decision and order Finding of Fact No. 2 has the clerical error . The Order on Motion to Correct Clerical Error incorrectly labels that finding of fact as Finding of Fact No. 3.

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

**JEFF W. AUTREY  
400 WEST 15TH STREET, SUITE 710, FIRST STATE BANK TOWER  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge