

APPEAL NO. 021350
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 May 2, 2002. The hearing officer determined that the appellant (claimant) was not entitled to supplemental income benefits (SIBs) for the second quarter. The claimant appeals the determination on sufficiency of the evidence grounds. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant is not entitled to second quarter SIBs. At issue is whether the claimant had a total inability to work during the qualifying period. The claimant had the burden to provide a narrative report from a doctor which specifically explains how the injury causes a total inability to work. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE §130102(d)(4) (Rule 130.102(d)(4)). To be clear, a determination that a claimant has no ability to work cannot be made from a patchwork of various statements put together from a range of medical evaluations. See Texas Workers' Compensation Commission Appeal No. 010787, decided May 9, 2001. After considering the evidence presented, the hearing officer determined that the claimant failed to meet his burden of proof on this issue. We cannot conclude that the hearing officer's determination is 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 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

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

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL
DALLAS, TEXAS 75201.**

Philip F. O'Neill
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Susan M. Kelley
Appeals Judge