

APPEAL NO. 021933  
FILED SEPTEMBER 10, 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 June 27, 2002. The hearing officer determined that the appellant's (claimant) compensable injury does not extend to and include the cervical spine.

The claimant appeals essentially on a sufficiency of the evidence basis, contending that since she had repetitive bilateral carpal tunnel syndrome this should also include the neck. The respondent (carrier) responds, urging affirmance.

DECISION

Affirmed.

The claimant was employed as a health care facilitator taking telephone calls, inputting data in a computer, and writing notes. The medical evidence is in conflict. Early medical reports from the treating doctors, with diagrams on which the claimant indicated where she felt pain, do not have any indications for the neck, and the claimant apparently did not initially complain of neck problems to another referral doctor. The hearing officer points out other inconsistencies in the medical records.

An extent of injury issue involves a question of fact to be resolved by the hearing officer, who is the sole judge of the weight and credibility to be given to the evidence. Section 410.165(a). The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are 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 hearing officer's decision and order are affirmed.

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

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

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Margaret L. Turner  
Appeals Judge