

APPEAL NO. 022273  
FILED OCTOBER 24, 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 August 26, 2002. The hearing officer determined that respondent (claimant) is entitled to supplemental income benefits (SIBs) for the sixth and seventh quarters. Appellant (carrier) appealed this determination on sufficiency grounds. The file does not contain a response from claimant.

DECISION

We affirm.

Carrier complained that documentation of Texas Rehabilitation Commission (TRC) participation was not attached to claimant's Application for [SIBs] (TWCC-52). By imposing a requirement that claimant send supporting documentation along with the TWCC-52 to carrier, the Texas Workers' Compensation Commission (Commission) was aiming to ensure that carrier would receive the information supporting the application close in time to the date it received the application so that an informed decision of whether to pay the benefits or to dispute could be made. The better practice is for claimant to provide documentary evidence regarding the TRC program with the TWCC-52 and/or to exchange such evidence with the carrier in accordance with Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 142.13 (Rule 142.13), in addition to offering that evidence at the hearing. Texas Workers' Compensation Commission Appeal No. 010952-S, decided June 20, 2001. In this case, even though claimant did not attach any documentation regarding TRC participation, she did note her participation in retraining on her TWCC-52 and it is apparent from the reports of carrier's vocational rehabilitation specialist that she was aware of this retraining program. We perceive no reversible error.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and 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). We note that the hearing officer did not find good faith in this case based on a good faith job search, so we perceive no error in this regard.

We affirm the hearing officer's decision and order.

According to information provided by carrier, the true corporate name of the insurance carrier is **AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Margaret L. Turner  
Appeals Judge