

APPEAL NO. 022314  
FILED OCTOBER 23, 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 21, 2002. With respect to the issue before her, the hearing officer determined that the respondent (claimant) sustained an injury to her neck in addition to her left shoulder on \_\_\_\_\_. In its appeal, the appellant (carrier) challenges the hearing officer's determination as being against the great weight of the evidence. In her response, the claimant urges affirmance.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable left shoulder injury on \_\_\_\_\_. The hearing officer did not err in determining that the claimant's compensable injury also includes a neck injury. That issue presented a question of fact for the hearing officer. Section 410.165(a) provides that the hearing officer is the sole judge of the weight and credibility of the evidence. There was conflicting evidence on the issue of whether the claimant's compensable injury included a neck injury. Dr. M and Dr. G opined that there was a causal connection between the claimant's fall at work on \_\_\_\_\_, and her neck injury. However, Dr. Ma and Dr. L provided a contrary opinion. The hearing officer was acting within her province as the fact finder in crediting the evidence from the Drs. M and G and in determining that the compensable injury includes a neck injury. Nothing in our review of the record demonstrates that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to disturb that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **MID-CENTURY INSURANCE EXCHANGE** and the name and address of its registered agent for service of process is

**FRED B. WERKENTHIN  
100 CONGRESS AVENUE  
AUSTIN, TEXAS 78701.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge