

APPEAL NO. 030024
FILED FEBRUARY 26, 2003

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 November 4, 2002. The hearing officer determined that respondent/cross-appellant (claimant) sustained a compensable injury and that she had disability from October 29, 2001, to the date of the hearing. Appellant/cross-respondent (carrier) appealed these determinations on sufficiency grounds. Claimant responds that the evidence shows claimant sustained a compensable injury and that she had disability. Claimant appealed, contending that the hearing officer erred in limiting the extent of the injury to the right knee. Both parties state on appeal that the issue regarding extent of injury was withdrawn.

DECISION

We affirm as reformed.

Claimant contends that the hearing officer erred in limiting the extent of the injury. Carrier agrees with claimant that the issue regarding extent of injury was withdrawn by the parties. We note that in Findings of Fact Nos. 3 through 6, the hearing officer summarized the evidence but did not make findings regarding what she found the injury to include. However, we will reform Finding of Fact No. 7 to state as follows:

As a result of her compensable injury, claimant has been unable to obtain and retain employment at wages equivalent to the preinjury wage from October 29, 2001, continuing to the date of this hearing.

We also reform Conclusion of Law No. 2 to state as follows:

Claimant sustained a compensable injury on _____.

We have reviewed the complained-of reformed determinations that (1) claimant sustained a compensable injury and (2) claimant had disability from October 29, 2001, to the date of the hearing 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).

As reformed, 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 HOME ASSURANCE CORPORATION** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Terri Kay Oliver
Appeals Judge