

APPEAL NO. 030184
FILED MARCH 6, 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 December 30, 2002. The hearing officer determined that the appellant (claimant) reached maximum medical improvement (MMI) on March 25, 2002, with a six percent impairment rating (IR) pursuant to the certification made by the Texas Workers' Compensation Commission (Commission)-selected designated doctor. The claimant appealed on sufficiency of the evidence grounds and the respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant reached MMI on March 25, 2002, with a six percent IR, as certified by the Commission-selected designated doctor. The claimant asserts that the designated doctor's certification is contrary to the great weight of the other medical evidence. Whether the great weight of the other medical evidence was contrary to the opinion of the designated doctor is basically a factual determination. Texas Workers' Compensation Commission Appeal No. 93459, decided July 15, 1993. The medical evidence presented by the claimant and his treating doctor represents a difference in medical opinion, which does not rise to the level of the great weight of medical evidence contrary to the designated doctor's report. As such, the hearing officer did not err in giving presumptive weight to the designated doctor's report and adopting the March 25, 2002, MMI date and the six percent IR. Sections 408.122(c) and 408.125(c).

The hearing officer's decision and order are affirmed.

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

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

Daniel R. Barry
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Chris Cowan
Appeals Judge