

APPEAL NO. 030202
FILED FEBRUARY 21, 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 (1) the appellant (claimant) sustained a compensable injury on _____; (2) the claimant had disability from July 5, 2002, up to and including August 27, 2002; and (3) the respondent (self-insured) waived its right to contest the compensability of the claimed injury by not initiating benefits in accordance with the 1989 Act or disputing the claim within seven days of notice as required by Section 409.021. The claimant appeals the hearing officer's disability determination on sufficiency of the evidence grounds, asserting that disability continued through the date of the hearing. The self-insured urges affirmance. The hearing officer's injury and waiver determinations were not appealed and are, therefore, final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant had disability from July 5, 2002, up to and including August 27, 2002. The determination involved a question of fact for the hearing officer to resolve. The hearing officer reviewed the record and decided what facts were established. In view of the evidence presented, we cannot conclude that the hearing officer's determination is 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 decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **STATE OFFICE OF RISK MANAGEMENT (a self-insured governmental entity)** and the name and address of its registered agent for service of process is

For service in person the address is:

**RON JOSSELET, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
300 W. 15TH STREET
WILLIAM P. CLEMENTS, JR. STATE OFFICE BUILDING, 6TH FLOOR
AUSTIN, TEXAS 78701.**

For service by mail the address is:

**RON JOSSELET, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
P.O. BOX 13777
AUSTIN, TEXAS 78711-3777.**

Edward Vilano
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Chris Cowan
Appeals Judge