

APPEAL NO. 030251
FILED MARCH 19, 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 January 9, 2003. The hearing officer determined that respondent (claimant) is entitled to supplemental income benefits (SIBs) for the ninth quarter. Appellant (carrier) appealed this and related determinations on sufficiency grounds. Claimant responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of determinations regarding participation with the Texas Rehabilitation Commission (TRC) and SIBs entitlement and conclude that the issues involved fact questions for the hearing officer. The hearing officer could find from the evidence that claimant's vocational rehabilitation plan included an employment goal and intermediate goals. The hearing officer could also find from the evidence that claimant was satisfactorily participating in a TRC-sponsored program. See Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.102(d)(2) (Rule 130.102(d)(2)).

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 affirm the hearing officer's decision and order.

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

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

Judy L. S. Barnes
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert W. Potts
Appeals Judge