

APPEAL NO. 030348
FILED MARCH 14, 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 10, 2003. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____; that the injury extends to and includes herniated discs at L3-4 and L4-5 and a bulging disc at L5-S1; that the appellant (carrier) adequately contested the alleged compensability of the injury; and that the claimant had disability from June 6, 2002, through the date of the hearing. The carrier appeals the adverse determinations. The claimant urges affirmance.

DECISION

Affirmed.

Whether the claimant sustained a compensable injury and had disability were factual questions were for the hearing officer to resolve. Similarly, whether the compensable injury includes the alleged lumbar conditions was a factual question for the hearing officer to resolve. Conflicting evidence was presented at the hearing on the disputed issue in this case. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. Nothing in our review of the record indicates that the hearing officer's decision 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). Even if, as the carrier contends, expert medical evidence was required to prove causation, we conclude that the hearing officer could find from the evidence that the claimant proved causation in this case.

The hearing officer's decision and order is affirmed.

The true corporate name of insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** 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.**

Chris Cowan
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Edward Vilano
Appeals Judge