

APPEAL NO. 031078  
FILED JUNE 23, 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 scheduled for October 15, 2002, but was reset and held on April 2, 2003. The hearing officer determined that the \_\_\_\_\_, compensable injury of respondent (claimant) does not extend to an injury to the lumbar spine; that claimant had disability from March 25 through July 18, 2002, and that claimant did not have disability from July 19, 2002, through the date of the hearing. Appellant (carrier) appealed only the determination that claimant had disability after April 12, 2002. There is no response in the file from claimant.

DECISION

We affirm.

Carrier contends the hearing officer erred in determining that claimant had disability from April 12 through July 18, 2002. Carrier notes that claimant's treating doctor found that claimant was at maximum medical improvement (MMI) on April 12, 2002. Carrier asserts that a claimant cannot have disability after the date of MMI. We will not address the issue of whether claimant is at MMI, as it is not before us. Regarding whether a claimant could have disability after the date of MMI, carrier has confused the concepts of MMI and disability. The difference between the two and the explanation of why a claimant may still have disability after MMI is contained in Texas Workers' Compensation Commission Appeal No. 021334, decided July 15, 2002, as well as in many other Appeals Panel decisions. To the extent that this is an appeal regarding the sufficiency of the evidence, we conclude that the hearing officer's determination is supported by the record and is 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). Carrier has not pointed to any reversible error in the record.

We affirm the hearing officer's decision and order.

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

**ROBERT SIDONS  
11612 RM 2244, BUILDING 1, SUITE 200  
AUSTIN, TEXAS 78733.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Margaret L. Turner  
Appeals Judge