

APPEAL NO. 031116
FILED JULY 17, 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 May 12, 2003. The hearing officer determined that the appellant (claimant) is not entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. H, Dr. D, and Dr. W for the period beginning January 9, 2001, through April 1, 2003. The claimant appeals this decision and specifically requests that he receive reimbursement for travel expenses incurred resulting from nine trips made from his current residence to (city), Texas, where he received treatment from Dr. W. The respondent (carrier) urges affirmance of the hearing officer's decision and order.

DECISION

Affirmed.

Whether the claimant demonstrated entitlement to reimbursement for travel expenses under Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 134.6 was a factual question for the hearing officer to resolve. Section 410.165(a) provides that the contested case hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given to the evidence. The hearing officer was not persuaded by the evidence that medical treatment for the claimant's compensable injury was not reasonably available within 20 miles of the various residences maintained by the claimant during the time period in question. Nothing in our review of the record reveals 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 (Tex. 1986).

The hearing officer's decision and order are affirmed.

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

**MR. TOM LANG
314 HIGHLAND MALL BOULEVARD, SUITE 202
AUSTIN, TEXAS 78752.**

Chris Cowan
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Veronica Lopez-Ruberto
Appeals Judge