

APPEAL NO. 031663
FILED AUGUST 12, 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 June 3, 2003. The hearing officer determined that the appellant (claimant) reached maximum medical improvement (MMI) on July 16, 2001, with a zero percent impairment rating (IR), as certified by a designated doctor appointed by the Texas Workers' Compensation Commission. The claimant appealed, essentially asserting that the designated doctor's report is contrary to the great weight of other medical evidence. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant reached MMI on July 16, 2001, with a zero percent IR. The claimant asserts that the designated doctor's certification is contrary to the great weight of the other medical evidence and requests adoption of a report by a required medical examination doctor. Whether the great weight of the other medical evidence was contrary to the opinion of the designated doctor is basically a factual determination. Texas Workers' Compensation Commission Appeal No. 93459, decided July 15, 1993. We view the other medical reports as representing a difference in medical opinion, which do not rise to the level of the great weight of medical evidence contrary to the designated doctor's report. The hearing officer's MMI/IR determination 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 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **TEXAS PROPERTY & CASUALTY INSURANCE GUARANTY ASSOCIATION** for **Reliance National Insurance Company, an impaired carrier** and the name and address of its registered agent for service of process is

**MARVIN KELLY, EXECUTIVE DIRECTOR
9120 BURNET ROAD
AUSTIN, TEXAS 78758.**

Edward Vilano
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Margaret L. Turner
Appeals Judge