

APPEAL NO. 031942  
FILED SEPTEMBER 9, 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 5, 2003, and continued on June 16, 2003. The hearing officer determined that the compensable injury of \_\_\_\_\_, does not extend to and include major depression. The appellant (claimant) has appealed on factual sufficiency grounds and urges reversal. The claimant also complains that the hearing officer failed to fully discuss the medical evidence in her decision and to explain how she resolved the conflicts in the medical evidence. The respondent (carrier) responds and urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. The determinations involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are 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). This is so even though another fact finder might have drawn other inferences and reached other conclusions. Salazar v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.).

In her decision the hearing officer states, "Even though all the evidence presented was not discussed, it was considered." We have previously stated that there is no requirement that the hearing officer discuss all the evidence. See Texas Workers' Compensation Commission Appeal No. 91076, decided December 31, 1991; Texas Workers' Compensation Commission Appeal No. 92185, decided June 18, 1992. The hearing officer has explained the rationale of her decision stating that the claimant "failed to prove by credible evidence that the compensable injury to the right should extend to include major depression."

The decision and order of the hearing officer are affirmed.

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

**LEO MALO  
ZURICH NORTH AMERICA  
12222 MERIT DRIVE, SUITE 700  
DALLAS, TEXAS 75251.**

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Gary L. Kilgore  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Robert W. Potts  
Appeals Judge