

APPEAL NO. 031960
FILED SEPTEMBER 3, 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 25, 2003. With respect to the single issue before him, the hearing officer determined that the respondent's (claimant) compensable injury of _____, extends to include reflex sympathetic dystrophy (RSD)/regional pain syndrome (RPS). In its appeal, the appellant (self-insured) argues that the hearing officer's extent-of-injury determination is against the great weight of the evidence. In her response to the self-insured's appeal, the claimant urges affirmance.

DECISION

Affirmed.

The issue of whether the claimant's compensable injury of _____, extends to include RSD/RPS of the right ankle presented a question of fact for the hearing officer to resolve. The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). It was a matter for the hearing officer to resolve the inconsistencies and conflicts in the evidence and to decide what facts the evidence has established. Garza v. Commercial Ins. Co., 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). In this instance, the hearing officer was persuaded that the claimant sustained her burden of proving the causal connection between her compensable injury and the RSD/RPS. The hearing officer was acting within his province as the fact finder in giving greater weight to the testimony and evidence from the claimant's treating doctor and the other doctors who attribute the claimant's development of RSD/RPS to her compensable ankle sprain injury at work over the contrary evidence offered by the self-insured. Nothing in our review of the record reveals that the challenged determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse the determination that the compensable injury includes the RSD/RPS of the right ankle. 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 **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**MANAGER
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Elaine M. Chaney
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge