

APPEAL NO. 032035  
FILED SEPTEMBER 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 June 13, 2003, with the record closing on June 20, 2003. The hearing officer determined that the claimant did not sustain a compensable repetitive trauma injury in the form of carpal tunnel syndrome (CTS); that the date of the claimed injury is \_\_\_\_\_; that the claimant did not timely report the injury to the employer or have good cause for her failure to do so; and that the claimant did not have disability. The claimant appeals these determinations. The respondent (self-insured) urges affirmance of the hearing officer's decision.

DECISION

Affirmed.

Section 401.011(34) defines occupational disease as including repetitive trauma injuries. Whether the claimant's work activities were sufficiently repetitive to cause CTS was a factual determination for the hearing officer to resolve. It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). The hearing officer was not persuaded by the evidence that the claimant's work activities were sufficiently repetitive to cause CTS and concluded that she did not sustain a compensable injury or have disability. Nothing in our review of the evidence indicates that the hearing officer's compensability and disability 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).

Despite the finding that the claimant's work activities did not cause CTS, the hearing officer appropriately made findings of fact relating to the date-of-injury and timely-notice issues. The date of injury for an occupational disease is the date the employee knew or should have known that the disease may be related to the employment. Section 408.007. We do not agree with the claimant's assertion that the hearing officer erred in considering the fact that the claimant had been diagnosed with CTS in the past in determining the date of the present injury. The hearing officer considered the evidence and determined that the date of the claimed injury is \_\_\_\_\_, and that the claimant did not did not timely report the claimed injury to her employer or have good cause for failing to do so. The record sufficiently supports the hearing officer's determinations on these issues.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Margaret L. Turner  
Appeals Judge