

APPEAL NO. 032380
FILED OCTOBER 14, 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 July 29, 2003. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury does not extend to include left carpal tunnel syndrome (CTS). The claimant appealed the hearing officer's extent-of-injury determination based on sufficiency of the evidence grounds. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

It is undisputed that the claimant sustained a compensable right CTS injury on _____. The claimant contends that, as a result of her compensable right CTS injury, she began to overuse her left hand and left wrist and developed left CTS. At issue was whether the claimant's compensable right CTS of _____, extends to include left CTS. Extent-of-injury is a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the relevance and materiality of the evidence and of its weight and credibility. Section 410.165(a). The hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer reviewed the evidence and determined that the claimant's left CTS does not directly result or naturally flow from the right CTS injury of _____; that the claimant's work duties for the employer did not require repetitious, physically traumatic activities with her left hand; and that the left CTS was not sustained as a result of medical treatment for the right CTS injury of _____. Nothing in our review of the record demonstrates that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust; therefore, no sound basis exists for us to reverse that determination on appeal. Pool v. Ford Motor Co., 715 S.W.2d 629 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). Although another hearing officer may well have drawn different inferences from the evidence that would have supported a different result, that fact does not permit us to disturb the hearing officer's decision. Salazar v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.).

The claimant contends that the hearing officer abused her discretion by "ignoring the medical report of [(Dr. F)]." We note that the hearing officer's Decision and Order references Dr. F's medical report regarding the claimant's left CTS. Nothing in our review of the record indicates that the hearing officer did not consider all of the evidence before her. We perceive no error.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **ST. PAUL FIRE & MARINE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Margaret L. Turner
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Chris Cowan
Appeals Judge