

APPEAL NO. 040843
FILED JUNE 2, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on March 18, 2004. The hearing officer resolved the disputed issue by deciding that the respondent's (claimant) compensable injury of _____, extends to include bilateral carpal tunnel syndrome and her left shoulder in addition to her low back. The appellant (carrier) appeals, contending that the hearing officer's decision is not supported by sufficient evidence and is against the great weight of the evidence. No response was received from the claimant.

DECISION

Affirmed.

It is undisputed that the claimant sustained a compensable injury to her low back. The claimant had the burden of proof on the disputed issue regarding the extent of her compensable injury. Conflicting medical opinions were presented at the CCH on the disputed issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. In Western Casualty and Surety Company v. Gonzales, 518 S.W.2d 524, 526 (Tex. 1975), the court stated, with regard to the nature and extent of a compensable injury, that: "The full consequences of the original injury, together with the effects of its treatment, upon the general health and body of the workman are to be considered." Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Veronica L. Ruberto
Appeals Judge