

APPEAL NO. 041473  
FILED JULY 30, 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 was held on May 19, 2004. The hearing officer resolved the disputed issue by determining that the appellant (claimant) is not entitled to reimbursement for travel expenses incurred in obtaining treatment rendered by, or at the direction of, Dr. T. The claimant appeals this determination. The respondent (carrier) urges affirmance of the hearing officer's decision.

DECISION

Affirmed.

Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 134.6 (Rule 134.6) governs travel expense claims. Whether the claimant demonstrated entitlement to reimbursement for travel expenses made to obtain treatment from, or at the direction of, Dr. T was a question of fact for the hearing officer. The 1989 Act provides that the hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). Where there are conflicts in the evidence, the hearing officer resolves the conflicts and determines what facts the evidence has established. Nothing in our review of the record indicates that the hearing officer's decision is so against the overwhelming weight of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Texas Workers' Compensation Commission Appeal No. 950456, decided May 9, 1995.

The claimant also asserts on appeal that the hearing officer failed to address whether the claimant was entitled to reimbursement for medical expenses incurred as a result of obtaining treatment from Dr. Gh, Dr. Ge and Dr. L. We would point out that the only certified issue presented to the hearing officer was whether the claimant was entitled to reimbursement for travel expenses incurred in obtaining treatment rendered by, or at the direction of, Dr. T. Additionally, the claimant's forms requesting travel reimbursement do not reflect that he requested reimbursement for visits to Dr. Ge or Dr. L. While there are visits to Dr. Gh documented on the forms, the claimant provided no evidence to establish that those visits were made at the direction of Dr. T. Accordingly, we perceive no error in the hearing officer's failure to address requested reimbursements relating to visits made to receive treatment from the aforementioned doctors.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **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.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge