

APPEAL NO. 050419  
FILED APRIL 6, 2005

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A consolidated contested case hearing (CCH) was held on January 28, 2005. The hearing officer resolved the disputed issues by determining that the appellant's (claimant) compensable injury of (date of injury No. 1), includes an injury to her left elbow; that the claimant did not sustain a compensable injury in the form of an occupational disease with a date of injury of (date of injury No. 2); and that the claimant has not had disability resulting from the (date of injury No. 2), claimed injury. The claimant appealed the hearing officer's determinations on the three disputed issues. The respondent (self-insured) filed a response.

DECISION

The hearing officer's decision is reversed and remanded for reconstruction of the CCH record.

Section 410.203(a)(1) provides that an Appeals Panel shall consider the record developed at the CCH. The CCH record was not sent to the Appeals Panel and efforts to locate the CCH record have been unsuccessful. Consequently, we must remand the case to the hearing officer for reconstruction of the CCH record. We note that the self-insured attached to its response a copy of the court reporter's transcript of the CCH and that the transcript reflects that Hearing Officer's Exhibits 1 and 2, Claimant's Exhibits 1-16, and Self-Insured's (carrier's) Exhibits A-M were admitted into evidence.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings pursuant to Section 410.202, which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods.

According to the hearing officer's decision, 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

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

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Robert W. Potts  
Appeals Judge

CONCUR:

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Veronica L. Ruberto  
Appeals Judge

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Margaret L. Turner  
Appeals Judge