

APPEAL NO. 080025
FILED FEBRUARY 27, 2008

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 November 14, 2007. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury of _____, extends to and includes reflex sympathetic dystrophy (RSD) of the left upper extremity, and (2) the respondent (claimant) is entitled to reimbursement for travel expenses for medical treatment at the direction of Dr. C, Dr. S, and Dr. L in the amount of \$377.28. The appellant (self-insured) appeals the hearing officer's determination on reimbursement for travel expenses. The claimant responds, urging affirmance. The hearing officer's determination that the compensable injury extends to RSD of the left upper extremity was not appealed and has become final pursuant to Section 410.169.

DECISION

Reversed and rendered.

We reverse the hearing officer's determination that the claimant is entitled to reimbursement for travel expenses for medical treatment at the direction of Dr. C and render a decision that the claimant is not entitled to reimbursement for travel expenses for medical treatment at the direction of Dr. C because there is no request for reimbursement for travel expenses for medical treatment at the direction of Dr. C in evidence.

We reverse the hearing officer's determination that the claimant is entitled to reimbursement for lodging on May 23, 2007, in the amount of \$92.48 and render a decision that the claimant is not entitled to reimbursement for lodging in the amount of \$92.48 because there was no documentation or evidence (such as an itemized receipt) in evidence to support the request for reimbursement for lodging. 28 TEX. ADMIN. CODE § 134.110(c) (Rule 134.110(c)).

The hearing officer's determination that the claimant is entitled to reimbursement for travel expenses for medical treatment at the direction of Dr. S and Dr. L in the amount of \$284.80 is supported by sufficient evidence. Although the hearing officer erred in applying Rule 134.6 with regard to the 20-mile requirement because the dates of travel were on or after May 2, 2006, and thus Rule 134.110 applies, the evidence supports a determination that medical treatment for the compensable injury was not reasonably available within 30 miles from where the claimant lived on the dates of travel at issue. Rule 134.110(a).

SUMMARY

The hearing officer's decision that the claimant is entitled to reimbursement of travel expenses for medical treatment at the direction of Dr. C, Dr. S, and Dr. L in the amount of \$377.28 is reversed and we render a new decision that the claimant is entitled to reimbursement for travel expenses for medical treatment at the direction of Dr. S and Dr. L in the amount of \$284.80.

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The true corporate name of the insurance carrier is **STATE OFFICE OF RISK MANAGEMENT (a self-insured governmental entity)** and the name and address of its registered agent for service of process is

For service in person the address is:

**JONATHAN BOW, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
300 W. 15TH STREET
WILLIAM P. CLEMENTS, JR. STATE OFFICE BUILDING, 6TH FLOOR
AUSTIN, TEXAS 78701.**

For service by mail the address is:

**JONATHAN BOW, EXECUTIVE DIRECTOR
STATE OFFICE OF RISK MANAGEMENT
P.O. BOX 13777
AUSTIN, TEXAS 78711-3777.**

Margaret L. Turner
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Veronica L. Ruberto
Appeals Judge