

APPEAL NO. 111156  
FILED SEPTEMBER 22, 2011

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 July 12, 2011. With regard to the only issue before him, the hearing officer determined that the appellant's (claimant) compensable injury of (date of injury), does not include the diagnosed condition of erectile dysfunction.

The claimant appealed citing evidence that supports his contention. The respondent (self-insured) responded, urging affirmance.

DECISION

Reversed and remanded for reconstruction of the record.

Section 410.203(a)(1) requires the Appeals Panel to consider the record developed at the CCH. The CCH was recorded on one compact disc (CD). The CD indicated it contained one track which was 2 hours, 8 minutes and 9 seconds in length. The CD is blank. The file indicates that there was no court reporter and the file does not contain a transcript or a tape recording of the CCH proceeding. Consequently, we reverse and remand this case to the hearing officer for reconstruction of the CCH record. See Appeals Panel Decision (APD) 060353, decided April 12, 2006.

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 Department of Insurance, Division of Workers' Compensation, 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. See APD 060721, decided June 12, 2006.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**MITCHELL DRUCKER  
600 TRAVIS STREET, SUITE 5600  
HOUSTON, TEXAS 77002.**

---

Thomas A. Knapp  
Appeals Judge

CONCUR:

---

Cynthia A. Brown  
Appeals Judge

---

Margaret L. Turner  
Appeals Judge