

APPEAL NO. 151171
FILED AUGUST 6, 2015

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 February 24, 2015, with the record closing on May 5, 2015, in Houston, Texas, with (hearing officer) presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the June 11, 2013, compensable injury does extend to an annular tear at L4-5 and disc herniation at L5-S1; (2) the respondent (claimant) reached maximum medical improvement (MMI) on June 11, 2014; and (3) the claimant's impairment rating (IR) is 15%.

The appellant (self-insured) appealed, disputing the hearing officer's determinations of the extent of the compensable injury, MMI and IR. The claimant responded, urging affirmance of the disputed determinations.

DECISION

Reversed and remanded for reconstruction of the record.

Section 410.203(a) (1) requires the Appeals Panel to consider the record at the CCH. The appeal file does not contain a compact disc recording of the CCH. 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 **ALDINE INDEPENDENT SCHOOL DISTRICT**, a governmental entity that self-insures, through the **TEXAS ASSOCIATION OF SCHOOL BOARDS RISK MANAGEMENT FUND** and the name and address of its registered agent for service of process is

**DR. WANDA BAMBERG, SUPERINTENDENT
14909 ALDINE WESTFIELD
HOUSTON, TEXAS 77032.**

Margaret L. Turner
Appeals Judge

CONCUR:

Veronica L. Ruberto
Appeals Judge

Carisa Space-Beam
Appeals Judge