

DECISION AND ORDER

This case is decided pursuant to Chapter 410 of the Texas Workers' Compensation Act and Rules of the Division of Workers' Compensation adopted thereunder.

ISSUES

A contested case hearing was held on September 19, 2008, to decide the following disputed issue:

1. Is the preponderance of the evidence contrary to the decision of the IRO that Claimant is entitled to ODG discogram/CT lumbar L3-4 and L5-S1 for the compensable injury of _____?

PARTIES PRESENT

Petitioner/Carrier appeared and was represented by DP, attorney. Respondent/Subclaimant appeared and was represented by IF, lay representative. Claimant appeared and was assisted by KW, ombudsman.

AGREEMENT

The parties reached an agreement. The agreement resolves only those issues to be decided at this hearing. The agreement does not resolve all issues with regard to this claim and is not a settlement.

In this decision, this Agreement section includes findings of fact and the Decision section constitutes the conclusions of law.

The Hearing Officer found:

- A. Carrier delivered to Claimant a single document stating the true corporate name of Carrier, and the name and street address of Carrier's registered agent, which document was admitted into evidence as Hearing Officer's Exhibit Number 2.

The parties agreed as follows:

1. The Texas Department of Insurance, Division of Workers' Compensation, has jurisdiction to hear this case.
2. Venue is proper in the (City) Field Office of the Texas Department of Insurance, Division of Workers' Compensation.
3. On _____, Claimant was the employee of (Employer), and sustained a compensable injury.
4. To withdraw the disputed issue of "Is the preponderance of the evidence

contrary to the decision of the IRO that Claimant is entitled to ODG discogram/
CT lumbar L3-4 and L5-S1 for the compensable injury of _____?"

DECISION

Parties have agreed to withdraw from consideration the disputed issue of "Is the preponderance of the evidence contrary to the decision of the IRO that Claimant is entitled to ODG discogram/CT lumbar L3-4 and L5-S1 for the compensable injury of _____?"

ORDER

Carrier is not liable for the benefits with respect to the withdrawn disputed issue. Claimant remains entitled to medical benefits for the compensable injury in accordance with §408.021.

The true corporate name of the insurance carrier is **TEXAS MUTUAL INSURANCE COMPANY**, and the name and address of its registered agent for service of process is:

**RUSSELL OLIVER, PRESIDENT
6210 EAST HWY. 290
AUSTIN, TEXAS 78723**

Signed this 19th day of September 2008

Cheryl Dean
Hearing Officer