

**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 May 6, 2009 to decide the following disputed issue:

1. Is the preponderance of the evidence contrary to the decision of the Independent Review Organization (IRO) that Claimant is not entitled to sacroiliac joint injections, 10 days apart, for the compensable injury of \_\_\_\_\_?

**PARTIES PRESENT**

Petitioner/Claimant failed to appear and did not respond to the Division's 10-day letter. Respondent/Carrier was represented by CF, attorney.

**BACKGROUND INFORMATION**

Although properly notified, Claimant failed to appear for the pre-hearing concerning the contested case hearing scheduled for 8:30 A.M. on May 6, 2009. A letter advising that the hearing had convened and that the record would be held open for ten days to afford Claimant the opportunity to respond and request that the hearing be rescheduled to permit her to present evidence on the disputed issue was mailed to Claimant on May 6, 2009. Claimant failed to respond to the Division's 10-day letter and, on May 22, 2009 the record was closed. Having failed to appear and offer evidence in support of her claim, Claimant failed to show that she is entitled to the relief sought.

Even though all the evidence presented was not discussed, it was considered. The Findings of Fact and Conclusions of Law are based on all of the evidence presented.

**FINDINGS OF FACT**

1. Venue is proper in the (City) Field Office of the Texas Department of Insurance, Division of Workers' Compensation.
2. On \_\_\_\_\_, Claimant, who was the employee of (Employer), sustained a compensable injury.
3. The Division sent a single document stating the true corporate name of Carrier and the name and street address of Carrier's registered agent for service with the 10-day letter to Claimant at Claimant's address of record. That document was admitted into evidence as Hearing Officer Exhibit Number 2.

4. Claimant failed to appear for the May 6, 2009 hearing and did not respond to the Division's letter offering her the opportunity to have the hearing rescheduled.
5. The IRO determined that the requested services were not reasonable and necessary health care services for the compensable injury of \_\_\_\_\_.
6. Sacroiliac joint injections, 10 days apart, are not health care reasonably required for the compensable injury of \_\_\_\_\_.
7. Claimant did not have good cause for failing to appear at the hearing.

### **CONCLUSIONS OF LAW**

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.
3. The preponderance of the evidence is not contrary to the decision of the IRO that Claimant is not entitled to sacroiliac joint injections, 10 days apart, for the compensable injury of \_\_\_\_\_.

### **DECISION**

Claimant is not entitled to sacroiliac joint injections, 10 days apart, for the compensable injury of \_\_\_\_\_.

### **ORDER**

Carrier is not liable for the benefits at issue in this hearing. Claimant remains entitled to medical benefits for the compensable injury in accordance with §408.021.

The true corporate name of the insurance carrier is **ZURICH AMERICAN INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
701 BRAZOS STREET, SUITE 1050  
AUSTIN, TEXAS 78701**

Signed this 22nd day of May, 2009.

CAROLYN F. MOORE  
Hearing Officer