

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 November 18, 2010, to decide the following disputed issue:

Is the preponderance of the evidence contrary to the findings of Medical Fee Dispute Resolution (MFDR) that the health care provider is entitled to \$1,111.89 as reimbursement for health care services rendered to the Claimant on June 12, 2008 through June 13, 2008?

PARTIES PRESENT

Petitioner/Carrier appeared, by telephone, and was represented by CA, attorney.
Respondent/Provider appeared, by telephone, and was assisted by GM, lay person.
Claimant did not appear and her attendance was excused.

AGREEMENT

The parties reached an agreement. The agreement only resolves the issues to be decided at this hearing. The agreement does not resolve all issues regarding the 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.

Hearing Officer Findings:

1. Venue is proper in the (City) Field Office of the Texas Department of Insurance, Division of Workers' Compensation.
2. On _____, Claimant was the employee of (Employer) when she sustained a compensable injury.
3. Carrier delivered to Claimant and Provider a single document stating the true corporate name of Carrier, and name and street address of Carrier's registered agent.

The parties agreed to the following:

The parties agree that the preponderance of the evidence is contrary to the findings of MFDR that the health care provider is entitled to \$1,111.89 as reimbursement for health care services rendered to the Claimant on June 12, 2008 through June 13, 2008 and the parties further agree that the Carrier is not liable for reimbursement in the amount of

\$1,111.89 and that the Provider has been paid in full for the hospital outpatient surgical services provided to the Claimant on the dates of service of June 12, 2008 through June 13, 2008.

DECISION

The preponderance of the evidence is contrary to the findings of MFDR that the health care provider is entitled to \$1,111.89 as reimbursement for health care services rendered to the Claimant on June 12, 2008 through June 13, 2008.

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 **MITSUI SUMITOMO INSURANCE COMPANY OF AMERICA** and the name and address of its registered agent for service of process is:

**PRENTICE-HALL CORPORATION SYSTEM, INC.
211 EAST 7th STREET, SUITE 620
AUSTIN, TX 78701**

Signed this 18th day of November, 2010.

Carol A. Fougerat
Hearing Officer