

APPEAL NO. 160575  
FILED MAY 31, 2016

The hearing officer's decision has become final under Section 410.169 because a timely appeal has not been filed with the Texas Department of Insurance, Division of Workers' Compensation (Division).

Section 410.202(c) provides, "A request for appeal or a response must clearly and concisely rebut or support the decision of the hearing officer on each issue on which review is sought." See also 28 TEX. ADMIN. CODE § 143.3(a)(2) (Rule 143.3(a)(2)).

On March 24, 2016, the appellant (claimant) filed with the Division the information brochure published by the Division entitled "Appeal Rights and Procedures" (brochure) and signed the brochure in the sample certificate of service contained in that brochure. The Appeals Panel has held that the filing of that brochure with the Division is insufficient to constitute a request for appeal because it does not tell us how or why a claimant disagrees with a hearing officer's decision. See Appeals Panel Decision (APD) 94973, decided September 1, 1994; and APD 052351, decided November 30, 2005. In APD 94973, the Appeals Panel explained that we have generally held that a simple written statement from an unrepresented claimant that he or she thinks that the hearing officer was wrong and does not agree with the decision will be interpreted as a challenge to the sufficiency of the evidence, but that even those minimal filings we have accepted as appeals indicated disagreement with the hearing officer's decision. As was the case in APD 94973, the claimant's filing of the brochure in the instant case did not state the grounds upon which review was requested nor indicate disagreement with any portion of the hearing officer's decision. See also APD 000452, decided April 13, 2000; APD 002385, decided December 1, 2000; and APD 030296, decided March 18, 2003; all of which held that the filing of the brochure was insufficient to constitute an appeal.

The last day for the claimant to have filed a timely and sufficient appeal with the Division under Section 410.202, as amended June 17, 2001, was March 23, 2016. Although timely mailed, the filing of the brochure on March 24, 2016, did not constitute the filing of a sufficient appeal and the time for filing an appeal has expired. Thus, the decision and order of the hearing officer have become final under Section 410.169.

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

**CT CORPORATION SYSTEM  
1999 BRYAN STREET, SUITE 900  
DALLAS, TEXAS 75201-4234.**

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Margaret L. Turner  
Appeals Judge

CONCUR:

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K. Eugene Kraft  
Appeals Judge

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Carisa Space-Beam  
Appeals Judge