

APPEAL NO. 230232
FILED APRIL 5, 2023

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 January 5, 2023, in (city), Texas, with (administrative law judge) presiding as the administrative law judge (ALJ). The ALJ resolved the disputed issues by deciding that: (1) the respondent (claimant) has not reached maximum medical improvement (MMI); and (2) because the claimant has not reached MMI, an impairment rating (IR) cannot yet be assigned. The appellant (self-insured) appeals the ALJ's MMI and IR determinations. The appeal file does not contain a response from the claimant.

DECISION

Reversed and remanded.

This case is remanded for the purpose of compliance with Section 410.164(c) which provides as follows:

(c) At each [CCH], as applicable, the insurance carrier shall file with the [ALJ] and shall deliver to the claimant a single document stating the true corporate name of the insurance carrier and the name and address of the insurance carrier's registered agent for service of process. The document is part of the record of the [CCH].

In this case, the self-insured's information form (Carrier's Exhibit A, page 2) fails to state the name of the registered agent for service of process (it simply states the self-insured's name). The self-insured is required to provide the name of its registered agent for service of process. See Appeals Panel Decision (APD) 012727, decided December 19, 2001; and APD 210326, decided May 5, 2021.

Accordingly, this case is remanded for the self-insured to provide the required information for its registered agent for service of process in accordance with Section 410.164(c).

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 ALJ, 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.

According to the carrier information form in evidence, the true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

(NAME)
(ADDRESS)
(CITY), TEXAS 78945.

Margaret L. Turner
Appeals Judge

CONCUR:

Cristina Beceiro
Appeals Judge

Carisa Space-Beam
Appeals Judge