

**MEDICAL CONTESTED CASE HEARING NO. 08007
M6-08-10736-01**

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 January 4, 2008, to decide the following disputed issue:

Is the preponderance of the evidence contrary to the Independent Review Organization (IRO) decision that 12 sessions of physical therapy to the right knee is not reasonable and necessary medical treatment for the compensable injury of ____ ?

PERSONS PRESENT

Claimant appeared and was assisted by ombudsman.

Carrier appeared and was represented by attorney.

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, the 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.
- B. The Texas Department of Insurance, Division of Workers' Compensation, has jurisdiction to hear this case.
- C. Venue is proper in the (City) Field Office of the Texas Department of Insurance, Division of Workers' Compensation.
- D. On ____, Claimant was the employee of Employer.

The parties agreed as follows:

Given a change in Claimant's medical condition and proposed medical treatment by the Claimant's healthcare provider, Claimant is no longer requesting 12 sessions of physical therapy to the right knee as being

reasonable and necessary medical treatment for the compensable injury of ____.

The Hearing Officer approved the above agreement on January 14, 2008.

DECISION

Given a change in Claimant's medical condition and proposed medical treatment by the Claimant's healthcare provider, Claimant is no longer requesting 12 sessions of physical therapy to the right knee as being reasonable and necessary medical treatment 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 Section 408.021.

The true corporate name of the insurance Carrier is **ACE AMERICAN INSURANCE COMPANY**, and the name and address of its registered agent for service of process is:

**ROBIN M. MOUNTAIN
6600 CAMPUS CIRCLE DRIVE EAST, SUITE 300
IRVING, TEXAS 75063-2732**

Signed this 17th day of January 2008.

**DONALD E. WOODS
HEARING OFFICER**