

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 February 18, 2009, to decide the following disputed issue:

1. Is the preponderance of the evidence contrary to the decision of the IRO that Claimant is entitled to an MRI of the lumbar spine for the compensable injury of _____?

PARTIES PRESENT

Petitioner/Carrier appeared and was represented by LW, attorney. Respondent/ Claimant appeared by telephone and was assisted by SH, ombudsman.

AGREEMENT

The parties reached an agreement. The agreement only resolves the issue 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:

- A. Carrier delivered to Claimant a single document stating the true corporate name of the carrier, and name and street address of the carrier's registered agent which was admitted into evidence as Hearing Officer's Exhibit Number 2.

The parties agreed to the following:

1. Venue is proper in the (City) Field Office of the Texas Department of Insurance, Division of Workers' Compensation.
2. On _____, Claimant sustained a compensable injury while employed by (Employer).
3. The preponderance of the evidence is not contrary to the IRO decision that Claimant is entitled to an MRI of the lumbar spine.

DECISION

The Texas Department of Insurance, Division of Workers' Compensation, has jurisdiction to hear this case. Venue is proper in the (City) Field Office. Claimant is entitled to an MRI of the lumbar spine for the compensable injury of _____.

ORDER

Carrier is 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 **AMERICAN HOME ASSURANCE 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 18th day of February, 2009

KENNETH A. HUCHTON
Hearing Officer