

## **MEDICAL CONTESTED CASE HEARING 22009**

### **DECISION AND ORDER**

This case is decided pursuant to Chapter 410 of the Texas Workers' Compensation Act and Rules of the Texas Department of Insurance, Division of Workers' Compensation (DWC). In accordance with the parties' agreement, the Administrative Law Judge (ALJ) finds that Claimant is entitled to metaxalone (metaxalone tablet 800 mg) quantity 60 as the preponderance of the evidence is contrary to the Independent Review Organization's (IRO) determination.

### **ISSUES**

A medical contested case hearing was held on August 18, 2022, to decide the following disputed issue:

Is the preponderance of the evidence contrary to the determination of the IRO that Claimant is not entitled to metaxalone (metaxalone tablets 800 mg) quantity 60?

### **PERSONS PRESENT**

Petitioner/Claimant appeared and was assisted by CR, ombudsman.  
Respondent/Insurance Carrier appeared and was represented by AG, adjuster.

### **EVIDENCE PRESENTED**

No witnesses testified during the medical contested case hearing.

The following exhibits were admitted into evidence:

ALJ's Exhibits: ALJ-1 through ALJ-3.

### **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, this Agreement section includes findings of fact, and the Decision

section constitutes the conclusions of law.

The ALJ found:

Insurance Carrier delivered to Claimant a single document stating the true corporate name of Insurance Carrier, and the name and street address of Insurance Carrier's registered agent, which document was admitted into evidence as ALJ's Exhibit 3.

The parties agreed as follows:

1. Venue is proper in the (City) Field Office of the Texas Department of Insurance, DWC.
2. On (Date of Injury), Claimant was an employee of the (Employer), Employer.
3. On (Date of Injury), Employer provided workers' compensation insurance as a self-insurer.
4. On (Date of Injury), Claimant sustained a compensable injury.
5. Claimant is entitled to metaxalone (metaxalone tablet 800 mg) quantity 60 as the preponderance of the evidence is contrary to the IRO's determination.

### **DECISION**

Claimant is entitled to metaxalone (metaxalone tablet 800 mg) quantity 60 as the preponderance of the evidence is contrary to the IRO's determination.

**ORDER**

Insurance 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 **(SELF-INSURED)**, and the name and address of its registered agent for service of process is:

**(NAME)**  
**(ADDRESS)**  
**(CITY, STATE, ZIPCODE)**

Signed this 18th day of August, 2022.

Teresa G. Hartley  
Administrative Law Judge