

MEDICAL CONTESTED CASE HEARING NO. 13011

**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.

**ISSUE**

A Medical contested case pre-hearing was held on October 24, 2012 to decide the following disputed issue:

Is the preponderance of the evidence contrary to the decision of the IRO, that the Claimant is not entitled to spinal anterior lumbar interbody fusion at L3-4, L4-5, and L5-S1 with an assistant surgeon and a three-day length of stay?

**PARTIES PRESENT**

Claimant appeared and was assisted by AT, ombudsman.

Carrier appeared and was represented by CSF, adjuster.

**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 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 (Date of Injury), Claimant was the employee of (Employer), Employer.

E. On (Date of Injury), Employer provided workers' compensation insurance with American Casualty Company of Reading, Pennsylvania, Carrier.

The parties agreed as follows:

Claimant is entitled to a spinal anterior lumbar interbody fusion at L3-4, L4-5, and L5-S1 with an assistant surgeon and a three-day length of stay.

### **DECISION**

Claimant is entitled to a spinal anterior lumbar interbody fusion at L3-4, L4-5, and L5-S1 with an assistant surgeon and a three-day length of stay.

### **ORDER**

Carrier is ordered to pay benefits in accordance with this decision, the Texas Workers' Compensation Act, and the Commissioner's Rules. Accrued but unpaid income benefits, if any, shall be paid in a lump sum together with interest as provided by law.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA** and the name and address of its registered agent for service of process is:

**C T CORPORATION SYSTEM  
350 NORTH ST PAUL STREET  
DALLAS, TX 75201**

Signed this 24th day of October, 2012.

Donald E. Woods  
Hearing Officer