

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JOAN M. PLANERT and U.S. POSTAL SERVICE,  
POST OFFICE, Eau Claire, WI

*Docket No. 99-1070; Submitted on the Record;  
Issued December 13, 2000*

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DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,  
PRISCILLA ANNE SCHWAB

The issues are: (1) whether appellant continued to have residuals of his March 19, 1992 employment injury after March 31, 1998; and (2) whether appellant sustained a work-related permanent impairment of the lungs.

This is the second appeal in this case.<sup>1</sup> By decision and order dated September 3, 1997, the Board reversed the Office of Workers' Compensation Programs' September 1, 1994 decision terminating compensation benefits due to an unresolved conflict in the medical opinion evidence. The case was also remanded for further development on the issue of whether appellant was entitled to receive a schedule award for the lungs. The facts of this case are more fully set forth in the Board's September 3, 1997 decision and that decision is herein incorporated by reference.

The Board has given careful consideration to the issues involved, the contentions of the parties on appeal and the entire case record. The Board finds that the decision of the Office's hearing representative, dated and finalized February 2, 1999, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

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<sup>1</sup> See Docket No. 95-2571.

The decision of the Office of Workers' Compensation Programs dated and finalized February 2, 1999 is hereby affirmed.

Dated, Washington, DC  
December 13, 2000

Willie T.C. Thomas  
Member

Michael E. Groom  
Alternate Member

Priscilla Anne Schwab  
Alternate Member