

On July 18, 2007 appellant, then a 61-year-old letter carrier, filed an occupational disease claim (Form CA-2) alleging that he sustained carpal tunnel syndrome as a result of his federal employment. In a narrative statement, he stated that repetitive work had caused pain and swelling in his wrist and hand.

Appellant submitted x-ray reports of his right wrist and hand dated April 30, 2007. He also submitted reports from a physician's assistant. By letter dated July 27, 2007, the Office requested appellant submit additional evidence.

In a report dated June 27, 2007, Dr. Stuart Oxford, a radiologist, reported that electromyogram (EMG) results were compatible with right carpal tunnel syndrome of moderate degree. Appellant also submitted an August 3, 2007 report from the physician's assistant. In a narrative statement dated August 4, 2007, he indicated that he injured his back in October 2001 and had been working light duty since that time. Appellant stated that he did sorting of mail, stamping boxes and other duties requiring repetitive wrist and hand motion.

By decision dated August 31, 2007, the Office denied the claim for compensation. The Office found that the medical evidence was insufficient to establish the claim.

LEGAL PRECEDENT

A claimant seeking benefits under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of his claim by the weight of the reliable, probative and substantial evidence, including that an injury was sustained in the performance of duty as alleged and that any specific condition or disability claimed is causally related to the employment injury.²

To establish that an injury was sustained in the performance of duty, a claimant must submit: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant.³

Causal relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence.⁴ A physician's opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors must be based on a complete factual and medical background of the claimant.⁵ Additionally, in order to be considered rationalized, the opinion must be expressed in terms of a reasonable degree of medical certainty and must be supported by medical rationale, explaining the nature of the relationship between the diagnosed condition and appellant's specific employment factors.⁶

¹ 5 U.S.C. §§ 8101-8193.

² 20 C.F.R. § 10.115(e), (f) (2005); see *Jacquelyn L. Oliver*, 48 ECAB 232, 235-36 (1996).

³ *Ruby I. Fish*, 46 ECAB 276, 279 (1994).

⁴ See *Robert G. Morris*, 48 ECAB 238 (1996).

⁵ *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

⁶ *Id.*

ANALYSIS

Appellant identified employment factors associated with his light-duty position, such as sorting mail and stamping boxes. It is his burden of proof to submit medical evidence with a diagnosis and a rationalized opinion on causal relationship between the diagnosed condition and the identified employment factors.

The medical evidence in this case is not sufficient to meet appellant's burden of proof. As to the evidence from a physician's assistant, this does not constitute competent medical evidence as a physician's assistant is not defined as a physician under 5 U.S.C. § 8101(2).⁷ The remaining evidence consists of diagnostic test reports, with an EMG report showing findings compatible with right carpal tunnel syndrome. There is no medical evidence with an accurate history and a rationalized medical opinion relating a diagnosed condition to the identified employment factors. Appellant did not meet his burden of proof and therefore the Office properly denied the claim for compensation.

CONCLUSION

The evidence is not sufficient to establish a right arm condition causally related to factors of appellant's federal employment.

⁷ *George H. Clark*, 56 ECAB 162 (2004).

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated August 31, 2007 is affirmed.

Issued: March 14, 2008
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Michael E. Groom, Alternate Judge
Employees' Compensation Appeals Board