

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of KARREN A. SAIIA and U.S. POSTAL SERVICE,
POST OFFICE, Bellmawr, N.J.

*Docket No. 97-761; Submitted on the Record;
Issued November 27, 1998*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant's right wrist condition is causally related to her September 9, 1993 employment injury and therefore whether appellant is entitled to surgery for her wrist condition.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the July 25, 1996 decision of the Office of Workers' Compensation Programs' hearing representative, finalized on July 26, 1996, is in accordance with the facts and law in this case and hereby adopts the findings and conclusions of the hearing representative.

On September 6, 1996 appellant requested reconsideration of the decision of the Office and submitted a medical report from Dr. Kenneth C. Peacock, a Board-certified orthopedic surgeon, dated August 23, 1996. In his report, Dr. Peacock diagnosed wrist scaphotrapezial joint arthritis and stated that within a reasonable medical certainty, appellant's fall on September 9, 1993 "could" cause increased symptomatology in the wrist due to the trauma to the arthritic joint. By decision dated September 20, 1996, the Office denied appellant's reconsideration request. The Board finds that Dr. Peacock's opinion that appellant's fall at work on September 9, 1993 "could" cause increased symptomatology in the wrist does not establish the requisite causal connection between appellant's current wrist condition and the September 9, 1993 employment injury as it is vague and speculative and does not provide a rationalized medical opinion explaining how appellant's right wrist condition resulted from her employment. Dr. Peacock's September 9, 1993 is therefore not probative.¹

¹ See *William S. Wright*, 45 ECAB 498, 504 (1994).

The decisions of the Office of Workers' Compensation Programs dated September 20 and July 25, 1996 finalized on July 26, 1996 are hereby affirmed.

Dated, Washington, D.C.
November 27, 1998

David S. Gerson
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member