

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of LARRY G. MEEKS and U.S. POSTAL SERVICE,  
POST OFFICE, Tampa, Fla.

*Docket No. 97-2655; Submitted on the Record;  
Issued June 16, 1999*

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DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,  
BRADLEY T. KNOTT

The issue is whether appellant's degenerative disc disease or central herniation at the L4-5 level is causally related to his employment injury of April 30, 1990.

In a decision dated July 9, 1997, the Office of Workers' Compensation Programs found that appellant was not entitled to medical benefits beginning in 1994 and for monetary compensation beginning in April 1995, because there was no rationalized medical evidence explaining how appellant's April 30, 1990 employment injury, which was accepted for lumbar strain, caused a need for renewed medical treatment or a recurrence of disability.

The facts of this case are detailed in the Office's July 9, 1997 decision, and are hereby incorporated by reference. Briefly, however, the Office accepted that appellant sustained an injury while in the performance of duty on April 30, 1990. The Office accepted appellant's claim for lumbar strain and paid disability compensation through July 23, 1990. Appellant's attending physician, Dr. Robert A. Callahan, a Board-certified orthopedist, recommended permanent restrictions and discharged appellant from his care on November 1, 1990 except for follow-up and maintenance visits to keep appellant's weight under control and his symptoms to a minimal level. Appellant sought medical benefits beginning in 1994 and disability compensation beginning in 1995.

The Board finds that the medical opinion evidence of record fails to establish that appellant's degenerative disc disease or central herniation at the L4-5 level is causally related to his employment injury of April 30, 1990.

A claimant seeking benefits under the Federal Employees' Compensation Act<sup>1</sup> has the burden of proof to establish the essential elements of his claim by the weight of the evidence,<sup>2</sup> including that he sustained an injury in the performance of duty and that any specific condition or disability for work, for which he claims compensation is causally related to that employment injury.<sup>3</sup>

Because the Office accepts that appellant sustained an injury in the performance of duty on April 30, 1990 it is appellant's burden of proof to establish that the conditions for which he seeks medical benefits and the disability for which he seeks monetary benefits are causally related to that employment injury.

The evidence generally required to establish causal relationship is rationalized medical opinion evidence. The claimant must submit a rationalized medical opinion that supports a causal connection between his current condition and the employment injury. The medical opinion must be based on a complete factual and medical background with an accurate history of the claimant's employment injury and must explain from a medical perspective how the current condition is related to the injury.<sup>4</sup>

Appellant has not supported his claim with such medical opinion evidence. Although the record contains medical evidence diagnosing degenerative disc disease of the lumbosacral spine and a herniated disc at the L4-5 level, appellant has failed to submit a well-reasoned medical narrative describing the incident that occurred on April 30, 1990 and explaining, from a medical perspective, how that incident caused or aggravated appellant's diagnosed conditions of degenerative disc disease and herniated nucleus pulposus.<sup>5</sup> Such a medical explanation is necessary to establish the critical element of causal relationship and thereby establish appellant's entitlement to medical benefits beginning in 1994 and monetary benefits beginning in 1995. Having failed to submit such a well-reasoned medical opinion, appellant has not discharged his burden of proof.

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<sup>1</sup> 5 U.S.C. §§ 8101-8193.

<sup>2</sup> *Nathaniel Milton*, 37 ECAB 712 (1986); *Joseph M. Whelan*, 20 ECAB 55 (1968) and cases cited therein.

<sup>3</sup> *Elaine Pendleton*, 40 ECAB 1143, 1145 (1989).

<sup>4</sup> *John A. Ceresoli, Sr.*, 40 ECAB 305 (1988).

<sup>5</sup> The record does contain several form reports from June and July 1990, in which Dr. Callahan indicated with an affirmative mark that appellant's degenerative disc disease was due to the injury of April 30, 1990. It is well established, however, that when a physician's opinion on causal relationship consists only of checking "yes" to a form question, that opinion has little probative value and is insufficient to establish causal relationship. *E.g., Lillian M. Jones*, 34 ECAB 379 (1982). In this case, appellant must establish causal relationship through a well-reasoned medical narrative.

The July 9, 1997 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.  
June 16, 1999

George E. Rivers  
Member

David S. Gerson  
Member

Bradley T. Knott  
Alternate Member