

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ROY J. DAY, SR. and DEPARTMENT OF HOUSING & URBAN
DEVELOPOMENT, OFFICE OF FAIR HOUSING & EQUAL OPPORTUNITY,
Richmond, VA

*Docket No. 99-1949; Submitted on the Record;
Issued September 27, 2000*

DECISION and ORDER

Before MICHAEL E. GROOM, A. PETER KANJORSKI,
VALERIE D. EVANS-HARRELL

The issue is whether appellant established that his headache and hypertension on June 18, 1998 were causally related to his federal employment.

On June 25, 1998 appellant, then a 53-year-old lead equal opportunity specialist, filed a claim for a headache and uncontrollable hypertension with dizziness, memory loss and sweating he experienced on June 18, 1998. He indicated that, as he was driving from Richmond, Virginia to Danville, Virginia, stress elevated his blood pressure and blood sugar levels requiring treatment at the emergency room of a hospital in Danville. In a September 15, 1998 decision, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that he had not established that he sustained an injury at the time, place and in the manner alleged because he had not provided information to support that his claimed conditions were related to factors of his employment.

In a September 24, 1998 letter, appellant requested reconsideration. He stated that, beginning on February 2, 1998, the employing establishment began a reorganization process. Appellant claimed that the reorganization caused stress because it raised confusion on the lines of authority regarding which office of the employing establishment was supervising his work. Appellant complained that he was given a new position description which gave him responsibilities but no authority to carry out his responsibilities. He noted that he experienced a headache while traveling from Richmond to Baltimore, Maryland for an employing establishment meeting, which required him to stop at a relative's house for two hours to rest. He indicated that on June 10, 1998 he notified his superior of his need to travel to Danville to meet with city officials on their analysis of impediments to Fair Housing. He noted that he had to make several telephone calls throughout the employing establishment to track down his travel authorization request. He indicated that on June 17, 1998 he was involved in a heated discussion with his superior on his request to forego training in Atlanta, Georgia because of his inability to attend the training. He noted that he measured his blood pressure at 12:30 p.m. that day and

noted a reading of 169/118. He measured his blood pressure when he got home and obtained a reading of 155/104. He received instructions from his physician to take additional medication, rest and seek treatment if his blood pressure remained high. Appellant noted that by 9:00 p.m. his blood pressure was 144/78. He indicated that he was restless that night because he could not get work off his mind and was concerned about the weather forecast of heavy thunderstorms for the next day which would affect his trip home.

Appellant stated that he arose at 5:45 a.m. on June 18, 1998 measured his blood pressure at 161/101, took medication and, after preparation, left for Danville at 7:15 a.m. He indicated that he developed another headache. He felt better for a short period after stopping to eat but then developed a headache again and found himself swerving on the road. He stopped and finished eating the food he had purchased. He noted that he started to return home but began feeling better so he turned around to continue to Danville, Virginia. Appellant stated he did not remember much after that time. He related that a city official subsequently informed him that when he arrived at her office, he was sweating heavily, was disoriented, falling in and out of conversation, and seeking medical help. Appellant recalled that he had a telephone conversation with his personal physician. He then remembered speaking with a physician at a hospital and being questioned. He stated that he was surprised to find out that he was in the Danville Regional Medical Center and was informed that his blood pressure and blood sugar were too high to permit him to leave the hospital and return home. He stayed in the hospital overnight and was taken home the next day. Appellant described his subsequent medical treatment.

In an April 7, 1999 merit decision, the Office modified its prior decision to find that appellant was working on June 18, 1998 but the evidence was insufficient to establish that his conditions were causally related to his employment.

The Board finds that appellant has not met his burden of proof in establishing that his headaches and increased blood pressure on June 18, 1998 was causally related to his employment.

A person who claims benefits under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of his claim. Appellant has the burden of establishing by reliable, probative and substantial evidence that his medical condition was causally related to a specific employment incident or to specific conditions of employment.² As part of such burden of proof, rationalized medical opinion evidence showing causal relation must be submitted.³ The mere fact that a condition manifests itself or worsens during a period of employment does not raise an inference of causal relationship between the condition and the employment.⁴ Such a relationship must be shown by rationalized medical evidence of causal relation based upon a specific and accurate history of employment incidents or conditions which

¹ 5 U.S.C. §§ 8101-8193.

² *Margaret A. Donnelly*, 15 ECAB 40, 43 (1963).

³ *Daniel R. Hickman*, 34 ECAB 1220, 1223 (1983).

⁴ *Juanita C. Rogers*, 34 ECAB 544, 546 (1983).

are alleged to have caused or exacerbated a disability.⁵ While the Office accepted that appellant experienced increased blood pressure and a headache on June 18, 1998 while performing his duties, appellant must still submit medical evidence to establish that these conditions were causally related to his employment.

In a September 24, 1998 report, Dr. David Wu-Pong, a general practitioner, stated that he had followed appellant for several years for hypertension and adult-onset diabetes. He indicated that in the prior three months appellant had a dramatic worsening in the control of both conditions. He noted that, during the same time period, appellant reported an increase in the stress level at his job. Dr. Wu-Pong stated that, while it was difficult to prove a causal relationship between stress and medical illness, some studies had shown a rise in serum cortisol and adrenaline levels in situations of chronic stress. He commented that this type of elevation could lead to a rise in blood pressure and blood glucose. Dr. Wu-Pong's report has a general history of stress, without any specific description of the factors of appellant's employment that would be stressful. The report is speculative and equivocal in stating that chronic stress, through changes in body chemistry, might cause a rise in blood pressure and blood glucose. Dr. Wu-Pong's report is of diminished probative value and is insufficient to establish that appellant's condition on June 18, 1998 was causally related to his employment.

The decisions of the Office of Workers' Compensation Programs, dated April 7, 1999 and September 15, 1998, are hereby affirmed.

Dated, Washington, DC
September 27, 2000

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

Valerie D. Evans-Harrell
Alternate Member

⁵ *Edgar L. Colley*, 34 ECAB 1691, 1696 (1983).