

On August 23, 2003 appellant, a 45-year-old receiving clerk, filed an occupational disease claim alleging that he experienced right hip pain as a result of work factors. He alleged that his right hip first began to hurt on August 3, 2003, and got progressively worse over the next seven to eight days, while he was lifting in the performance of duty. Appellant stopped work from August 12 to 16, 2003.

By letter dated October 9, 2003, the Office advised appellant of the factual and medical evidence required to establish his claim for compensation. The Office informed appellant that he was required to submit a rationalized medical opinion from his treating physician addressing the causal relationship between the alleged work factors and his diagnosed medical condition.

In an October 15, 2003 letter, appellant stated that his injury occurred on “August 15, 2003” when he was lifting heavy sacks from a three-foot belt into a six-foot container. He estimated that he lifted about 100 sacks that day, each weighing about 20 to 80 pounds. Appellant alleged that the pain got progressively worse over the next few days so he went to the doctor, who told him that he suffered from osteoarthritis in the right hip. Additionally, appellant submitted prescription slips dated August 18 and 25, 2003, an August 25, 2003 duty status report and an October 17, 2003 report prepared by Dr. Leon A. Icaza, a general practitioner, who noted complaints of right hip pain and x-ray evidence of right hip osteoarthritis.

In a decision dated October 29, 2003, the Office denied appellant’s claim for compensation on the grounds that the medical evidence was insufficient to establish a causal relationship between his alleged right hip condition and factors of his employment.

LEGAL PRECEDENT

In order to establish that an injury was sustained in the performance of duty, a claimant must submit the following: (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.¹ Causal relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence.²

ANALYSIS

In this case, appellant alleges that work factors caused or aggravated right hip pain that began as a result of heavy lifting duties he performed on the job. Appellant was advised by the Office of his responsibility to provide rationalized medical evidence to support his claim but he failed to satisfy his burden of proof. None of the medical evidence submitted by appellant addresses the issue of causal relationship by explaining how his diagnosed right hip condition of osteoarthritis is due to work factors.

¹ *Victor J. Woodhams*, 41 ECAB 345 (1989).

² *See Robert G. Morris*, 48 ECAB 238 (1996). 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. *Victor J. Woodhams*, *supra* note 1. 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 claimant’s specific employment factors. *Id.*

On the prescription form dated August 18, 2003, Dr. Icaza noted bed rest for three days and “pain right hip arthritis.” In the August 25, 2003 prescription form, Dr. Icaza stated light duty for two months and “right hip pain leg pain.” Dr. Icaza, however, did not relate appellant’s right hip and leg pain to his employment. On August 25, 2003 Dr. Icaza prepared a duty status report (Form CA-17), which noted osteoarthritis of the right hip with pain in the right hip radiating to the leg. Dr. Icaza related that appellant was lifting heavy objects at work when he experienced right hip pain and the physician identified August 3, 2003 as the date of injury. The Board has held that 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.³

Lastly, in his report dated October 17, 2003, Dr. Icaza noted that he treated appellant for right hip pain on August 18, 2003 and that an x-ray showed minimal osteoarthritis. With respect to the issue of causal relationship, he noted that appellant worked as a mail clerk lifting heavy bags of mail and that this “possibly” contributed to his pain. Because Dr. Icaza’s opinion is equivocal regarding the cause of appellant’s right hip pain, and because he does not specifically state that there is a causal relationship between appellant’s osteoarthritis and the alleged work factors, the Board considers his opinion to be insufficient to satisfy appellant’s burden of proof. Consequently, as there is no rationalized medical opinion of record to establish a causal relationship between appellant’s right hip condition and factors of his federal employment, the Board finds that the Office properly denied appellant’s claim for compensation.

CONCLUSION

The Board finds that appellant failed to establish that he sustained a right hip condition causally related to factors of his federal employment.

³ See *Jesse Gullede*, 42 ECAB 372 (1992); *Ruth C. Borden*, 43 ECAB 146 (1991).

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated October 29, 2003 is affirmed.

Issued: March 15, 2004
Washington, DC

Alec J. Koromilas
Chairman

David S. Gerson
Alternate Member

Willie T.C. Thomas
Alternate Member