

submit a claim for compensation (Form CA-7). On May 25, 2003 appellant filed a Form CA-7 for total disability from May 30, 2000 through August 3, 2001.

In a note dated April 5, 2001, appellant's treating physician, Dr. Brett D. Wyche, a general practitioner, stated that appellant required a 90-day leave of absence because of various medical problems. In a note dated June 7, 2000, Dr. Carl J. Gerber, a Board-certified psychiatrist, stated that he approved leave without pay for appellant for the period through July 5, 2000. In a note dated April 17, 2001, he also approved appellant's leave without pay through July 9, 2001.

In a report dated August 24, 2000, Dr. William C. Diebold, a Board-certified psychiatrist, noted appellant's diagnosis of depression with moderate and recurrent psychosis. He described her physical condition, noted that she continued to have difficulty at work and prescribed medication. In a report dated June 1, 2000, James D. Wilson, a licensed social worker, noted appellant's diagnosis of major depressive episode and described his treatment. In a report dated June 8, 2000, Dr. Diebold diagnosed major depression, with moderate and recurrent psychosis, difficulty at the job site, and prescribed medicine and individual therapy. In a report dated June 23, 2000, Mr. Wilson described the therapy visit and noted that appellant continued to feel depressed.

In a report dated October 30, 2003, Dr. Wyche stated that he counseled appellant to retire from her former job secondary to abnormally heavy stress at her job site. He stated that the stress became so severe, particularly during the period of May 2000 to August 2001, appellant had a "nervous breakdown" and required extensive counseling, medication and rest for her to recuperate.

By decision dated December 30, 2003, the Office denied appellant's claim for wage-loss compensation, stating that the evidence was insufficient to establish that she was totally disabled commencing May 30, 2000.

LEGAL PRECEDENT

Appellant has the burden to establish continuing disability due to a work-related injury.¹ To establish disability, appellant must submit evidence from a qualified physician who, on the basis of a complete and accurate factual and medical history, concluded that the condition is causally related to the employment injury and supports that conclusion with sound medical reasoning.²

ANALYSIS

Dr. Wyche's April 5, 2001 disability note stating that appellant required a 90-day leave of absence "for various medical problems" is of diminished probative value because Dr. Wyche did

¹ *Donald Leroy Ballard*, 43 ECAB 876, 882 (1992).

² *See Carolyn F. Allen*, 47 ECAB 240, 245 (1995); *Kathryn Haggerty*, 45 ECAB 383, 389 (1994).

not relate appellant's need for leave to the accepted condition of stress.³ Dr. Gerber's June 7, 2000 and April 17, 2001 notes merely indicated that appellant was unable to work, first through July 5, 2000, and then through July 9, 2001. He did not relate appellant's disability to the accepted condition; therefore, his notes are of diminished probative value. The June 1 and 23, 2000 reports from Mr. Wilson are not probative because a social worker is not a physician within the meaning of the Federal Employees' Compensation Act.⁴ Dr. Diebold's August 24, 2000 note provides a diagnosis of depression, described appellant's symptoms and prescribed medication, but did not address whether she was disabled due to the accepted emotional condition. His opinion is therefore of little probative value.⁵

Dr. Wyche's October 30, 2003 report stated that appellant's stress had become so severe from May 2000 to August 2001 that she had a nervous breakdown and required extensive counseling and rest. This report is insufficient to establish that appellant was totally disabled due to the accepted condition of stress during that time period. His brief narrative report did not describe the source of appellant's stress or provide medical rationale explaining why appellant was found totally disabled. Because his opinion is incomplete and not well rationalized, it is of diminished probative value.

CONCLUSION

The Board finds that appellant did not establish that she was totally disabled due to the accepted work condition of stress from May 30, 2000 through August 3, 2001. The medical evidence did not contain a rationalized medical opinion explaining how her total disability during that time period was causally related to her accepted condition.

³ See *Donald Leroy Ballard*, *supra* note 1.

⁴ See 5 U.S.C. § 8101(2); *Ernest St. Pierre*, 51 ECAB 623, 626 (2000).

⁵ See *Michael E. Smith*, 50 ECAB 313, 316 n.8 (1999).

ORDER

IT IS HEREBY ORDERED THAT the December 30, 2003 decision of the Office of Workers' Compensation Programs be affirmed.

Issued: May 21, 2004
Washington, DC

David S. Gerson
Alternate Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member