

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of MADELINE E. SKIBA and U.S. POSTAL SERVICE,  
POST OFFICE, Miami, FL

*Docket No. 98-1046; Submitted on the Record;  
Issued November 18, 1999*

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DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,  
BRADLEY T. KNOTT

The issue is whether appellant met her burden of proof in establishing that she sustained an injury causally related to factors of employment.

The Board has duly reviewed the case record and finds that appellant failed to meet her burden of proof.

On August 18, 1997 appellant, then a 66-year-old rehabilitation distribution clerk<sup>1</sup> filed an occupational disease claim, alleging that factors of employment caused her coronary heart disease and unstable angina. By letter dated October 9, 1997, the Office of Workers' Compensation Programs informed appellant of the type evidence needed to support her claim, which was to include a comprehensive report from her physician explaining with medical reasoning how employment exposure contributed to her condition. By decision dated November 12, 1997, the Office denied appellant's claim on the grounds that the medical evidence was insufficient to establish that her condition was causally related to factors of employment. Appellant timely requested reconsideration and submitted additional evidence. By decision dated January 5, 1998, the Office denied modification of the prior decision. The instant appeal follows.

To establish that an injury was sustained in the performance of duty in an occupational disease claim, 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 the factors alleged to have caused or contributed to the presence or

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<sup>1</sup> The record indicates that appellant was employed six hours per day in a sedentary position in the accounting office. In July 1976 she sustained an employment-related injury to the left lower extremity and returned to work on March 9, 1987 in a rehabilitation position. She continued to receive wage-loss compensation for two hours per day under Office claim number 06-0143233. The instant claim was adjudicated by the Office under claim number 06-0685811. The record before the Board contains scant information regarding appellant's knee injury.

occurrence of the disease or condition; and (3) medical evidence establishing that the factors identified by the claimant were the proximate cause of the condition, for which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the factors identified by the claimant. The evidence required to establish causal relationship is rationalized medical opinion evidence, based upon a complete and accurate factual and medical background, showing a causal relationship between the claimed conditions and the identified factors. The belief of appellant that the condition was caused or aggravated by the identified factors is not sufficient to establish causal relation.<sup>2</sup>

In the present case, there is no dispute that appellant was a federal employee and that she timely filed a claim for compensation benefits. However, the medical evidence is insufficient to establish that she sustained an employment-related injury because it does not contain a rationalized medical opinion explaining how her coronary condition was caused or aggravated by employment factors. While appellant submitted<sup>3</sup> an attending physician's report dated August 19, 1997, in which Dr. Carlos Serrao, a Board-certified internist, diagnosed, *inter alia*, arteriosclerotic heart disease and stated that appellant had had two heart attacks "brought on by stress at work," he did not indicate what employment factors caused the stress. Dr. Serrao also provided an undated report in which he stated that appellant's heart disease was aggravated by her employment, stating:

"Based upon [appellant's] statements of stress on the job and her medically documented recent failure to maintain a working schedule after being released to return to work it is my belief that postal employment work is hazardous to the future medical recovery and stabilization of [appellant].

"I concur with the primary physician that [appellant] is physically disabled for work in her permanent light-duty position in the postal service due to her demonstrated physical inability to cope with the stress of her current postal employment. [Her] physical conditions are likely to worsen over time and continued employment if attempted again would likely accelerate her physical deterioration to the point of possible mortality."

Dr. Serrao, however, did not provide a clear opinion linking appellant's diagnosed condition to employment factors as he did not provide any notable description of appellant's work duties or provide medical rationale explaining how specific employment factors caused her condition. His reports, without further medical justification, are thus insufficient to establish causal relationship.<sup>4</sup> Appellant, therefore, did not provide the necessary rationalized medical opinion describing how employment factors caused her coronary condition and, thus, did not meet her burden of proof.

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<sup>2</sup> *Lourdes Harris*, 45 ECAB 545 (1994).

<sup>3</sup> Appellant also submitted medical reports from Drs. Donald B. Williams and Alan S. Graubert who did not discuss the cause of her condition.

<sup>4</sup> *See Alberta S. Williamson*, 47 ECAB 569 (1996).

The decisions of the Office of Workers' Compensation Programs dated January 5, 1998 and November 12, 1997 are hereby affirmed.

Dated, Washington, D.C.  
November 18, 1999

Michael J. Walsh  
Chairman

Willie T.C. Thomas  
Alternate Member

Bradley T. Knott  
Alternate Member