

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of DELIA C. MULLER, claiming as widow of ROBERT R. MULLER and
DEPARTMENT OF THE NAVY, PEARL HARBOR NAVAL SHIPYARD, HI

Docket No. 99-1134; Submitted on the Record;
Issued June 19, 2000

DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issue is whether the employee's death is causally related to his July 16, 1996 employment injury, entitling appellant to death benefits.

In a decision dated January 11, 1999, the Office of Workers' Compensation Programs denied appellant's claim for death benefits on the grounds that the employee's death was not causally related to his employment injury of July 16, 1996.

The Board has duly considered the record on appeal and finds that the evidence fails to establish causal relationship.

Appellant has the burden of establishing by the weight of the reliable, probative and substantial medical evidence that the employee's death was causally related to an employment injury or to factors of his federal employment. As part of this burden, appellant must submit a rationalized medical opinion, based upon a complete and accurate factual and medical background, showing a causal relationship between the employee's death and an employment injury or factors of his federal employment. Appellant's unsupported belief is insufficient to establish causal relationship.¹ Causal relationship is medical in nature and can be established only by medical evidence.²

Appellant has submitted no medical opinion evidence supporting that the employee's death was causally related to his July 16, 1996 employment injury. In his August 6, 1998 report, Dr. John S.F. Guo, the employee's attending psychiatrist, concluded as follows: "I am unable to determine whether [the employee's] death was causally related to the work injury." Without a

¹ See *Leonora A. Bucco (Guido Buco)*, 36 ECAB 588 (1985); *Lorraine E. Lambert (Arthur R. Lambert)*, 33 ECAB 1111 (1982).

² *Mary J. Briggs*, 37 ECAB 578 (1986); *Ausberto Guzman*, 25 ECAB 362 (1974).

well-reasoned medical opinion explaining how the employment injury of July 16, 1996 caused or contributed to the employee's death, the record fails to support appellant's claim for death benefits. Appellant has not met her burden of proof.

The January 11, 1999 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.
June 19, 2000

Michael J. Walsh
Chairman

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member