

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of DEBORAH J. ANDERSON and U.S. POSTAL SERVICE,
MAIN POST OFFICE, Corpus Christi, TX

*Docket No. 00-544; Submitted on the Record;
Issued August 14, 2001*

DECISION and ORDER

Before MICHAEL E. GROOM, BRADLEY T. KNOTT,
PRISCILLA ANNE SCHWAB

The issue is whether the Office of Workers' Compensation Programs properly denied appellant's request for authorization of back surgery.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the August 31, 1999 decision of the Office is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

¹ The opinion of the impartial medical specialist, Dr. Theodore W. Parsons, a Board-certified orthopedic surgeon, that appellant should not undergo surgery constitutes the weight of the evidence as it is sufficiently complete and well rationalized. *See Rosie E. Garner*, 48 ECAB 220, 225 (1996). Further, appellant's treating physician, Dr. Gilbert R. Meadows, a Board-certified orthopedic surgeon, after reviewing the recent magnetic resonance imaging scan of record, withdrew his recommendation for surgery. No evidence in the record establishes that appellant's requested surgery was necessary. *See Dale E. Jones*, 48 ECAB 648, 649 (1997).

The decision of the Office of Workers' Compensation Programs dated August 31, 1999 is hereby affirmed.

Dated, Washington, DC
August 14, 2001

Michael E. Groom
Alternate Member

Bradley T. Knott
Alternate Member

Priscilla Anne Schwab
Alternate Member