

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GARY H. PARKER and DEPARTMENT OF THE ARMY,
AFZI-CPM, Fort George G. Meade, MD

*Docket No. 99-1416; Submitted on the Record;
Issued February 1, 2001*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
BRADLEY T. KNOTT

The issue is whether the Office of Workers' Compensation Programs met its burden of proof to terminate appellant's benefits effective January 7, 1998 on the grounds that his work-related disability had ceased on or before that date.

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 decision of the hearing representative of the Office dated and made final on December 10, 1998 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ Once the Office accepts a claim, it has the burden of proving that the disability has ceased or lessened in order to justify termination or modification of compensation benefits. *Lawrence D. Price*, 47 ECAB 120 (1995). After it has determined that an employee has disability causally related to his or her federal employment, the Office may not terminate compensation without establishing that the disability has ceased or that it is no longer related to the employment. *See Patricia A. Keller*, 45 ECAB 278 (1993). Furthermore, the right to medical benefits for an accepted condition is not limited to the period of entitlement for disability. *Furman G. Peake*, 41 ECAB 361, 364 (1990). To terminate authorization or medical treatment, the Office must establish that appellant no longer has residuals of an employment-related condition which require further medical treatment.

The decision of the Office of Workers' Compensation Programs dated December 10, 1998 is affirmed.

Dated, Washington, DC
February 1, 2001

Willie T.C. Thomas
Member

Michael E. Groom
Alternate Member

Bradley T. Knott
Alternate Member