

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of STEVEN MASCIOCCHI and DEPARTMENT OF VETERANS AFFAIRS,  
MEDICAL CENTER, Boston, MA

*Docket No. 00-1889; Submitted on the Record;  
Issued May 3, 2001*

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DECISION and ORDER

Before MICHAEL E. GROOM, BRADLEY T. KNOTT,  
A. PETER KANJORSKI

The issue is whether appellant sustained a recurrence of disability on or about May 30, 1998 causally related to his accepted injury of January 30, 1997.

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 of Workers' Compensation Programs dated February 7, 2000 and finalized February 11, 2000 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.<sup>1</sup>

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<sup>1</sup> It is an accepted principle of workers' compensation law that when the primary injury is shown to have arisen out of and in the course of employment, every natural consequence that flows from the injury is deemed to arise out of the employment, unless it is the result of an independent intervening cause. *Clement Jay After Buffalo*, 45 ECAB 707, 715 (1994). Where appellant claims a recurrence of disability due to an accepted employment-related injury, he has the burden of establishing by the weight of reliable, probative and substantial evidence that the recurrence of disability is causally related to the original injury. *Robert H. St. Onge*, 43 ECAB 1169 (1992). This burden includes the necessity of furnishing evidence from a qualified physician who, on the basis of a complete and accurate factual and medical history, concludes that the condition is causally related to the employment injury. Moreover, the physician's conclusion must be supported by sound medical reasoning. *Id.*

The decision of the Office of Workers' Compensation Programs dated February 7, 2000 and finalized February 11, 2000 is hereby affirmed.

Dated, Washington, DC  
May 3, 2001

Michael E. Groom  
Alternate Member

Bradley T. Knott  
Alternate Member

A. Peter Kanjorski  
Alternate Member