

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ANNA M. VAN FRACHEN and U.S. POSTAL SERVICE,
POST OFFICE, Seattle, WA

*Docket No. 01-578; Submitted on the Record;
Issued September 21, 2001*

DECISION and ORDER

Before BRADLEY T. KNOTT, A. PETER KANJORSKI,
PRISCILLA ANNE SCHWAB

The issue is whether appellant established that she sustained a recurrence of disability commencing December 28, 1998 due to the July 6, 1995 employment injury.

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 December 7, 1999 decision of the Office of Workers' Compensation Programs' hearing representative 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 In this case, where the alleged December 28, 1998 recurrence of disability occurred three years after the July 6, 1995 employment injury and x-rays showed appellant had spondylolysis at L5-S1, the failure of appellant's treating physician, Dr. Judith L. Marsden, to provide a medical rationale for her opinion that appellant's back condition is work related renders her opinion of little probative value. *See Ronald C. Hand*, 49 ECAB 113, 118 (1997).

The December 7, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
September 21, 2001

Bradley T. Knott
Alternate Member

A. Peter Kanjorski
Alternate Member

Priscilla Anne Schwab
Alternate Member