

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GWEN M. BOLTZ-MOODY and DEPARTMENT OF THE ARMY,
ARMY CORPS OF ENGINEERS, McNARY DAM, Umatilla, OR

*Docket No. 01-672; Submitted on the Record;
Issued September 25, 2001*

DECISION and ORDER

Before DAVID S. GERSON, BRADLEY T. KNOTT,
A. PETER KANJORSKI

The issue is whether appellant has met her burden of proof in establishing that her carpal tunnel syndrome was causally related to factors of her employment.

On August 7, 2000 appellant, then a 51-year-old biological technician, filed a claim for carpal tunnel syndrome which she related to repetitive motion at work. She stated that she had noticed the pain in October 1999 and it had occurred daily since that time. She indicated that she had swelling of the wrist, numbness in her fingers, dull aches in her hand and wrist, and an inability to write or use computers for any length of time.

The employing establishment described appellant's duties in detail, indicated that her duties including various actions in cleaning debris from the employing establishment juvenile fish collection facility which had to be repeated on a regular basis during the workday. The employing establishment also reported appellant performed hourly fish counting which was done in writing and by putting data in a calculator.

In an October 13, 1999 report, Dr. Richard A. Carpenter, an orthopedic surgeon, stated that appellant complained of increasing discomfort in the right arm at the shoulder and the wrist. He noted appellant felt grinding in her right shoulder and numbness in her fingertips that would wake her up at night. He reported appellant had a positive Tinel's sign over the right carpal tunnel region with a negative Phalen's sign. He indicated nerve conduction studies showed right hand motor and sensory latencies that were not within normal limits. He diagnosed right carpal tunnel syndrome and impingement syndrome of the right shoulder.

In a December 27, 2000 decision, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that appellant had not established that her condition was causally related to her employment.

The Board finds that appellant has not met her burden of proof in establishing that her carpal tunnel syndrome was causally related to her employment.

To establish that an injury was sustained in the performance of duty in an occupational disease claim, a claimant must submit the following: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed;¹ (2) a factual statement identifying the employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition;² and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition for which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant.³ The medical evidence required to establish causal relationship, generally, is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant,⁴ must be one of reasonable medical certainty,⁵ and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁶

In this case, the employing establishment submitted evidence to show appellant's work duties which she claimed caused her carpal tunnel syndrome. Dr. Carpenter's report established the diagnosis of carpal tunnel syndrome. However, Dr. Carpenter did not specifically state at any point in his report that appellant's employment duties caused her carpal tunnel syndrome. Furthermore, appellant did not submit any medical report that would explain how her employment duties would have caused her carpal tunnel syndrome. Appellant, therefore has not provided the necessary medical evidence to establish that her carpal tunnel syndrome was related to her employment duties.

¹ See *Ronald K. White*, 37 ECAB 176, 178 (1985).

² See *Walter D. Morehead*, 31 ECAB 188, 194 (1979).

³ See generally *Lloyd C. Wiggs*, 32 ECAB 1023, 1029 (1981).

⁴ *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979).

⁵ See *Morris Scanlon*, 11 ECAB 384, 385 (1960).

⁶ See *William E. Enright*, 31 ECAB 426, 430 (1980).

The decision of the Office of Workers' Compensation Programs dated December 27, 2000 is hereby affirmed.

Dated, Washington, DC
September 25, 2001

David S. Gerson
Member

Bradley T. Knott
Alternate Member

A. Peter Kanjorski
Alternate Member