

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

---

In the Matter of SANDRA RUSSELL and DEPARTMENT OF VETERANS AFFAIRS,  
VETERANS ADMINISTRATION MEDICAL CENTER, Tampa, FL

*Docket No. 01-2196; Submitted on the Record;  
Issued April 10, 2002*

---

DECISION and ORDER

Before ALEC J. KOROMILAS, DAVID S. GERSON,  
MICHAEL E. GROOM

The issue is whether appellant has met her burden of proof to establish a knee injury causally related to factors of her federal employment.

On August 24, 2000 appellant, a 56-year-old licensed practical nurse, filed an occupational claim alleging that she sustained an injury causally related to her federal employment. On the claim form appellant indicated that she had a prior bilateral knee injury when she fell in the parking lot at work on October 10, 1997.<sup>1</sup> In an accompanying statement, appellant indicated her belief that standing, lifting and walking in her federal employment had aggravated her knee condition.

By decision dated January 22, 2001, the Office denied appellant's claim on the grounds that the medical evidence was insufficient to establish causal relationship with employment.

The Board finds that appellant did not meet her burden of proof in this case.

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; (2) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; 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.<sup>2</sup> The evidence required to establish causal relationship is rationalized medical opinion evidence,

---

<sup>1</sup> The record indicates that the Office of Workers' Compensation Programs accepted contusions to both knees based on this incident.

<sup>2</sup> *Victor J. Woodhams*, 41 ECAB 345 (1989).

based upon a complete and accurate factual and medical background, showing a causal relationship between the claimed conditions and her federal employment.<sup>3</sup> Neither the fact that the condition became manifest during a period of federal employment, nor the belief of appellant that the condition was caused or aggravated by her federal employment, is sufficient to establish causal relation.<sup>4</sup>

With respect to causal relationship between a diagnosed condition and the identified work factors, the medical evidence is not of sufficient probative value to meet appellant's burden of proof. In a treatment note dated November 11, 1998, Dr. E.S. Homan, Jr., a Board-certified orthopedic surgeon, stated in his history that appellant "has aching pain and occasional swelling in the knee both directly related to the amount of ambulation and standing required for her job and after-hours activities." This brief statement on causal relationship is not of significant probative value without additional detail and explanation. Dr. Homan noted that x-rays revealed osteoarthritis in both knees; he does not provide a reasoned medical opinion, based on a complete background, as to causal relationship between a diagnosed knee condition and the identified employment factors. In the absence of such evidence, the Board finds that appellant has not met her burden of proof in this case.

The Board notes that appellant has implicated her prior employment injury with this claim. On return of the case record the Office should combine the case records.

The decision of the Office of Workers' Compensation Programs dated January 22, 2001 is affirmed.

Dated, Washington, DC  
April 10, 2002

Alec J. Koromilas  
Member

David S. Gerson  
Alternate Member

Michael E. Groom  
Alternate Member

---

<sup>3</sup> See *Walter D. Morehead*, 31 ECAB 188 (1979).

<sup>4</sup> *Manuel Garcia*, 37 ECAB 767 (1986).