

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JOANNE N. BARRENTINE and U.S. POSTAL SERVICE,  
POST OFFICE, Hartsville, SC

*Docket No. 01-1530; Submitted on the Record;  
Issued January 25, 2002*

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DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,  
PRISCILLA ANNE SCHWAB

The issue is whether appellant has more than a 10 percent permanent impairment to her right thumb.

In this case, the Office of Workers' Compensation Programs accepted a right hand laceration causally related to an incident in the performance of duty on June 14, 1997. By decision dated February 12, 2001, the Office issued a schedule award for a 10 percent permanent impairment of the right thumb. The period of the award was 7.5 weeks commencing July 15, 1998.

The Board finds that the case requires further development.

Section 8107 of the Federal Employees' Compensation Act provides that, if there is permanent disability involving the loss or loss of use of a member or function of the body, the claimant is entitled to a schedule award for the permanent impairment of the scheduled member or function.<sup>1</sup> Neither the Act nor the regulations specify the manner in which the percentage of impairment for a schedule award shall be determined. For consistent results and to ensure equal justice for all claimants, the Office has adopted the American Medical Association, *Guides to the Evaluation of Permanent Impairment* as the uniform standard applicable to all claimants.<sup>2</sup>

To properly assess the degree of permanent impairment, there must be a detailed description of the impairment.<sup>3</sup> In this case, the record contains a form report dated June 20,

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<sup>1</sup> 5 U.S.C. § 8107. This section enumerates specific members or functions of the body for which a schedule award is payable and the maximum number of weeks of compensation to be paid; additional members of the body are found at 20 C.F.R. § 10.404(a).

<sup>2</sup> A. George Lampo, 45 ECAB 441 (1994).

<sup>3</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *Schedule Awards and Permanent Disability Claims*, Chapter 2.808.6(c) (March 1995).

2000 from Dr. Sidney Martin, an orthopedic surgeon. Dr. Martin states that appellant has a 10 percent impairment to the right hand, without further explanation. The record also contains brief treatment notes from Dr. Martin. In a July 15, 1998 note, Dr. Martin opines that appellant has reached maximum medical improvement and has a 10 percent permanent impairment to the right hand, “because of loss of range of motion of the thumb, primarily extension and abduction.” Dr. Martin did not specify measurements, other than to note a loss of span (between thumb and index finger) of about half an inch.

In a note dated February 6, 2001, an Office medical adviser stated that he calculated a 10 percent right thumb impairment based on “Table 16-15 Page 457” of the *Guides*.<sup>4</sup> The application of Figure 15 requires a specific measurement of thumb, angles of motion, loss of flexion, loss extension and ankylosis. It is not clear what specific measurements the medical adviser relied on in this case. The prior treatment notes from Dr. Martin refer to range of motion measurements, but it is unclear how the specific table noted above was used, or whether the measurements accurately represented the impairment on the date of maximum medical improvement.

The case will be remanded to secure a detailed description of the permanent impairment in this case, and an appropriate application of the A.M.A., *Guides* to those findings. After such further development as the Office deems necessary, it should issue an appropriate decision.

The decision of the Office of Workers’ Compensation Programs dated February 12, 2001 is set aside and the case is remanded for further action consistent with this opinion.

Dated, Washington, DC  
January 25, 2002

David S. Gerson  
Member

Willie T.C. Thomas  
Member

Priscilla Anne Schwab  
Alternate Member

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<sup>4</sup> A.M.A., *Guides* (5<sup>th</sup> ed. 2001).