

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of BEATE M. HONEY and DEPARTMENT OF AGRICULTURE,
SOIL CONSERVATION SERVICE, Auburn, AL

*Docket No. 03-355; Submitted on the Record;
Issued April 8, 2003*

DECISION and ORDER

Before ALEC J. KOROMILAS, DAVID S. GERSON,
A. PETER KANJORSKI

The issue is whether appellant sustained a recurrence of disability causally related to her October 25, 1993 employment injury.

On October 25 1993, appellant, then a 40-year-old soil conservation technician, was doing a terrace layout when she stepped in a hole in the field and fell. She claimed that she strained muscles in her lower back and left hip. The Office of Workers' Compensation Programs accepted appellant's claim for subluxation of the L4 vertebra.

On February 25, 2002 appellant filed a claim for recurrence of disability. She stated that she had excruciating pain in her right wrist while attempting to turn the key in the ignition of her car. Appellant noted that she also had pain while turning a doorknob. She commented that her initial injury involved her falling forward while carrying equipment. She stated that she landed face forward while trying to catch herself with her hands. Appellant contended that the impact and gradual deterioration in her wrist led to her condition. She indicated that she stopped working on February 13, 2002 and returned to work on February 21, 2002.

In a February 19, 2002 report, Dr. Barri J. Fessler, a Board-certified rheumatologist, indicated that appellant reported she had pain in her right wrist intermittently since she was 16 years old. Dr. Fessler noted that the pain developed with repetitive activities only. She stated that the pain was located on the ulnar aspect of the wrist and radiated to all fingers during repetitive activities. She noted that appellant denied any swelling or paresthesias. Dr. Fessler indicated that tests of the wrist were negative and reported that appellant had no evidence of acute synovitis. She described appellant's examination as benign.

Dr. Jeffrey C. Davis, a Board-certified orthopedic surgeon, submitted a series of reports. In a February 13, 2002 report, Dr. Davis noted that appellant came in for evaluation of the right wrist. He indicated that appellant reported the wrist had been bothering her for a year but she had no injury that she was aware of. In a March 28, 2002 report, Dr. Davis stated that appellant had right wrist triangular fibrocartilage complex tear with synovitis. He reported that she

underwent a right wrist arthroscopy with debridement of the triangular fibrocartilage and a partial synovectomy. In his subsequent reports, Dr. Davis discussed appellant's recovery from the surgery.

In a May 3, 2002 letter, an Office claims examiner indicated that appellant's only accepted injury was a lumbar subluxation. She pointed out that appellant had no accepted injury to the hands or wrists or any allegation of such an injury. She stated that, under the Federal Employees' Compensation Act, a recurrence was a work stoppage for medical care resulting from the worsening of an accepted condition. She commented that appellant's case did not fit that situation as her accepted work injury had nothing to do with her hands and wrists. She recommended that appellant file a claim for a new injury.

In a May 7, 2003 response, appellant stated the fact that she did not have noticeable damage to her wrists at the time of her employment injury was not her fault. She noted that her physician had limited her to lifting five pounds maximum with the left hand and nothing in the right hand. She commented that she just wanted help with her medical treatments and restoration of sick leave.

In an August 15, 2002 decision, the Office denied appellant's claim for a recurrence of disability because the medical evidence did not establish that appellant's October 25, 1993 employment injury involved her hands.

The Board finds that appellant has not established that she had a recurrence of disability causally related to her October 25, 1993 employment injury.

Appellant has the burden of establishing by reliable, probative and substantial evidence that the recurrence of a disabling condition, for which she seeks compensation, was causally related to her employment injury. As part of such burden of proof, rationalized medical evidence showing causal relationship must be submitted.¹

Appellant contended that her right wrist condition was causally related to her employment injury over eight years previously. Dr. Davis diagnosed a tear of the triangular fibrocartilage in the right wrist but gave no opinion on the cause of such a tear. He did not state or give any rationale to explain why appellant's right wrist condition was causally related to the earlier employment injury. In fact, he reported initially that appellant could not recall an injury to her wrist. In a February 16, 2002 report, Dr. Fessler reported that appellant's right wrist condition had been present since appellant was 16 years old and was related to repetitive activities with the hand. She made no mention of the October 25, 1993 employment injury. Appellant, therefore, has not submitted any medical evidence establishing that her right wrist condition was causally related to the employment injury.

¹ *Dominic M. DeScala*, 37 ECAB 369 (1986).

The decision of the Office of Workers' Compensation Programs, dated August 15, 2002, is hereby affirmed.

Dated, Washington, DC
April 8, 2003

Alec J. Koromilas
Chairman

David S. Gerson
Alternate Member

A. Peter Kanjorski
Alternate Member