

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GERALDINE HALL and U.S. POSTAL SERVICE,
PROCESSING & DISTRIBUTION CENTER, Oakland, CA

*Docket No. 03-337; Submitted on the Record;
Issued March 17, 2003*

DECISION and ORDER

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

The issue is whether appellant established that her claimed foot condition is causally related to her federal employment.

On October 8, 2001 appellant, a 50-year-old distribution clerk and acting supervisor, filed an occupational disease claim alleging that she sustained injuries to her feet as a result of her federal employment. She described her condition as plantar fasciitis, which she attributed to frequent walking on cement floors. Appellant identified September 25, 2001 as the date she first realized her illness was caused or aggravated by her federal employment.

In a decision dated January 29, 2002, the Office of Workers' Compensation Programs denied appellant's claim, finding that there was insufficient medical evidence to establish a causal relationship between her claimed bilateral foot condition and her federal employment.

On February 27, 2002 appellant requested reconsideration and submitted additional medical evidence.

By decision dated June 10, 2002, the Office denied modification of the January 29, 2002 decision.

The Board finds that appellant failed to establish that her claimed condition is causally related to her employment.

A claimant seeking compensation under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of her claim by the weight of the reliable, probative and substantial evidence, including that any specific condition or disability for work for which she claims compensation is causally related to the employment injury.² Causal

¹ 5 U.S.C. §§ 8101-8193.

² *Jacquelyn L. Oliver*, 48 ECAB 232, 235-36 (1996).

relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence.³

The record does not include a rationalized medical opinion establishing a causal relationship between appellant's federal employment and her claimed bilateral foot condition. Appellant's podiatrist, Dr. Dale J. Sovak, provided a December 21, 2001 attending physician's report in which he diagnosed plantar fasciitis. He noted that appellant "complained of bilateral heel pain x 5 w[ee]ks without injury." Regarding the etiology of appellant's foot condition, Dr. Sovak stated: "Because there was no injury, I cannot say the condition was caused by employment. However, extensive periods of walking/standing can aggravate symptoms." Dr. Sovak did not provide a narrative medical opinion explaining how appellant's plantar fasciitis condition was caused or aggravated by her federal employment. His comment that "extensive periods of walking/standing can aggravate symptoms" is not well rationalized and insufficient to establish that appellant's claimed condition was, in fact, caused or aggravated by her federal employment.

On reconsideration appellant submitted additional treatment records from Dr. Sovak dated January 25, 2002 and an undated form report entitled "Doctor's First Report of Occupational Injury or Illness." Dr. Sovak again diagnosed plantar fasciitis and responded "yes" to the question "Are your findings and diagnosis consistent with the patient's account of injury or onset of illness?"⁴

These reports are also insufficient to establish causal relationship as he offered no explanation for his opinion. Responding "yes" on a form report, without additional explanation or rationale, is insufficient to establish causal relationship.⁵ The mere fact that a condition manifests itself during a period of employment does not raise an inference that there is a causal relationship between the condition and the employment.⁶ As the medical evidence fails to establish a causal relationship between appellant's claimed condition and her federal employment, the Office properly denied appellant's claim for compensation.

³ See *Robert G. Morris*, 48 ECAB 238 (1996). A physician's opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors must be based on a complete factual and medical background of the claimant. *Victor J. Woodhams*, 41 ECAB 345, 352 (1989). Additionally, in order to be considered rationalized, the opinion must be expressed in terms of a reasonable degree of medical certainty, and must be supported by medical rationale, explaining the nature of the relationship between the diagnosed condition and the claimant's specific employment factors. *Id.*

⁴ The history reported by Dr. Sovak included appellant's work as an acting supervisor, which required "numerous amounts of walking" on cement floors. The history also noted an onset of symptoms on September 24, 2001, that included a burning sensation on the bottom of both feet while walking on cement floors. Appellant reported a similar experience the following day, which continued thereafter and prompted her to obtain medical treatment on September 27, 2001.

⁵ *Calvin E. King*, 51 ECAB 394, 401 (2000).

⁶ *Dennis M. Mascarenas*, 49 ECAB 215, 218 (1997).

The June 10, 2002 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
March 17, 2003

Alec J. Koromilas
Chairman

David S. Gerson
Alternate Member

Michael E. Groom
Alternate Member