

In a letter dated November 18, 2003, the Office advised appellant that the evidence submitted was insufficient to establish her claim and requested that she submit medical evidence from a physician which described appellant's symptoms, results of examinations and tests, a diagnosis and opinion on the cause of appellant's condition. A copy of the letter was also provided to the employing establishment.

By letter dated December 10, 2003, the employing establishment provided appellant's statement, a supervisory statement and a report dated November 11, 2003 from Dr. Philip J. Bachman, a Board-certified family practitioner. Appellant described how she was injured. She noted that part of her duties included pulling folders from file cabinets, and her pain was exacerbated when she used a pinching motion to retrieve the files. Appellant also noted that she had to separate personnel forms with a grasping and pulling motion which caused pain in the left hand, thumb and wrist. The employing establishment confirmed that the description of appellant's employment activities was accurate.

In the November 11, 2003 report, Dr. Bachman noted that, in the past month, appellant experienced increasing pain in her left hand, especially by the thumb, when pulling files. He noted that appellant had to pinch and pull files up and out and separate forms which caused increasing pain and that the personnel files were in a tighter file and caused more discomfort than some of the other files appellant had to pull out. Dr. Bachman explained that appellant noticed discomfort when separating five-page carbons, which involved pinching tightly on one side of the carbon with her left hand and pulling firmly on the other hand with her right hand to separate them. He diagnosed left hand and wrist overuse syndrome. Dr. Bachman recommended occupational therapy and released appellant to work without restrictions.

By decision dated February 5, 2004, the Office denied appellant's claim, as the medical evidence was insufficient to establish that her condition was caused by her federal employment. The Office accepted that appellant performed the duties of a personnel assistant which included grasping files, folders and manuals; however, it noted that Dr. Bachman did not explain how appellant's work caused the claimed condition of overuse syndrome.

LEGAL PRECEDENT

In order 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 diagnosed condition is causally related to the employment factors identified by the claimant.¹ Causal relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence.²

¹ *Solomon Polen*, 51 ECAB 341 (2000); see also *Victor J. Woodhams*, 41 ECAB 345 (1989).

² 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*, *supra* note 1 at 352.

To establish causal relationship, appellant must submit a physician's report in which the physician reviews the factors of employment identified by appellant as causing his condition and, taking these factors into consideration as well as findings on examination of appellant and appellant's medical history, state whether these employment factors caused or aggravated appellant's diagnosed conditions and present medical rationale in support of his opinion.³

ANALYSIS

The Office found that the medical evidence was insufficient to establish a medical condition arising from the claimed employment factors. The question, therefore, is whether the reports of appellant's physician establish that her work duties caused or aggravated the left arm condition of left hand and wrist overuse syndrome for which she seeks compensation.

In the November 11, 2003 report, Dr. Bachman diagnosed left hand and wrist overuse syndrome based upon appellant's complaint of increasing pain in her left hand and thumb, when pulling files and while separating five-page carbons. However, Dr. Bachman did not fully explain how the work appellant performed was competent to cause the claimed condition of overuse syndrome and therefore his report is of diminished probative value.⁴ Rationalized medical opinion evidence is medical evidence, which includes a physician's opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factor(s). The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty 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.⁵ Dr. Bachman failed to provide any specific opinion on the causal relationship explaining how appellant's diagnosed overuse syndrome was caused or aggravated by particular factors of appellant's employment.

An award of compensation may not be based on surmise, conjecture, speculation or upon appellant's own belief that there is causal relationship between her claimed condition and her employment.⁶ To establish causal relationship, appellant must submit a physician's report in which the physician reviews what factors of employment identified by appellant as causing her condition and, taking these factors into consideration as well as findings upon examination of appellant and appellant's medical history, state whether these employment factors caused or aggravated appellant's diagnosed condition and present medical rationale in support of his opinion.⁷ Appellant failed to submit such evidence and therefore failed to discharge her burden of proof.

³ *Donald W. Long*, 41 ECAB 142, 146-47 (1989).

⁴ *Linda I. Sprague*, 48 ECAB 386 (1997) (medical evidence that does not offer any opinion regarding the cause of an employee's condition is of diminished probative value on the issue of causal relationship).

⁵ *Gloria J. McPherson*, 51 ECAB 441 (2000).

⁶ *Robert Broome*, 55 ECAB ___ (Docket No. 04-93, issued February 23, 2004).

⁷ *Gary J. Watling*, 52 ECAB 278 (2001).

CONCLUSION

The Board finds that appellant has not met her burden of proof to establish that she sustained a left arm condition causally related to factors of her federal employment.

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated February 5, 2004 is affirmed.

Issued: November 26, 2004
Washington, DC

Colleen Duffy Kiko
Member

David S. Gerson
Alternate Member

Michael E. Groom
Alternate Member