

secretary with the Soil Conservation Service from 1983 to 1986 and as a secretary, bankruptcy specialist and revenue officer at the employing establishment. Appellant stated that there was limited use of computers and typing as a bankruptcy officer and as a revenue officer from 1995 to 1997, but since she was provided with a laptop computer in 1997, she was required to type all work-related information onto the laptop.

Dr. Camille Keene, a Board-certified neurologist, stated that nerve conduction studies and an electromyogram (EMG) conducted on April 15, 2004 showed “electrophysiologic evidence of mild to moderate left and mild right median mononeuropathy at the wrist (carpal tunnel syndrome).” In a June 3, 2004 report, Dr. Teresa Balcomb, a Board-certified orthopedic surgeon, described appellant’s symptoms, reviewed the results of the EMG and nerve conduction studies and indicated that her job at the employing establishment involved typing and writing all day long. Examination showed negative Tinel’s, Phalen’s and median nerve compression tests bilaterally and no signs of thenar atrophy or intrinsic wasting. Dr. Balcomb concluded:

“[Appellant] seems to have carpal tunnel syndrome. It seems to be about the same clinically and a little worse on the left than the right electrically. It may be exacerbated by [her] work. It is certainly exacerbated by any activities of daily living now also. [Appellant] is unclear as to whether or not she would like to file a work-related claim and I told her that there is good general support for it being work related when she does her repetitive activities like she does.”

By decision dated August 16, 2004, the Office found that the medical evidence did not establish that the claimed condition was related to the established work-related events.

LEGAL PRECEDENT

Appellant has the burden of establishing by the weight of the reliable, probative and substantial evidence that her condition was caused or adversely affected by her employment. As part of this burden she must present rationalized medical opinion evidence, based on a complete factual and medical background, showing causal relation. The mere fact that a disease manifests itself during a period of employment does not raise an inference that there is a causal relationship between the two. Neither the fact that the disease became apparent during a period of employment, nor the belief of appellant that the disease was caused or aggravated by employment conditions, are sufficient to establish causal relation.¹ Causal relationship is a medical issue and the medical evidence required to establish causal relationship, generally, is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence that includes a physician’s reasoned opinion on whether there is a causal relationship between the claimant’s diagnosed condition and the incidents or factors of employment established as occurring in the employment. 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 established incident or factor of employment.²

¹ *Froilan Negron Marrero*, 33 ECAB 796 (1982).

² *O. Paul Gregg*, 46 ECAB 624 (1995).

ANALYSIS

The Board finds that the medical evidence submitted by appellant is not sufficient to establish that she has carpal tunnel syndrome that is causally related to her employment. Dr. Balcomb's June 3, 2004 report does not state with reasonable medical certainty that appellant has carpal tunnel syndrome, only that she "seems to have carpal tunnel syndrome." On the causal relation between this condition and appellant's employment, he is even more speculative, stating that it "may be exacerbated by her work" and that "there is good general support for it being work related when she does her repetitive activities like she does." The Board finds these statements too speculative³ and not sufficiently rationalized to meet appellant's burden of proof.

CONCLUSION

The Board finds that appellant has not submitted medical evidence sufficient to establish that she has carpal tunnel syndrome causally related to her employment.

ORDER

IT IS HEREBY ORDERED THAT the August 16, 2004 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: February 25, 2005
Washington, DC

Alec J. Koromilas
Chairman

David S. Gerson
Alternate Member

Willie T.C. Thomas
Alternate Member

³ See Charles A. Massenzo, 30 ECAB 844 (1979).