

dehydration.” Appellant did not stop work. He did not submit any evidence in connection with the filing of his claim.

By letter dated September 1, 2004, the Office requested that appellant submit factual and medical evidence in support of his claim.

Appellant submitted an undated letter which was received by the Office on September 16, 2004. He discussed the treatment of his claimed tooth condition and described the steps he took to file his claim with the Office. Appellant indicated that he was attaching a medical report which contained a diagnosis of his condition.

By decision dated October 7, 2004, the Office denied appellant’s claim that he sustained an employment-related injury on April 6, 2004. The Office accepted the occurrence of an employment incident on April 6, 2004 when he fell while walking during a physical training test. However, it found that appellant did not submit any medical evidence showing that he sustained an injury due to this incident.

LEGAL PRECEDENT

An employee seeking benefits under the Federal Employees’ Compensation Act¹ has the burden of establishing the essential elements of his claim including the fact that the individual is an “employee of the United States” within the meaning of the Act, that the claim was timely filed within the applicable time limitation period of the Act, that an injury was sustained in the performance of duty as alleged and that any disability and/or specific condition for which compensation is claimed are causally related to the employment injury.² These are the essential elements of each compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.³

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether the “fact of injury” has been established. There are two components involved in establishing the fact of injury. First, the employee must submit sufficient evidence to establish that he actually experienced the employment incident at the time, place and in the manner alleged.⁴ Second, the employee must submit evidence, in the form of medical evidence, to establish that the employment incident caused a personal injury.⁵ The term “injury” as defined by the Act, refers to some physical or

¹ 5 U.S.C. §§ 8101-8193.

² *Elaine Pendleton*, 40 ECAB 1143 (1989).

³ *Delores C. Ellyett*, 41 ECAB 992 (1990); *Ruthie M. Evans*, 41 ECAB 416 (1990).

⁴ *Julie B. Hawkins*, 38 ECAB 393, 396 (1987); *see* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Fact of Injury*, Chapter 2.803.2a (June 1995).

⁵ *John J. Carlone*, 41 ECAB 354, 356-57 (1989); *see* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Fact of Injury*, Chapter 2.803.2a (June 1995).

mental condition caused by either trauma or by continued or repeated exposure to, or contact with, certain factors, elements or conditions.⁶

Causal relationship is a medical issue and the medical evidence required to establish a causal relationship is rationalized medical evidence.⁷ Rationalized medical evidence is medical evidence which includes a physician's rationalized medical opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. 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.⁸ Neither the mere fact that a disease or condition manifests itself during a period of employment nor the belief that the disease or condition was caused or aggravated by employment factors or incidents is sufficient to establish causal relationship.⁹

ANALYSIS

Appellant alleged that on May 6, 2004 he sustained a chipped tooth in the performance of duty. He failed to meet his burden of proof to establish a *prima facie* claim that employment factors caused his claimed condition. Appellant submitted a statement in which he identified the factors of employment that he believed caused his condition and he established the occurrence of an employment incident on April 6, 2004 when he fell while walking during a physical training test. However, in order to establish his claim that he sustained an employment-related injury, he must also submit rationalized medical evidence which explains how his condition was caused or aggravated by the implicated factors.¹⁰

On September 1, 2004 the Office informed appellant of the evidence needed to support his claim, to include a physician's report explaining how the reported condition was caused by employment factors. In his undated letter received by the Office on September 16, 2004, appellant advised the Office that he was attaching medical evidence, but the record before the Board contains no medical evidence related to the accepted incident. The Board notes that appellant did not provide the factual and medical evidence required to establish a *prima facie* claim for compensation.¹¹

⁶ Elaine Pendleton, *supra* note 2; 20 C.F.R. § 10.5(a)(14).

⁷ Jacqueline M. Nixon-Steward, 52 ECAB 140 (2000).

⁸ Leslie C. Moore, 52 ECAB 132 (2000).

⁹ Dennis M. Mascarenas, 49 ECAB 215 (1997).

¹⁰ See Leslie C. Moore, *supra* note 8.

¹¹ See Richard H. Weiss, 47 ECAB 182 (1995).

CONCLUSION

The Board finds that appellant did not meet his burden of proof to establish that he sustained an injury in the performance of duty on April 6, 2004.

ORDER

IT IS HEREBY ORDERED THAT the Office of Workers' Compensation Programs' October 7, 2004 decision is affirmed.

Issued: June 8, 2005
Washington, DC

Colleen Duffy Kiko
Member

David S. Gerson
Alternate Member

Michael E. Groom
Alternate Member