

In a letter dated March 7, 2005, the Office informed appellant the evidence of record was insufficient to support her claim for a left shoulder condition. Appellant was advised as to the medical and factual information required to support her claim. The Office informed appellant that she had 30 days to provide the requested information. Appellant did not respond.

In a decision dated May 24, 2005, the Office denied appellant's claim on the grounds that she failed to establish fact of injury. In support of this determination, the Office noted that appellant failed to submit any medical or factual evidence.

LEGAL PRECEDENT

A claimant seeking benefits 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 an injury was sustained in the performance of duty as alleged and that any specific condition or disability claimed is causally related to the employment injury.²

To establish that an injury was sustained in the performance of duty, a claimant must submit: (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.³

ANALYSIS

At the time the Office issued its decision on March 24, 2005 the record was devoid of any factual or medical information that would support appellant's assertion that she injured herself while in the performance of duty. There is no evidence regarding the type of employment activities she performed prior to allegedly experiencing her left shoulder condition. Furthermore, there is no evidence documenting an employment-related medical condition.

¹ 5 U.S.C. § 8101 *et seq.*

² 20 C.F.R. § 10.115(e), (f) (2005); *see Frankie A. Farinacci*, 56 ECAB ___ (Docket No. 05-1282, issued September 2, 2005); *Jacquelyn L. Oliver*, 48 ECAB 232, 235-36 (1996). Causal relationship is a medical question that can generally be resolved only by rationalized medical opinion evidence. *See Donna M. Schmiedeknecht*, 56 ECAB ___ (Docket No. 05-494, issued September 2, 2005); *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. *Gary M. DeLeo*, 56 ECAB ___ (Docket No. 05-1099, issued August 8, 2005); *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 appellant's specific employment factors. *Id.*

³ *Donald W. Wenzel*, 56 ECAB ___ (Docket No. 05-146, issued March 17, 2005); *Victor J. Woodhams*, *supra* note 2.

In this case, appellant did not provide the required factual and medical evidence necessary to establish a *prima facie* claim for compensation benefits under the Act.⁴ Accordingly, appellant has failed to establish that she sustained an injury in the performance of duty.

CONCLUSION

The Board finds that appellant failed to establish that she sustained an injury in the performance of duty.

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated May 24, 2005 is affirmed.

Issued: April 17, 2006
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Michael E. Groom, Alternate Judge
Employees' Compensation Appeals Board

⁴ See *Richard A. Weiss*, 47 ECAB 182 (1995).