

the buildings and my duties over the last four years require extensive walking and standing.”

On February 6, 2006 the Office informed appellant that it had received no medical report to support her claim. It gave her 30 days to submit a comprehensive medical report from her treating physician providing, among other things, a diagnosis of her medical condition and the doctor’s opinion, with medical reasons, on the cause of her condition.

In a decision dated March 9, 2006, the Office denied appellant’s claim for compensation benefits. It found that the evidence of file supported that the claimed events occurred, but there was no medical evidence providing a diagnosis that could be connected to the events.¹

LEGAL PRECEDENT

An employee seeking benefits under the Federal Employees’ Compensation Act² has the burden of proof to establish the essential elements of her claim. When an employee claims that she sustained an injury in the performance of duty, she must submit sufficient evidence to establish that she experienced a specific event, incident or exposure occurring at the time, place and in the manner alleged. She must also establish that such event, incident or exposure caused an injury.³

Causal relationship is a medical issue,⁴ and the medical evidence generally required to establish causal relationship is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence that includes a physician’s rationalized opinion on whether there is a causal relationship between the claimant’s diagnosed condition and the established incident or factor of employment. The opinion of the physician must be based on a complete factual and medical background of the claimant,⁵ must be one of reasonable medical certainty⁶ 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.⁷

¹ The Board’s jurisdiction is limited to reviewing the evidence that was before the Office at the time of its final decision. 20 C.F.R. § 501.2(c). The Board therefore has no jurisdiction to review the March 29, 2006 report of Dr. Steven C. Cowgill, which the Office received on May 1, 2006.

² 5 U.S.C. §§ 8101-8193.

³ See generally *John J. Carlone*, 41 ECAB 354 (1989).

⁴ *Mary J. Briggs*, 37 ECAB 578 (1986).

⁵ *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979).

⁶ See *Morris Scanlon*, 11 ECAB 384, 385 (1960).

⁷ See *William E. Enright*, 31 ECAB 426, 430 (1980).

ANALYSIS

The Office accepts that appellant's federal employment required some amount of walking and standing. She has therefore established that she experienced a specific event, incident or exposure occurring at the time, place and in the manner alleged. The question that remains is whether these accepted employment factors caused an injury.

The Office notified appellant on February 6, 2006 that it had received no medical report to support her claim for compensation. The Office gave her 30 days to submit a comprehensive medical report from her treating physician providing, among other things, a diagnosis of her medical condition and the doctor's opinion, with medical reasons, on the cause of her condition. The Office received no response from appellant within the time allowed. She did not submit any medical evidence of a diagnosed condition and no medical opinion soundly explaining how the walking and standing she did at work caused or contributed to her diagnosed condition. The Board finds that appellant has not met her burden of proof to establish the essential element of causal relationship. For this reason, the Board will affirm the Office's March 9, 2006 decision denying her claim that she sustained an injury in the performance of duty.

CONCLUSION

The Board finds that appellant has not met her burden of proof to establish that she sustained an injury in the performance of duty. She submitted no medical evidence establishing a firm diagnosis of the condition for which she seeks benefits and no medical opinion soundly explaining the causal relationship between this diagnosed condition and the accepted factors of her federal employment. Without this evidence, appellant has failed to establish a *prima facie* claim for compensation.

ORDER

IT IS HEREBY ORDERED THAT the March 9, 2006 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: September 19, 2006
Washington, DC

David S. Gerson, Judge
Employees' Compensation Appeals Board

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