

In a November 9, 2006 letter, the Office advised appellant of the additional evidence needed to establish her claim. The Office emphasized the need for a rationalized report from an attending physician explaining how and why the identified work factors would cause the claimed left wrist tendinitis. The Office noted that Mr. Lessard's reports were not considered medical evidence as a physician's assistant is not a physician as defined under the Federal Employees' Compensation Act.

In a November 2, 2006 report, Dr. John P. Daley, an attending Board-certified family practitioner, diagnosed left carpal tunnel syndrome. In November 21, 2006 reports, he changed the diagnosis to left de Quervain's tendinitis beginning in May 2006, caused by appellant continuously grasping mail with her left hand at work.¹

In November 28, 2006 reports, Dr. Lance J. Klingler, an attending Board-certified orthopedic surgeon, noted appellant's postal employment. He diagnosed left de Quervain's tendinitis caused by grasping and holding letter mail in her left hand. Dr. Klingler administered an injection and prescribed a thumb spica splint.

By decision dated January 18, 2007, the Office denied appellant's claim on the grounds that causal relationship was not established. The Office found that her duties as a letter carrier required repetitive grasping and holding motions with the left hand. The Office further found that appellant submitted insufficient rationalized medical evidence explaining how and why the accepted work factors would cause the diagnosed left wrist tendinitis.

LEGAL PRECEDENT

An employee seeking benefits under the Act² has the burden of establishing the essential elements of his or her claim, including the fact that the individual is an "employee of the United States" within the meaning of the Act; that the claim was filed within the applicable time limitation; that an injury was sustained while 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.³ These are the essential elements of each and every compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.⁴

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 employment factors identified by the claimant were the proximate cause of the condition for which compensation is claimed or, stated differently, medical evidence establishing that the

¹ November 21, 2006 left wrist x-rays were normal.

² 5 U.S.C. §§ 8101-8193.

³ *Joe D. Cameron*, 41 ECAB 153 (1989).

⁴ *See Irene St. John*, 50 ECAB 521 (1999); *Michael E. Smith*, 50 ECAB 313 (1999).

diagnosed condition is causally related to the employment factors identified by the claimant. The medical evidence required to establish causal relationship is generally rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized 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 medial 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

ANALYSIS

Appellant submitted sufficient evidence to establish that her city letter carrier position entailed repetitive grasping and holding with her left hand. She also submitted medical reports diagnosing de Quervain's tendinitis of the left wrist. To meet her burden of proof, appellant must establish the causal relationship between the accepted work factors and her left wrist tendinitis.

In November 2006 reports, Dr. Daley, an attending Board-certified family practitioner, diagnosed de Quervain's tendinitis of the left wrist. He attributed the de Quervain's tendinitis to appellant grasping mail with her left hand at work. Dr. Klingler, an attending Board-certified orthopedic surgeon, also diagnosed left de Quervain's tendinitis and attributed it to appellant grasping and holding letter mail in her left hand at work. However, neither physician explained how and why grasping or holding mail would cause or contribute to the diagnosed left wrist tendinitis. Without such rationale, the opinions of Dr. Daley and Dr. Klingler are insufficient to establish causal relationship.⁶ Appellant also submitted reports from Mr. Lessard, a physician's assistant. However, a physician's assistant is not a physician under the Act. Therefore, Mr. Lessard's opinion is of no probative value.⁷ Appellant submitted insufficient medical evidence to establish that the accepted work factors caused or contributed to her left wrist tendinitis. She has failed to meet her burden of proof.

CONCLUSION

The Board finds that appellant has not established that she sustained left wrist tendinitis in the performance of duty.

⁵ *Solomon Polen*, 51 ECAB 341 (2000).

⁶ *Steven S. Saleh*, 55 ECAB 169 (2003).

⁷ 5 U.S.C. § 8101(2); *Richard E. Simpson*, 57 ECAB ____ (Docket No. 05-1642, issued July 12, 2006).

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated January 18, 2007 is affirmed.

Issued: September 4, 2007
Washington, DC

David S. Gerson, Judge
Employees' Compensation Appeals Board

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

James A. Haynes, Alternate Judge
Employees' Compensation Appeals Board