



under staffed and appellant did her job and other jobs she normally did not have to do. Appellant was assigned to work inmate movement that week, with two airlifts tentatively scheduled. She also worked the mailroom and was responsible for packing and unpacking inmate's personal property. Appellant further stated that she worked inmate intake and release that week. That Friday (January 26, 2007), she experienced a really bad headache and some dizziness.

On the morning of January 27, 2007 appellant went to the hospital emergency room with complaints of right arm and leg weakness, facial droop and slurred speech. She reported an onset of symptoms at approximately 3:00 a.m. When appellant's vital signs were taken at 8:33 a.m., her blood pressure was reported at 165/102. She was diagnosed with having had a cerebrovascular accident (CVA). Appellant was hospitalized and subsequently received additional diagnoses of hypertension and hyperlipidemia.

In a February 21, 2007 report, Dr. Gisele A. Goff, a Board-certified family practitioner, stated that appellant recently had a CVA, which was a brain injury resulting from increased pressure in the brain. She explained that a CVA "may be caused from increased stressors, elevated blood pressure or mechanical injury." Dr. Goff opined that appellant's injury "may be the result of her increased stressors from work."

In a follow-up report dated April 11, 2007, Dr. Goff stated that appellant had a CVA and sustained permanent damage to her brain resulting in paralysis. As to the etiology of appellant's brain injury, Dr. Goff indicated that a CVA can be caused by a number of factors, including stress. She also noted that appellant did not have a documented history of any prior medical problems. Dr. Goff explained that in the weeks preceding appellant's CVA, she was under stress from her job. According to her, appellant had reported working various positions due to a staffing shortage. On the day of the event, appellant started having a headache at work and subsequently had the CVA. Dr. Goff further stated that she was currently living with right-sided hemiparesis and appellant had difficulty with phonation. Lastly, she stated that, as a result of her injury, appellant was permanently and totally disabled from her current position.

In an April 23, 2007 memorandum to the Office, the employing establishment indicated that because of mandatory annual refresher training, there were staff shortages in the Receiving and Discharge department where appellant had been detailed the week prior to her stroke. Additionally, the employing establishment acknowledged that law enforcement positions were inherently stressful.

In a decision dated May 21, 2007, the Office denied appellant's claim because the medical evidence did not establish that her January 27, 2007 CVA was employment related.

### **LEGAL PRECEDENT**

A claimant seeking benefits under the Federal Employees' Compensation Act<sup>1</sup> 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

---

<sup>1</sup> 5 U.S.C. §§ 8101-8193 (2000).

alleged and that any specific condition or disability claimed is causally related to the employment injury.<sup>2</sup>

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.<sup>3</sup>

### ANALYSIS

The medical evidence from Dr. Goff is insufficient to establish that appellant's CVA accident was causally related to her federal employment. Appellant claimed that her condition was brought on by the additional employment duties she was required to perform during the week beginning January 22, 2007. She undertook these additional tasks because of staffing shortages due to employee participation in mandatory annual refresher training. By Friday of that week, appellant complained of dizziness and a headache and less than 24 hours later she was hospitalized following an early-morning CVA on January 27, 2007. Dr. Goff surmised that appellant's CVA was employment related; however, her opinion is not sufficiently reasoned to support appellant's claim.

Dr. Goff's February 21, 2007 report is equivocal in that she stated that appellant's injury "may" be the result of her increased stressors from work. She did not provide a definitive statement regarding the cause of appellant's condition. Dr. Goff noted that a CVA accident may be caused by a variety of factors including "increased stressors, elevated blood pressure or mechanical injury." In an April 11, 2007 follow-up report, Dr. Goff stated that a CVA "can" be caused by a number of factors, including stress. Although she went on to explain how appellant had reported being under stress from her job in the weeks preceding her CVA, Dr. Goff's latest report is no more definitive than her February 21, 2007 report. Dr. Goff did not discuss other known potential risk factors for stroke such as hypertension and hyperlipidemia, both of which were diagnosed in appellant's case. Her opinion is equivocal and does not provide a thorough analysis of the available medical records. The Board finds that Dr. Goff's opinion on the etiology of appellant's stroke is of diminished probative value. Accordingly, appellant has not established that her January 27, 2007 CVA accident is employment related.

---

<sup>2</sup> 20 C.F.R. § 10.115(e), (f) (2007); see *Jacquelyn L. Oliver*, 48 ECAB 232, 235-36 (1996). Causal relationship is a medical question, which generally requires rationalized medical opinion evidence to resolve the issue. See *Robert G. Morris*, 48 ECAB 238 (1996). A physician's opinion on whether there is a causal relationship between the diagnosed condition and the implicated employment factors must be based on a complete factual and medical background. *Victor J. Woodhams*, 41 ECAB 345, 352 (1989). Additionally, the physician's 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.*

<sup>3</sup> *Victor J. Woodhams*, *supra* note 2.

**CONCLUSION**

The Board finds that appellant has not established that she sustained an injury in the performance of duty.

**ORDER**

**IT IS HEREBY ORDERED THAT** the May 21, 2007 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: February 5, 2008  
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