

tunnel syndrome and right bicipital tendinitis.¹ The employing establishment provided a brief description of appellant's duties as a parcel post carrier. It also noted that appellant believed her diagnosed conditions were due to repetitive job duties.

The Office advised appellant on October 6, 2009 that the information it had received thus far was insufficient to determine her eligibility for benefits. It noted, *inter alia*, that appellant had not provided a description of the specific job duties she believed caused or contributed to her claimed conditions. Appellant was also advised to submit a comprehensive medical report from her treating physician. The Office afforded appellant 30 days to submit the requested information.

By decision dated December 15, 2009, the Office denied appellant's occupational disease claim. It noted that appellant did not respond to its October 6, 2009 request for additional factual information and medical evidence. Consequently, the Office found that appellant failed to establish that she sustained an injury as alleged.

LEGAL PRECEDENT

A claimant seeking benefits under the Federal Employees' Compensation Act² 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.³

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 identified employment factors.⁴

ANALYSIS

Appellant's claim for employment-related carpal tunnel syndrome and bicipital tendinitis is not supported by the factual or medical evidence of record. Dr. Keiser's prescription pad

¹ Part of Dr. Keiser's September 26, 2009 note is illegible.

² 5 U.S.C. §§ 8101-8193.

³ 20 C.F.R. § 10.115(e), (f); *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.*

⁴ *Victor J. Woodhams, id.*

diagnoses will not suffice for purposes of establishing an employment-related medical condition. The copy in the record is barely legible, and one cannot determine the basis for his diagnoses or whether Dr. Keiser even identified a specific etiology for the respective diagnoses. Additionally, appellant did not describe in her own words the particular employment duties that she believed either caused or contributed to her carpal tunnel syndrome and/or bicipital tendinitis. The Office properly advised appellant of the deficiencies in her claim and provided her the opportunity to supplement the record. She did not avail herself of the opportunity in a timely fashion and, therefore, the Office denied appellant's occupational disease claim. Based on the evidence of record, the Board finds that appellant failed to establish that she sustained an injury in the performance of duty. On appeal appellant submitted additional evidence to the Board. The Board cannot consider evidence for the first time on appeal. 20 C.F.R. § 10.501.2(c).

CONCLUSION

Appellant has not established that she sustained an injury in the performance of duty.

ORDER

IT IS HEREBY ORDERED THAT the December 15, 2009 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: September 13, 2010
Washington, DC

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

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

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