

extinguishing a fire and walking on deep ash, rocks, and unstable ground. He did not stop work. In a statement on the CA-1, Arnold Eyle noted that when he met up with appellant he was told that appellant hyperextended his left knee.

In an August 1, 2014 letter, OWCP advised appellant to submit additional information including a comprehensive medical report from his treating physician which included a reasoned explanation as to how the specific work factors or incidents identified by appellant had contributed to his claimed injury. It requested the employing establishment submit any treatment notes if appellant was treated by an agency medical facility. No additional evidence was received.

In a September 9, 2014 decision, OWCP denied the claim on the grounds that appellant did not submit medical evidence establishing that a medical condition was diagnosed in connection with the claimed event or work factors.

LEGAL PRECEDENT

An employee seeking benefits under FECA 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 FECA, that the claim was filed within the applicable time limitation of FECA, that an injury was sustained 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. These are the essential elements of each and every compensation claim regardless of whether the claim is predicated upon a traumatic injury or occupational disease.²

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. First, the employee must submit sufficient evidence to establish that he actually experienced the employment incident at the time and place and in the manner alleged. Second, the employee must submit medical evidence to establish that the employment incident caused a personal injury.³

Rationalized medical opinion evidence is generally required to establish causal relationship. The opinion of the physician must be based on a complete factual and medical background, must be one of reasonable medical 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.⁴

² *Gary J. Watling*, 52 ECAB 357 (2001).

³ *T.H.*, 59 ECAB 388 (2008).

⁴ *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345 (1989).

ANALYSIS

Appellant alleged that, on July 29, 2013, he hyperextended his left knee while extinguishing a fire and walking on deep ash, rocks, and unstable ground. The Board finds that there is no dispute that the incident occurred on July 29, 2013 as alleged.

The Board finds, however, that there is no medical evidence submitted to establish that appellant sustained a left knee injury causally related to his employment duties. In a letter dated August 1, 2014, OWCP requested that appellant submit additional evidence in support of his claim, specifically a comprehensive medical report from his treating physician which included a reasoned explanation as to how the specific work factors or incidents identified by appellant had caused his claimed injury. However, no medical evidence was submitted prior to the OWCP decision of September 9, 2014.

As noted, part of appellant's burden of proof includes the submission of rationalized medical opinion evidence, based on a complete factual and medical background, supporting such a causal relationship between the employment incident and the diagnosed condition. The record contains no medical evidence. Because appellant has not submitted reasoned medical evidence explaining how and why his left knee condition was employment related, he has not met his burden of proof.

Causal relationship is a medical issue, and the medical evidence required to establish causal relationship is rationalized medical evidence.⁵ 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.

An award of compensation may not be based on surmise, conjecture, or speculation. Neither the fact that appellant's condition became apparent during a period of employment nor the belief that his condition was caused, precipitated, or aggravated by his employment is sufficient to establish causal relationship. Causal relationships must be established by rationalized medical opinion evidence.⁶ Appellant failed to submit such evidence, and OWCP therefore properly denied his claim for compensation.

On appeal appellant disagrees with OWCP's decision denying his claim for compensation. He explained the facts surrounding his claim noting that he received medical treatment at the base camp and a local hospital. As noted above, part of appellant's burden of proof includes the submission of rationalized medical opinion evidence, supporting a causal relationship between the employment incident and the diagnosed condition.

Appellant may submit new evidence or argument with a written request for reconsideration to OWCP within one year of this merit decision, pursuant to 5 U.S.C. § 8128(a) and 20 C.F.R. §§ 10.605 through 10.607.

⁵ *Jacqueline M. Nixon-Steward*, 52 ECAB 140 (2000).

⁶ *See Dennis M. Mascarenas*, 49 ECAB 215 (1997).

CONCLUSION

The Board finds that appellant did not meet his burden of proof to establish that his claimed condition was causally related to his employment.

ORDER

IT IS HEREBY ORDERED THAT the September 9, 2014 decision of Office of Workers' Compensation Programs is affirmed.

Issued: March 10, 2015
Washington, DC

Christopher J. Godfrey, Chief Judge
Employees' Compensation Appeals Board

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

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