

Dr. Daniel J. Thompson, Board-certified in internal medicine, related appellant's history of present illness and noted that x-rays demonstrated severe degenerative arthritis of the right hip with near total loss of the joint space in the superior portion of the joint. He noted that these findings were consistent with the type of pain appellant was having. Dr. Thompson completed an attending physician's form report. With an affirmative mark, he indicated that appellant's condition was aggravated by carrying a mailbag at work.

OWCP denied appellant's claim on March 10, 2014. It found that the work activity occurred as alleged but that the medical evidence did not provide a well-reasoned explanation of how the work activity caused the diagnosed osteoarthritis. OWCP noted that osteoarthritis develops over time due to many factors, including the natural progression of age.

Dr. Thompson completed another attending physician's form report. He indicated again that appellant's right hip condition was aggravated by walking the distance appellant walked with the weight that he carried.

Appellant requested reconsideration of OWCP's March 10, 2014 decision.

Dr. Ankur N. Patel, Board-certified in internal medicine, noted that appellant was suffering from severe pain in the right hip due to carrying a heavy bag of mail. He had severe degenerative joint disease of the right hip joint and now had a problem with walking and balance. Until surgery was performed, Dr. Patel found that appellant should be on light duty.

In a decision dated September 19, 2014, OWCP reviewed the merits of appellant's claim and denied modification of its prior decision. It found that the medical evidence did not present a rationalized statement supported by findings on examination and objective test results explaining how the diagnosed condition of severe osteoarthritis was the result of the incident on January 15, 2014.²

LEGAL PRECEDENT

FECA provides compensation for the disability of an employee resulting from personal injury sustained while in the performance of duty.³ An employee seeking benefits under FECA has the burden of proof to establish the essential elements of his or her claim. When an employee claims that he or she sustained an injury in the performance of duty, he or she must submit sufficient evidence to establish that he or she experienced a specific event, incident or exposure occurring at the time, place, and in the manner alleged. He or she must also establish that such event, incident or exposure caused an injury.⁴

² On April 16, 2014 appellant filed an occupational disease claim alleging that his right hip condition was the result of walking and carrying mail. As OWCP has not issued a final decision on this claim it is not before the Board on this appeal. *See* 20 C.F.R. § 501.2(c).

³ 5 U.S.C. § 8102(a).

⁴ *John J. Carlone*, 41 ECAB 354 (1989).

Causal relationship is a medical issue,⁵ and the medical evidence generally required to establish causal relationship is rationalized medical opinion evidence. The opinion of the physician must be based on a complete factual and medical background of the claimant,⁶ must be one of reasonable medical certainty,⁷ 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.⁸

ANALYSIS

OWCP accepts that appellant carried a mailbag in the course of his employment as a city carrier. Appellant has thus met his burden of proof to establish a specific event, incident or exposure occurring at the time, place, and in the manner alleged. The question is whether this employment activity aggravated the severe osteoarthritis found in his right hip.

The medical opinion evidence is supportive of appellant's claim, yet the evidence is not sufficient for appellant to have met his burden of proof. Dr. Thompson, the attending internist, completed two form reports indicating with an affirmative mark that appellant's right hip condition was aggravated by carrying a mailbag over some distance at work. The Board has held, however, that when a physician's opinion on causal relationship consists only of checking "yes" to a form question, that opinion has little probative value and is insufficient to establish causal relationship.⁹ Appellant's burden includes the necessity of furnishing an affirmative opinion from a physician who supports his conclusion with sound medical reasoning. As Dr. Thompson did no more than check "yes" to a form question, his opinion on causal relationship is of little probative value and insufficient to discharge appellant's burden of proof.

Dr. Patel, another internist, noted that appellant had severe degenerative joint disease of the right hip joint and was suffering from severe pain due to carrying a heavy bag of mail. Although this is also supportive of appellant's claim, Dr. Patel offered no more medical rationale than Dr. Thompson did in his form reports. The mere fact that a condition manifests itself or worsens during a period of federal employment raises no inference of causal relationship between the two.¹⁰ There must be a medically sound and rational basis for finding a work-related aggravation of the condition. Otherwise, opinions supporting causal relationship must be regarded as speculative.

As Dr. Thompson and Dr. Patel did not offer sound medical reasoning to support their opinions that carrying a heavy mailbag aggravated appellant's right hip osteoarthritis, the Board

⁵ *Mary J. Briggs*, 37 ECAB 578 (1986).

⁶ *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979).

⁷ *Morris Scanlon*, 11 ECAB 384, 385 (1960).

⁸ *William E. Enright*, 31 ECAB 426, 430 (1980).

⁹ *E.g., Lillian M. Jones*, 34 ECAB 379 (1982).

¹⁰ *Steven R. Piper*, 39 ECAB 312 (1987).

finds that appellant has not met his burden to establish the critical element of causal relationship. The Board will, therefore, affirm OWCP's September 19, 2014 decision.

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.

CONCLUSION

The Board finds that the medical opinion evidence lacks sufficient rationale to establish that carrying a mailbag aggravated appellant's right hip osteoarthritis on January 15, 2014, as alleged.

ORDER

IT IS HEREBY ORDERED THAT the September 19, 2014 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: March 23, 2015
Washington, DC

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

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board