

FACTUAL HISTORY

On July 23, 2017 appellant, then a 22-year-old city carrier, filed a traumatic injury claim (Form CA-1) alleging that, on that date, his postal vehicle tipped over during a single vehicle accident. He reported that his back, right ankle, and right wrist were sore as a result of this incident. Appellant provided a narrative statement explaining that his vehicle's brakes locked up on a rain-slicked road, causing his vehicle to run off a seven-to-eight inch drop off on the side of the road and tip over onto rocks. He landed on his right forearm. Appellant was wearing his lap and shoulder belts at the time of the accident.

The record contains the first page of an authorization for examination or treatment (Form CA-16) dated July 23, 2017. Appellant's supervisor, J.J., utilized the Form CA-16 to authorize medical care for appellant for a period of up to 60 days and noted that there was doubt whether appellant's condition was caused by an injury sustained in the performance of duty or otherwise related to his employment.

In a July 27, 2017 development letter, OWCP requested additional factual and medical evidence in support of appellant's traumatic injury claim. It noted that he had not submitted any medical evidence which provided a diagnosis of any condition resulting from the alleged employment incident. OWCP afforded appellant 30 days to submit the necessary evidence. No response was received.

By decision dated September 18, 2017, OWCP accepted that the July 23, 2017 employment incident occurred as alleged, but denied appellant's claim, finding that he had failed to provide any medical evidence diagnosing a medical condition as a result of his July 23, 2017 employment incident.

LEGAL PRECEDENT

An employee seeking benefits under FECA³ has the burden of proof to establish 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 or specific condition for which compensation is claimed is 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 an occupational disease.⁴

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 or she actually experienced the employment incident at the

³ *Supra* note 1.

⁴ *A.D.*, Docket No. 17-1855 (issued February 26, 2018); *Gary J. Watling*, 52 ECAB 357 (2001).

time and place, and in the manner alleged.⁵ Second, the employee must submit medical evidence to establish that the employment incident caused a personal injury.⁶ An employee may establish that an injury occurred in the performance of duty as alleged, but fail to establish that the disability or specific condition for which compensation is being claimed is causally related to the injury.⁷

Causal relationship is a medical issue and the medical evidence generally required to establish causal relationship is rationalized medical opinion evidence.⁸ 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.⁹

ANALYSIS

The Board finds that appellant has not met his burden of proof to establish a traumatic injury causally related to the accepted July 23, 2017 employment incident.

Appellant did not submit any medical evidence in support of his claim. OWCP informed him regarding the evidence necessary to establish his claim in a development letter dated July 27, 2017, but he did not respond. There is no evidence of record that establishes a medical diagnosis in connection with the accepted employment incident. Consequently, appellant failed to establish an injury in the performance of duty on July 23, 2017.¹⁰

On appeal appellant notes that he is only seeking reimbursement for the bills that resulted from a doctor's visit. On July 23, 2017 the employing establishment issued him a Form CA-16 authorizing medical treatment. OWCP did not address whether appellant is entitled to reimbursement of medical expenses pursuant to the Form CA-16. When the employing establishment properly executes a Form CA-16 which authorizes medical treatment as a result of an employee's claim for an employment-related injury, the Form CA-16 creates a contractual obligation, which does not involve the employee directly, to pay for the cost of the examination or treatment regardless of the action taken on the claim. The period for which treatment is authorized by a Form CA-16 is limited to 60 days from the date of issuance, unless terminated earlier by OWCP.¹¹

⁵ *A.D., id.; Elaine Pendleton*, 40 ECAB 1143 (1989).

⁶ *A.D., supra* note 4; *T.H.*, 59 ECAB 388 (2008); *John J. Carlone*, 41 ECAB 354 (1989).

⁷ *A.G.*, Docket No. 17-1093 (issued June 5, 2018); *Shirley A. Temple*, 48 ECAB 404, 407 (1997).

⁸ *Id.*; *Robert G. Morris*, 48 ECAB 238 (1996).

⁹ *A.D., supra* note 4; *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345 (1989).

¹⁰ *A.G., supra* note 7.

¹¹ *See* 20 C.F.R. § 10.300(c); *Tracy P. Spillane*, 54 ECAB 608, 610 (2003).

CONCLUSION

The Board finds that appellant has not met his burden of proof to establish a traumatic injury causally related to the accepted July 23, 2017 employment incident.

ORDER

IT IS HEREBY ORDERED THAT the September 18, 2017 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: October 10, 2018
Washington, DC

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

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

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