

FACTUAL HISTORY

On March 1, 2018 appellant, then a 53-year-old group leader mail handler, filed an occupational disease claim (Form CA-2) alleging that she developed a right elbow injury as a result of her repetitive federal employment duties. She asserted that her right elbow became sore after completing her workday, which included pushing and pulling mail containers, and lifting and throwing parcels and mail sacks. Appellant indicated that she first became aware of her claimed condition and its relation to her federal employment on February 26, 2018, as she only experienced the symptoms while working. She did not stop work.

In a development letter dated March 20, 2018, OWCP advised appellant of the deficiencies of her claim and afforded her 30 days to submit additional evidence and respond to its inquiries.

In response, appellant submitted a statement date stamped as received by the employing establishment on April 5, 2018, describing her assigned job duties. She described lifting parcels and mailbags weighing from 10 to 70 pounds onto a conveyor belt, lifting and throwing mail into containers, and pushing containers to and from staging areas. Appellant also submitted medical evidence.

In a work status report dated March 2, 2018, Dr. Sharleen Leonard, an attending Board-certified family practitioner, diagnosed right medial epicondylitis and ulnar neuropathy. In response to a question regarding whether appellant's injury, illness, or condition was caused by her work, Dr. Leonard answered "[y]es." She also checked a box marked "yes" on a duty status report (Form CA-17) dated March 2, 2018, in response to a question inquiring whether the history of injury provided by appellant corresponded with the described injury of right epicondylitis and right ulnar neuropathy caused by repetitive right elbow motions. Dr. Leonard made the same notations on form reports dated from March 7 to 28, 2018, and CA-17 forms dated March 7 and 14, 2018. She prescribed a right elbow splint, medication, and occupational therapy.³ Dr. Leonard also noted limitations on use of the right upper extremity at work.

By decision dated May 14, 2018, OWCP accepted that the identified work factors occurred at the time, place, and in the manner alleged. However, it denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between her diagnosed right elbow conditions and the accepted factors of her federal employment.

LEGAL PRECEDENT

An employee seeking benefits under FECA 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, that an injury was sustained while in the performance of duty as alleged, and that any disability or specific condition for which compensation is claimed is causally related to the

³ Appellant participated in physical therapy treatments from March 12 to 27, 2018.

employment injury.⁴ These are the essential elements of each and every compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.⁵

To establish that an injury was sustained in the performance of duty in an occupational disease claim, 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.⁶

Causal relationship is a medical question, which requires rationalized medical opinion evidence to resolve the issue.⁷ A physician's opinion on whether there is causal relationship between the diagnosed condition and the implicated employment factors must be based on a complete factual and medical background.⁸ 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.⁹

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish that her diagnosed right elbow conditions are causally related to the accepted factors of her federal employment.

In support of her claim, appellant submitted form reports dated March 2 to 28, 2018 from Dr. Leonard who diagnosed right medial epicondylitis and right ulnar neuropathy. Dr. Leonard responded "yes" to questions regarding whether the diagnosed conditions were related to appellant's federal employment, including repetitive right upper extremity motions. The Board has held, however, that when a physician's opinion on causal relationship consists only of checking a box marked "yes" to a form question, without explanation or rationale, that opinion has limited probative value and is insufficient to establish a claim.¹⁰

⁴ *F.S.*, Docket No. 12-0369 (issued September 20, 2012); *Gary J. Watling*, 52 ECAB 278 (2001); *Elaine Pendleton*, 40 ECAB 1143, 1154 (1989).

⁵ *A.D.*, Docket No. 17-1855 (issued February 26, 2018); *Michael E. Smith*, 50 ECAB 313 (1999).

⁶ *M.B.*, Docket No. 17-1999 (issued November 13, 2018); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

⁷ *M.B.*, *id.* See *Robert G. Morris*, 48 ECAB 238 (1996).

⁸ *Supra* note 5.

⁹ *Id.*

¹⁰ *M.O.*, Docket No. 18-1056 (issued November 6, 2018). See *Deborah L. Beatty*, 54 ECAB 3234 (2003).

As appellant has not submitted rationalized medical evidence sufficient to establish an injury causally related to the accepted employment factors, the Board finds that she has not met her burden of proof.

On appeal, appellant contends that the claimed right elbow conditions were caused by the accepted work factors of throwing bags and pulling and pushing equipment. As set forth above, the medical evidence of record is insufficient to establish causal relationship between the accepted work factors and appellant's diagnosed medical conditions.

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 appellant has not met her burden of proof to establish right elbow conditions causally related to factors of her federal employment.

ORDER

IT IS HEREBY ORDERED THAT the May 14, 2018 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: February 6, 2019
Washington, DC

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

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

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board