

FACTUAL HISTORY

On April 1, 2022 appellant, then a 61-year-old mail handler, filed a traumatic injury claim (Form CA-1) alleging that on June 2, 2021 he sustained injuries to his right index finger when it got caught in a door jamb of his vehicle while delivering mail in the performance of duty. He indicated his finger required six stitches due to a deep cut. On the reverse side of the claim form, appellant's supervisor acknowledged that appellant was injured in the performance of duty. Appellant stopped work on June 3, 2021.

In support of his claim, appellant submitted clinical summaries dated June 2 and 7, 2021 from Amanda Noe, a family nurse practitioner. On June 2, 2021 Ms. Noe diagnosed unspecified open wound of the right ring finger, without damage to the nail. In a work status note of even date, she indicated that appellant was advised to return to work on June 4, 2021 with a restriction on right hand use until June 7, 2021. Appellant was seen on June 7, 2021 for a laceration and diagnosed with an unspecified open wound to his right ring finger. In a work status note of even date, he was released by Ms. Noe to return to work without restriction.

By development letter dated April 11, 2022, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of medical evidence needed and afforded him 30 days to submit the necessary evidence.

By decision dated May 16, 2022, OWCP denied appellant's traumatic injury claim, finding that the medical evidence of record was insufficient to establish a medical diagnosis in connection with the accepted 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 that the individual is an employee of the United States within the meaning of FECA, that the claim was timely 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 medical condition for which compensation is claimed is causally related to the employment injury.⁴ 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.⁵

To determine whether an employee sustained a traumatic injury in the performance of duty, it must first be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. The first component is whether the employee actually experienced the employment incident that allegedly occurred. The second component is whether

³ *Supra* note 1.

⁴ *J.M.*, Docket No. 17-0284 (issued February 7, 2018); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁵ *B.H.*, Docket No. 20-0777 (issued October 21, 2020); *K.M.*, Docket No. 15-1660 (issued September 16, 2016); *L.M.*, Docket No. 13-1402 (issued February 7, 2014); *Delores C. Ellyett*, 41 ECAB 992 (1990).

the employment incident caused a personal injury and can generally be established only by medical evidence.⁶

To establish causal relationship between the condition, as well as any attendant disability claimed and the employment event or incident, the employee must submit rationalized medical opinion evidence.⁷ The opinion of the physician must be based on a complete factual and medical background of the employee, 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 factor(s) identified by the employee.⁸ The weight of the medical evidence is determined by its reliability, its probative value, its convincing quality, the care of analysis manifested, and the medical rationale expressed in support of the physician's opinion.⁹

ANALYSIS

The Board finds that appellant has met his burden of proof to establish a laceration of his right index finger causally related to the June 2, 2021 employment incident.

OWCP accepted that appellant caught his right index finger in a door jamb on June 2, 2021. In support of his claim, appellant submitted reports dated June 2 and 7, 2021 signed by Ms. Noe, a nurse practitioner. Ms. Noe diagnosed an open wound and laceration of his right index finger. This diagnosis was consistent with appellant's physical examination and the mechanism of injury.¹⁰ As appellant has established that he sustained a visible injury, the Board finds that he has met his burden of proof to establish a right index finger laceration causally related to the accepted June 2, 2021 employment incident. The case will, therefore, be remanded for payment of medical expenses for his injury, to be followed by a *de novo* decision regarding any attendant disability.¹¹

CONCLUSION

The Board finds that appellant has met his burden of proof to establish a right index finger laceration causally related to the accepted June 2, 2021 employment incident.

⁶ *M.H.*, Docket No. 18-1737 (issued March 13, 2019); *John J. Carlone*, 41 ECAB 354 (1989); see 5 U.S.C. § 8101(5) (injury defined); 20 C.F.R. §§ 10.5(ee), 10.5(q) (traumatic injury and occupational disease defined, respectively).

⁷ *S.A.*, Docket No. 18-0399 (issued October 16, 2018); *Robert G. Morris*, 48 ECAB 238 (1996).

⁸ *M.V.*, Docket No. 18-0884 (issued December 28, 2018); *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345 (1989).

⁹ *D.R.*, Docket No. 19-0954 (issued October 25, 2019); *James Mack*, 43 ECAB 321 (1991).

¹⁰ See Federal (FECA) Procedure Manual, Part 2 -- Claims, *Initial Development of Claims*, Chapter 2.800.6(a) (June 2011); *id.* at Chapter 2.805.3(c) (January 2013). See also *A.J.*, Docket No. 20-0484 (issued September 2, 2020); *S.K.*, Docket No. 18-1411 (issued July 22, 2020).

¹¹ *B.W.*, Docket No. 22-0134 (issued May 24, 2022); *K.V.*, Docket No. 21-1409 (issued April 19, 2022).

ORDER

IT IS HEREBY ORDERED THAT the May 16, 2022 decision of the Office of Workers' Compensation is reversed.

Issued: November 29, 2022
Washington, DC

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

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board