



her hand was caught behind two rolling racks while in the performance of duty. She did not stop work.

In a statement dated July 31, 2022, appellant related that she was pushing a rack towards another rack of mail, when her wrist became caught between the two racks. She noted that she experienced pain throughout the night, after which she scheduled a medical appointment. Appellant noted that her hand was swollen, discolored, and bruised from her fingers to her left wrist.

In a form report dated September 12, 2022, Dr. Charles J. Winters, a Board-certified orthopedic surgeon, diagnosed a contusion of the left hand and wrist and noted an approximate date of injury of August 1, 2022. He provided work restrictions of lifting no more than 10 pounds and limited use of the left hand.

In an October 8, 2022 note, an unidentifiable healthcare provider, related that appellant was treated that day and she was held off work until October 9, 2022.

In an October 12, 2022 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of factual and medical evidence needed to establish her claim and provided a factual questionnaire for her completion. OWCP afforded appellant 30 days to submit the necessary evidence.

By decision dated November 16, 2022, OWCP accepted that the July 31, 2022 employment incident occurred as alleged. However, it denied appellant's traumatic injury claim, finding that she had not submitted medical evidence establishing a diagnosed medical condition from a qualified physician in connection with the accepted July 31, 2022 employment incident. Consequently, OWCP found that the requirements had not been met to establish an injury as defined by FECA.

### **LEGAL PRECEDENT**

An employee seeking benefits under FECA<sup>2</sup> 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,<sup>3</sup> 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

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<sup>2</sup> *Id.*

<sup>3</sup> *F.H.*, Docket No.18-0869 (issued January 29, 2020); *J.P.*, Docket No. 19-0129 (issued April 26, 2019); *Joe D. Cameron*, 41 ECAB 153 (1989).

employment injury.<sup>4</sup> 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.<sup>5</sup>

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. The first component is that the employee must submit sufficient evidence to establish that he or she actually experienced the employment incident at the time and place, and in the manner alleged. The second component is whether the employment incident caused a personal injury and can be established only by medical evidence.<sup>6</sup>

Causal relationship is a medical question that requires rationalized medical opinion evidence to resolve the issue.<sup>7</sup> The opinion of the physician must be based upon 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 incident.<sup>8</sup>

### ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a diagnosed medical condition in connection with the accepted July 31, 2022 employment incident.

In support of her claim, appellant submitted a September 12, 2022 form report in which Dr. Winters diagnosed a contusion of the left hand and wrist, and noted that the approximate date of injury was August 1, 2022. While Dr. Winters' September 12, 2022 report contained firm diagnoses, he did not relate the injury to the accepted July 31, 2022 employment incident or provide a history of injury. The Board has previously explained that medical reports which contain an incomplete or incorrect history of injury are of diminished probative value.<sup>9</sup> Therefore, as this

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<sup>4</sup> *L.C.*, Docket No. 19-1301 (issued January 29, 2020); *J.H.*, Docket No. 18-1637 (issued January 29, 2020); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

<sup>5</sup> *P.A.*, Docket No. 18-0559 (issued January 29, 2020); *K.M.*, Docket No. 15-1660 (issued September 16, 2016); *Delores C. Ellyett*, 41 ECAB 992 (1990).

<sup>6</sup> *T.H.*, Docket No. 19-0599 (issued January 28, 2020); *K.L.*, Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

<sup>7</sup> *I.J.*, Docket No. 19-1343 (issued February 26, 2020); *T.H.*, 59 ECAB 388 (2008); *Robert G. Morris*, 48 ECAB 238 (1996).

<sup>8</sup> *D.C.*, Docket No. 19-1093 (issued June 25, 2020); *see L.B.*, Docket No. 18-0533 (issued August 27, 2018).

<sup>9</sup> *A.F.*, Docket No. 22-1221 (issued December 8, 2022); *M.G.*, Docket No. 18-1616 (issued April 9, 2020); *J.M.*, Docket No. 17-1002 (issued August 22, 2017) (a medical opinion must reflect a correct history and offer a medically sound explanation by the physician of how the specific employment incident physiologically caused or aggravated the diagnosed conditions). *See also R.A.*, Docket No. 20-0969 (issued August 9, 2021); *L.D.*, Docket No. 19-0263 (issued June 19, 2019).

report did not provide a firm diagnosis made in connection with the accepted July 31, 2022 employment incident, it is insufficient to establish appellant's claim.<sup>10</sup>

Appellant submitted an October 8, 2022 note from an unidentifiable healthcare provider. The Board has held that reports that are unsigned or bear an illegible signature lack proper identification and cannot be considered probative medical evidence as the author cannot be identified as a physician.<sup>11</sup> Accordingly, this report is also insufficient to satisfy appellant's burden of proof.

As appellant has not submitted medical evidence establishing a diagnosed medical condition in connection with the accepted July 31, 2022 employment incident, the Board finds that she has not met her burden of proof to establish her claim.<sup>12</sup>

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 a diagnosed medical condition in connection with the accepted July 31, 2022 employment incident.

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<sup>10</sup> *M.O.*, Docket No. 21-1068 (issued March 1, 2022).

<sup>11</sup> *See R.C.*, Docket No. 19-0376 (issued July 15, 2019).

<sup>12</sup> *K.R.*, Docket No. 21-0822 (issued June 28, 2022).

**ORDER**

**IT IS HEREBY ORDERED THAT** the November 16, 2022 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: May 10, 2023  
Washington, DC

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

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge  
Employees' Compensation Appeals Board