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J.M., Appellant)	
)	
and)	Docket No. 25-0291
)	Issued: February 26, 2025
DEPARTMENT OF JUSTICE, U.S. MARSHALS)	
SERVICE, U.S. COURTS, LAREDO DIVISION,)	
SOUTHERN DISTRICT OF TEXAS,)	
Laredo, TX, Employer)	
)	

Case Submitted on the Record

Before:
ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge

¹ 5 U.S.C. § 8101 *et seq.*

FACTUAL HISTORY

On June 7, 2024, appellant, then a 29-year-old criminal investigator, filed a traumatic injury claim (Form CA-1) alleging that on June 5, 2024 he began losing vision in his left eye when he was lifting weights during an assigned fitness hour while in the performance of duty. He related that he sustained a partial retina tear in his right eye and a detached retina in his left eye, which would require surgical intervention on June 10, 2024. Appellant stopped work on June 10, 2024.

In a June 7, 2024 development letter, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of factual and medical evidence needed and provided a questionnaire for his completion. OWCP afforded appellant 60 days to submit the necessary evidence. In a separate development letter of even date, it requested that the employing establishment provide additional information, including comments from a knowledgeable supervisor regarding the accuracy of his statement. OWCP afforded the employing establishment 30 days to respond.

On June 11, 2024, Dr. Patricia C. Staropoli, a Board-certified ophthalmologist, related that appellant underwent retinal detachment surgery on June 10, 2024 and was totally disabled for six to eight weeks. She further related that he required right eye laser treatment for a retinal hole.

In a June 27, 2024 form report, Dr. Effie Z. Rahman, a Board-certified ophthalmologist, related that on June 10, 2024 appellant underwent a macula off retinal detachment surgery with pars plana vitrectomy (PPV) to treat a total retinal detachment. She noted that he was at work when his retina detached. Dr. Rahman provided work restrictions.

In a follow-up development letter dated July 16, 2024, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish his claim. It noted that he had 60 days from the June 7, 2024 letter to submit the necessary evidence. OWCP further advised that if additional evidence was not received during this time, it would issue a decision based on the evidence contained in the record.

OWCP continued to receive medical evidence. In June 6, 2024 reports, Dr. Rahman related that on the evening of June 5, 2024 appellant experienced a sudden dark flash which resulted in constant darkness. She listed findings of retinal tear and recommended surgery. A surgical note confirmed that Dr. Rahman performed a retinal detachment repair with PPV on June 10, 2024. In a June 13, 2024 note, Dr. Staropoli related that the left retinal detachment was well repaired. He found a new retinal tear related to the right retinal hole. On June 17, 2024, Dr. Rahman confirmed that the left retinal detachment was repaired and that the right retinal hole included a new retinal tear. In June 20, and July 11, 2024 notes, she noted that appellant's eye pain was improving following surgery.

By decision dated August 13, 2024, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between his diagnosed medical condition(s) and the accepted employment incident.

On August 21, 2024, appellant requested an oral hearing before a representative of OWCP's Branch of Hearings and Review. A hearing was held on December 4, 2024.

OWCP continued to receive additional evidence. On December 27, 2024, Dr. Luis A. Zaffirini, a Board-certified ophthalmologist, opined that appellant developed a retinal detachment of his left eye on June 5, 2024 due to performing the heavy lifting of weights while at work.

By decision dated January 16, 2025, OWCP's hearing representative affirmed the August 13, 2024 decision.

LEGAL PRECEDENT

An employee seeking benefits under FECA² 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 with 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 employment injury.³ These are the essential elements of 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, OWCP must first determine whether fact of injury has been established.⁵ 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 time and place, and in the manner alleged.⁶ Second, the employee must submit evidence to establish that the employment incident caused an injury.⁷

Causal relationship is a medical question that requires rationalized medical opinion evidence to resolve the issue.⁸ A physician's opinion on whether there is a causal relationship between the diagnosed condition and the employment incident must be based on a complete

² *Id.*

³ *E.S.*, Docket No. 18-1580 (issued January 23, 2020); *M.E.*, Docket No. 18-1135 (issued January 4, 2019); *C.S.*, Docket No. 08-1585 (issued March 3, 2009); *Bonnie A. Contreras*, 57 ECAB 364 (2006).

⁴ *E.S.*, *id.*; *S.P.*, 59 ECAB 184 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989); *Elaine Pendleton*, 40 ECAB 1143 (1989).

⁵ *D.B.*, Docket No. 18-1348 (issued January 4, 2019); *S.P.*, *id.*

⁶ *D.S.*, Docket No. 17-1422 (issued November 9, 2017); *Bonnie A. Contreras*, *supra* note 3.

⁷ *B.M.*, Docket No. 17-0796 (issued July 5, 2018); *David Apgar*, 57 ECAB 137 (2005); *John J. Carlone*, 41 ECAB 354 (1989).

⁸ *E.M.*, Docket No. 18-1599 (issued March 7, 2019); *Robert G. Morris*, 48 ECAB 238 (1996).

factual and medical background.⁹ 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 the accepted employment incident.¹⁰

ANALYSIS

The Board finds that appellant has not met his burden of proof to establish a medical condition causally related to the accepted June 5, 2024 employment incident.

In a note dated December 27, 2024, Dr. Zaffirini opined that appellant developed a retinal detachment of his left eye on June 5, 2024 when he was lifting heavy weights while at work. While he indicated that appellant's medical condition was work related, he failed to provide medical rationale explaining the basis of his opinion. Without explaining, physiologically, how the specific employment incident caused or aggravated a diagnosed condition, Dr. Zaffirini's opinion on causal relationship is of limited probative value and insufficient to establish the claim.¹¹

Appellant also submitted medical reports by Drs. Staropoli and Rahman who diagnosed left retinal detachment and right retinal hole. However, neither of these physicians offered an opinion regarding the cause of the diagnosed conditions. The Board has held that an opinion which does not address the cause of an employee's condition is of no probative value on the issue of causal relationship.¹² Thus, this evidence is insufficient to establish appellant's claim.

As the medical evidence of record is insufficient to establish causal relationship between appellant's diagnosed eye condition(s) and the accepted June 5, 2024 employment incident, the Board finds that he has not met his burden of proof.¹³

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 and 20 C.F.R. §§ 10.605 through 10.607.

⁹ *S.V.*, Docket No. 22-1010 (issued February 21, 2023); *F.A.*, Docket No. 20-1652 (issued May 21, 2021); *M.V.*, Docket No. 18-0884 (issued December 28, 2018); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

¹⁰ *Id.*

¹¹ *J.M.*, Docket No. 25-0186 (issued January 28, 2025); *L.B.*, Docket No. 24-0833 (issued November 5, 2024); *G.L.*, Docket No. 18-1057 (issued April 14, 2020); *J.P.*, 59 ECAB 178 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989).

¹² *T.D.*, Docket No. 19-1779 (issued March 9, 2021); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

¹³ *See J.T.*, Docket No. 18-1755 (issued April 4, 2019); *T.O.*, Docket No. 18-0139 (issued May 24, 2018).

CONCLUSION

The Board finds that appellant has not met his burden of proof to establish a medical condition causally related to the accepted June 5, 2024 employment incident.

ORDER

IT IS HEREBY ORDERED THAT the August 13, 2024 and January 16, 2025 decisions of the Office of Workers' Compensation Programs are affirmed.

Issued: February 26, 2025
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