

¹ 5 U.S.C. § 8101 *et seq.*

when carrying work equipment while in the performance of duty.² On October 24, 2024 OWCP converted the recurrence claim to a claim for a new traumatic injury under OWCP File No. xxxxxx827. Appellant stopped work on August 27, 2024.

Appellant submitted a progress note dated September 5, 2024 from Dr. Timothy T. Roberts, a Board-certified orthopedic surgeon. Dr. Roberts recounted appellant's history of injury on August 27, 2024, provided findings on physical examination, and reviewed diagnostic test results. He noted that appellant was previously diagnosed with having grade 1 spondylolisthesis at L5-S1, which resulted from her accepted March 15, 2022 employment injury. Dr. Roberts diagnosed lumbar stenosis without neurogenic claudication (primary encounter diagnosis), status post lumbar fusion, back and thoracic back pain, and lumbar and thoracic disc herniations. He opined that, based on appellant's history and clinical evaluation, her current condition was a work-related injury that was consistent with the work injury she described. Dr. Roberts further opined that she had reached maximum medical improvement regarding her lumbar spine and was temporarily totally disabled from work.

In a development letter dated December 6, 2024, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of additional factual and medical evidence needed and provided a questionnaire for completion. OWCP afforded appellant 60 days to submit the necessary evidence.

OWCP subsequently received a December 4, 2024 progress note by Dr. James C. Farmer, a Board-certified orthopedic surgeon, recounted appellant's history of injury, including that she previously sustained a lower back injury on March 15, 2022 for which she underwent a lumbar decompression and fusion in January 2023. He noted that her condition initially improved postoperatively, but her symptoms increased following her return to work in August 2024. Dr. Farmer discussed findings on physical examination and reviewed diagnostic test results. He provided an impression of chronic bilateral low back pain with right-sided sciatica.

In a follow-up development letter dated January 3, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish her claim. It noted that she had 60 days from the December 6, 2024 letter to submit the requested necessary evidence. OWCP further advised that if the evidence was not received during this time, it would issue a decision based on the evidence contained in the record.

In a January 16, 2025 response to OWCP's December 6, 2024 development letter, appellant explained that on August 27, 2027 she aggravated her preexisting injury while carrying a computer bag that weighed approximately five pounds and contained her laptop and cell phone

² Appellant filed the recurrence claim under OWCP File No. xxxxxx390, which was a traumatic injury claim (Form CA-1) accepted by OWCP for a March 15, 2022 strain of muscle, fascia and tendon of lower back, initial encounter; sprain of ligaments of lumbar spine, initial encounter; other intervertebral disc displacement, lumbar region; and intervertebral disc disorders with radiculopathy, lumbar region, when appellant lifted carry-on luggage into a storage bin while in the performance of duty. She stopped work on March 16, 2022. OWCP paid appellant wage-loss compensation on the supplemental rolls, effective April 30, 2022, and on the periodic rolls, effective, December 4, 2022. On January 25, 2023 she underwent OWCP-authorized lumbar spine surgery. Appellant returned to full-time, limited-duty work with restrictions on August 12, 2024. OWCP administratively combined OWCP File Nos. xxxxxx390 and xxxxxx827, with the former serving as the master file.

issued by the employing establishment, charging wires, a note pad, and pens. She was also carrying her backpack, that weighed approximately five pounds and contained her wallet, car keys, personal cell phone, lip balm, lunch, a 16-ounce bottle of water, and mini-packs of tissue and antiseptic wipes. Appellant reiterated her contention that she did not sustain a new injury but rather aggravated her original injury by carrying weight on August 27, 2024.

By decision dated February 10, 2025, OWCP denied appellant's traumatic injury claim, finding that the medical evidence of record was insufficient to establish causal relationship between her diagnosed low back condition and the accepted August 27, 2024 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,⁴ 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.⁵ 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.⁶

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 an injury.⁷

The medical evidence required to establish causal relationship between a claimed specific condition and an employment incident is rationalized medical opinion evidence.⁸ 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

³ *Supra* note 1.

⁴ *E.K.*, Docket No. 22-1130 (issued December 30, 2022); *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).

⁵ *L.C.*, Docket No. 19-1301 (issued January 29, 2020); *J.H.*, Docket No. 18-1637 (issued January 29, 2020); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁶ *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).

⁷ *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).

⁸ *S.S.*, Docket No. 19-0688 (issued January 24, 2020); *A.M.*, Docket No. 18-1748 (issued April 24, 2019); *Robert G. Morris*, 48 ECAB 238 (1996).

explaining the nature of the relationship between the diagnosed condition and specific employment incident.⁹ Neither the mere fact that a disease or condition manifests itself during a period of employment, nor the belief that the disease or condition was caused or aggravated by employment factors or incidents is sufficient to establish causal relationship.¹⁰

In a case in which a preexisting condition involving the same part of the body is present and the issue of causal relationship therefore involves aggravation, acceleration, or precipitation, the physician must provide a rationalized medical opinion that differentiates between the effects of the work-related injury or disease and the preexisting condition.¹¹

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a lumbar condition causally related to the accepted August 27, 2024 employment incident.

In a September 5, 2024 progress note, Dr. Roberts noted a history that appellant was diagnosed with having grade 1 spondylolisthesis at L5-S1 due to the previously-accepted March 15, 2022 employment injury. He related her current diagnoses of lumbar stenosis without neurogenic claudication (primary encounter diagnosis), status post lumbar fusion, back and thoracic back pain, and lumbar and thoracic disc herniations. Based on, appellant's history and his clinical evaluation, Dr. Roberts opined that the diagnosed conditions were causally related to the accepted August 27, 2024 employment incident and appellant was temporarily totally disabled from work. The Board, however, has held that a report is of limited probative value regarding causal relationship if it does not contain sufficient medical rationale explaining how a given medical condition/disability was causally related to the accepted employment incident.¹² The Board has explained that such rationale is especially important in a case involving a preexisting condition.¹³ As such, this evidence is insufficient to establish appellant's claim.

In a December 4, 2024 progress note, Dr. Farmer provided an impression of chronic bilateral low back pain with right-sided sciatica. He related that following the March 15, 2022 employment-related back injury, for which appellant underwent lumbar surgery in January 2023, she experienced increased symptoms following her return to work in August 2024. However, Dr. Farmer did not provide an opinion on the causal relationship between appellant's current diagnosed back condition and the accepted August 27, 2024 employment incident. The Board has held that medical evidence that does not offer an opinion regarding the cause of an

⁹ *F.S.*, Docket No. 23-0112 (issued April 26, 2023); *T.L.*, Docket No. 18-0778 (issued January 22, 2020); *Y.S.*, Docket No. 18-0366 (issued January 22, 2020); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

¹⁰ *L.W.*, Docket No. 24-0947 (issued January 31, 2025); *T.H.*, Docket No. 18-1736 (issued March 13, 2019); *Dennis M. Mascarenas*, 49 ECAB 215 (1997).

¹¹ Federal (FECA) Procedure Manual, Part 2 -- Claims, *Causal Relationship*, Chapter 2.805.3e (January 2013); *J.L.*, Docket No. 20-0717 (issued October 15, 2020).

¹² *D.S.*, Docket No. 25-0158 (issued February 25, 2025); *J.B.*, Docket No. 21-0011 (issued April 20, 2021); *A.M.*, Docket No. 19-1394 (issued February 23, 2021).

¹³ *Id.*

employee's condition or disability is of no probative value on the issue of causal relationship.¹⁴ Further, as noted above, a well-rationalized opinion is particularly warranted when there is a history of a preexisting condition.¹⁵ For these reasons, Dr. Farmer's report is insufficient to establish appellant's claim.

As the medical evidence of record is insufficient to establish a lumbar condition causally related to the accepted August 27, 2024 employment incident, the Board finds that appellant has not met her burden of proof.

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.

CONCLUSION

The Board finds that appellant has not met her burden of proof to establish a lumbar condition causally related to the accepted August 27, 2024 employment incident.

¹⁴ *J.E.*, Docket No. 25-0150 (issued March 12, 2025); *J.M.*, Docket No. 25-0186 (issued January 28, 2025); *L.B.*, Docket No. 24-0833 (issued November 5, 2024); *S.H.*, Docket No. 19-1128 (issued December 2, 2019); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

¹⁵ *Id.*; *see also C.C.*, Docket No. 22-1311 (issued April 7, 2023); *J.H.*, Docket No. 20-1645 (issued August 11, 2021); *T.M.*, Docket No. 08-0975 (issued February 6, 2009).

ORDER

IT IS HEREBY ORDERED THAT the February 10, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: May 16, 2025
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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