United States Department of Labor
Employees' Compensation Appeals Board

T.A., Appellant	)	
	)	**Docket No. 25-0708**
and	)	**Issued: September 10, 2025**
	)	
U.S. POSTAL SERVICE, SAINT LOUIS POST OFFICE, St. Louis, MO, Employer	)	

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

DECISION AND ORDER

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

JURISDICTION

On July 19, 2025 appellant filed a timely appeal from a July 9, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act[1] (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.

ISSUE

The issue is whether appellant has met his burden of proof to establish a diagnosed medical condition in connection with the accepted March 1, 2025 employment incident.

FACTUAL HISTORY

On April 15, 2025 appellant, then a 31-year-old city carrier, filed a traumatic injury claim (Form CA-1) alleging that on March 1, 2025 he sustained neck and back injuries when he was involved in a motor vehicle accident while in the performance of duty. On the reverse side of the

[1] 5 U.S.C. § 8101 *et seq*.

claim form, the employing establishment acknowledged that he was injured in the performance of duty.

OWCP received a Motor Vehicle Accident (Crash) Report (SF-91) dated March 4, 2025 documenting a crash that occurred on March 1, 2025.

In an April 29, 2025 development letter, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of factual and medical evidence needed to establish his claim and provided a questionnaire for his completion. OWCP afforded appellant 60 days to submit the necessary evidence.

OWCP received additional evidence, including a March 1, 2025 Missouri Uniform Crash Report; reports from Alexis Sielschott Levan, a certified physician assistant.

Reports dated March 3 and 12, and April 7, 2025 by providers whose signatures are illegible were also received.

In an April 29, 2025 response to OWCP's development questionnaire, appellant related that chronic pain and fatigue from his back injury from the March 1, 2025 motor vehicle accident had prevented him from returning to work. He noted that he continued to experience pain and limited mobility but was working light duty and was attending physical therapy.

In a follow-up letter dated June 13, 2025, 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 April 29, 2025 letter to submit the necessary evidence. OWCP further advised that if the necessary evidence was not received during this time, it would issue a decision based on the evidence contained in the record.

OWCP received additional evidence from Ms. Levan. By decision dated July 9, 2025, it accepted that the March 1, 2025 employment incident occurred, as alleged. However, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish a medical diagnosis in connection with the accepted employment incident. Consequently, it found that he had not met the requirements to establish an injury as defined by FECA.

LEGAL PRECEDENT

An employee seeking benefits under FECA[2] 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,[3] 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

[2] *Id.*

[3] *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).

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 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. First, the employee must establish that he or she actually experienced the employment incident at the time and place, and in the manner alleged. Second, the employee must establish that the employment incident caused an injury.[6]

The medical evidence required to establish causal relationship between a medical condition and an employment incident is 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 accepted employment incident.[8]

ANALYSIS

The Board finds that appellant has not met his burden of proof to establish a diagnosed medical condition in connection with the accepted March 1, 2025 employment incident.

In support of his claim, appellant submitted multiple reports from Ms. Levan, a certified physician assistant. However, certain health care providers such as nurses, physician assistants, and physical therapists are not considered physicians under FECA and, therefore, are not competent to provide a medical opinion.[9] As such, this evidence is of no probative value and insufficient to establish appellant's claim.[10]

OWCP also received reports dated March 3 and 12, and April 7, 2025 by providers whose signatures are illegible. The Board has held that reports that are unsigned or bear an illegible

[4] *S.H.,* Docket No. 22-0391 (issued June 29, 2022); *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).

[5] *E.H.,* Docket No. 22-0401 (issued June 29, 2022); *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).

[6] *H.M.,* Docket No. 22-0343 (issued June 28, 2022); *T.J.,* Docket No. 19-0461 (issued August 11, 2020); *K.L.,* Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

[7] *S.M.,* Docket No. 22-0075 (issued May 6, 2022); *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).

[8] *J.D.,* Docket No. 22-0935 (issued December 16, 2022); *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).

[9] Section 8102(2) of FECA provides as follows: (2) physician includes surgeons, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, and osteopathic practitioners within the scope of their practice as defined by State law. 5 U.S.C. § 8102(2); 20 C.F.R. § 10.5(t). *See* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Causal Relationship*, Chapter 2.805.3a(1) (May 2023); *David P. Sawchuk*, 57 ECAB 316, 320 n.11 (2006) (lay individuals such as physician assistants, nurses, and physical therapists are not competent to render a medical opinion under FECA); *see also N.Y.*, Docket No. 25-0310 (issued March 20, 2025) *H.S.*, Docket No. 20-0939 (issued February 12, 2021) (physician assistants are not considered physicians as defined under FECA).

[10] *Id.*; *E.C.*, Docket No. 25-0590 (issued July 1, 2025); *R.B.,* Docket No. 25-0361 (issued April 23, 2025).

signature lack proper identification and cannot be considered probative medical evidence as the author cannot be identified as a physician.[11] Therefore, this evidence is also insufficient to establish the claim.

As the medical evidence of record is insufficient to establish a diagnosed medical condition in connection with the accepted March 1, 2025 employment incident, the Board finds that appellant has not met his 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(a) and 20 C.F.R. §§ 10.605 through 10.607.

CONCLUSION

The Board finds that appellant has not met his burden of proof to establish a diagnosed medical condition in connection with the accepted March 1, 2025 employment incident.

ORDER

IT IS HEREBY ORDERED THAT the July 9, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: September 10, 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

[11] *C.L.,* Docket No. 25-0593 (issued July 15, 2025); *P.V.,* Docket No. 25-0547 (issued June 23, 2025); *O.R.,* Docket No. 25-0400 (issued May 21, 2025); *V.T.,* Docket No. 22-1036 (issued February 13, 2025); *J.E.*, Docket No. 22-0683 (issued November 10, 2022); *M.A*., Docket No. 19-1551 (issued April 30, 2020); *Merton J. Sills*, 39 ECAB 572, 575 (1988).