

<sup>1</sup> 5 U.S.C. § 8101 *et seq.*

### **FACTUAL HISTORY**

On January 23, 2025 appellant, then a 39-year-old materials handler, filed a traumatic injury claim (Form CA-1) alleging that on January 22, 2025 he experienced knee, ankle, and head pain when he fell when using a manual pallet jack, hit his head, and became stuck between two pallets while in the performance of duty. He stopped work on January 22, 2025. Appellant returned to full-time modified duty with restrictions on March 31, 2025.

In a January 22, 2025 employing establishment staff injury assessment form, Kelly Masten, a nurse practitioner, noted appellant's history of injury. She also related that appellant reported feeling disoriented. Pain and tenderness were noted on a diagram of the forehead.

In a January 22, 2025 emergency room report, Dr. Clayton Hargis, a Board-certified family practitioner, noted that appellant reported a sudden loss of balance accompanied by a popping sensation and a twisting motion between his knee and ankle while at work. This resulted in a forward fall, during which appellant struck his head on a pallet of boxes with a brief loss of consciousness and landed on his side with his arm pinned down. Dr. Hargis indicated that appellant had a history of "mechanical" that led to the likely loss of consciousness. He performed a physical examination and found no head trauma, a reassuring neurological examination, and no acute abnormalities noted on the computed tomography (CT) scan of the head and neck. Dr. Hargis also related that x-rays of appellant's left knee and ankle indicated no acute findings. He provided a clinical impression of fall, minor head trauma and acute knee pain. In providing instructions for appellant's discharge, Dr. Hargis also noted concussion, head injury. He related that appellant was advised to follow up with his primary care provider for further evaluation/management of his concussion.

Copies of appellant's January 22, 2025 diagnostic tests were provided. This included a left ankle x-ray, which revealed no acute osseous findings of the ankle; a left knee x-ray which revealed no acute osseous findings of the knee and no significant arthritis; a computerized tomography (CT) scan of the head, which revealed no acute intracranial abnormality; and a CT scan of the cervical spine which noted no acute abnormality.

OWCP also received a January 22, 2025 authorization for examination and/or treatment (Form CA-16). In a January 24, 2025 attending physician's report, Part B of the Form CA-16, Ms. Masten noted appellant's history of injury and that his knee and ankle x-rays were negative. She listed diagnoses of knee and ankle injury, which she opined were caused or aggravated by the employment activity.

In a January 24, 2025 report, Ms. Masten noted examination findings and diagnosed injury of left knee, acute pain of left knee, injury of left ankle, and minor head trauma.

In a development letter dated April 28, 2025, OWCP informed appellant that the evidence of record was insufficient to establish his claim. It advised him as to the type of medical evidence needed to establish his claim. OWCP afforded appellant 60 days to provide the necessary evidence.

In a report dated March 14, 2025, Samuel Crandell, a physician assistant, related that appellant was seen for left knee pain which began after an incident at work on January 22, 2025. He noted that he was concerned that appellant may have a possible torn meniscus in the left knee. Mr. Crandell assessed appellant's condition as left knee pain and indicated that he would order a magnetic resonance imaging (MRI) scan of the left knee.

OWCP continued to receive additional evidence. In reports dated May 2, 2025, Ms. Masten continued to note appellant's knee injury and pain.

In a follow-up letter dated May 28, 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 28, 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.

In response, OWCP continued to receive reports from Ms. Masten.

By decision dated October 15, 2025, OWCP accepted that the January 22, 2025 employment incident occurred, as alleged. However, it denied the claim, finding that appellant had not submitted medical evidence containing a medical diagnosis from a qualified physician in connection with the accepted January 22, 2025 employment incident. Consequently, OWCP found that the requirements had not been met to establish an injury as defined by FECA.

On October 28, 2025 appellant requested a review of the written record by a representative of OWCP's Branch of Hearings and Review.

In an October 27, 2025 report, Dr. Brad Montierth, a Board-certified family practitioner, noted the January 22, 2025 employment incident and appellant's medical course. He opined that appellant's knee pain, ankle pain, and knee instability directly correlated to his January 22, 2025 fall at work.

By decision dated March 30, 2026, OWCP's hearing representative affirmed the October 15, 2025 decision.

### **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> *Supra* note 1.

<sup>3</sup> *D.M.*, Docket No. 25-0506 (issued June 23, 2025); *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.<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 that the employee must establish whether the employment incident caused an injury.<sup>6</sup>

The medical evidence required to establish causal relationship between a claimed specific condition and an employment incident is rationalized medical opinion evidence.<sup>7</sup> 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 specific employment incident.<sup>8</sup>

### ANALYSIS

The Board finds that appellant has met his burden of proof to establish a medical diagnosis in connection with the accepted January 22, 2025 employment incident.

In a January 22, 2025 emergency room report, Dr. Hargis noted a history of the January 22, 2025 employment incident. He provided a clinical impression of fall, minor head trauma and acute knee pain. In relating appellant's discharge instructions, Dr. Hargis also noted a diagnosis of concussion and that appellant should continue to follow up with his primary care provider for further evaluation/management of his concussion. The Board thus finds that appellant has established a diagnosed medical condition in connection with the accepted January 22, 2025 employment incident.<sup>9</sup> Consequently, the case shall be remanded for consideration of the medical evidence with regard to whether appellant has met his burden of proof to establish that his diagnosed medical condition is causally related to the accepted January 22, 2025 employment

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<sup>4</sup> *D.M., id.*; *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).

<sup>5</sup> *D.M., id.*; *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> *D.M., id.*; *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> *D.M., id.*; *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).

<sup>8</sup> *D.M., id.*; *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).

<sup>9</sup> *J.C.*, Docket No. 25-0420 (issued June 18, 2025); *M.B.*, Docket No. 25-0307 (issued March 25, 2025); *G.K.*, Docket No. 24-0012 (issued March 26, 2024).

incident.<sup>10</sup> Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision.

### **CONCLUSION**

The Board finds that appellant has met his burden of proof to establish a medical diagnosis in connection with the accepted January 22, 2025 employment incident.<sup>11</sup>

### **ORDER**

**IT IS HEREBY ORDERED THAT** the March 30, 2026 decision of the Office of Workers' Compensation Programs is reversed, and this case is remanded for further proceedings consistent with this decision of the Board.

Issued: August 24, 2026  
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

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<sup>10</sup> *V.I.*, Docket No. 23-0555 (issued January 8, 2026); *C.L.*, Docket No. 25-0468 (issued May 8, 2025); *S.R.*, Docket No. 22-0421 (issued July 15, 2022).

<sup>11</sup> The Board notes the employing establishment issued a January 22, 2025 Form CA-16. A completed Form CA-16 authorization may constitute a contract for payment of medical expenses to a medical facility or physician, when properly executed. The form creates a contractual obligation, which does not involve the employee directly, to pay for the cost of the examination or treatment regardless of the action taken on the claim. *See* 20 C.F.R. § 10.300(c); *S.G.*, Docket No. 23-0552 (issued August 28, 2023); *J.G.*, Docket No. 17-1062 (issued February 13, 2018); *Tracey P. Spillane*, 54 ECAB 608 (2003).