

FACTUAL HISTORY

On December 3, 2025 appellant, then a 69-year-old temporary revetment worker, filed a traumatic injury claim (Form CA-1) alleging that on December 1, 2025 he sustained head and spine injuries when he tripped on a launching cable during a safety meeting while in the performance of duty. He stopped work on December 1, 2025.

In a development letter dated December 5, 2025, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of factual and medical evidence required to establish his claim. OWCP afforded appellant 60 days to provide the requested evidence.

OWCP received December 1, 2025 magnetic resonance imaging (MRI) scans of the brain and the right brachial plexus, which found no abnormalities. Also received was a December 1, 2025 cervical MRI scan reporting multilevel cervical spine degenerative changes.

In a duty status form (Form CA-17), from a healthcare provider, whose signature is illegible noted a December 1, 2025 injury date, diagnosed acute bilateral upper extremity weakness, and placed appellant off work for four to six weeks.

In an attending physician's report (Form CA-20) dated December 8, 2025, Dr. Kevin McCarthy, a Board-certified orthopedic surgeon, related that appellant sustained an injury as a result of his fall at work and that he had been disabled since December 1, 2025. He diagnosed cervical stenosis, severe spinal stenosis and cord impingement, acute right-hand weakness, and cervical radiculopathy, which he attributed to the fall. Dr. McCarthy explained that appellant jarred his neck when he hit his head/face during the fall.

In a follow-up letter dated January 2, 2026, OWCP advised appellant that it had conducted an interim review, and the evidence submitted remained insufficient to establish his claim. It noted that he had 60 days from the December 5, 2025 letter to submit the 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. No additional evidence was received.

By decision dated February 9, 2026, OWCP accepted that the December 1, 2025 employment incident occurred, as alleged. However, it denied appellant's claim, finding that the medical evidence of record was insufficient to establish a medical diagnosis in connection with the accepted December 1, 2025 employment incident. Consequently, OWCP found that he had not met the requirements to establish an injury as defined by FECA.

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

³ *Supra* note 1.

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 whether appellant 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 explaining the nature of the relationship between the diagnosed condition and the specific employment incident identified by the claimant.⁹

ANALYSIS

The Board finds that appellant has met his burden of proof to establish a diagnosed medical condition in connection with the accepted December 1, 2025 employment incident.

In a December 8, 2025 Form CA-20, Dr. McCarthy diagnosed cervical stenosis, severe spinal stenosis and cord impingement, acute righthand weakness, and cervical radiculopathy. He recounted that appellant sustained injury when he fell at work and that he had been disabled since December 1, 2025. He explained that appellant jarred his neck when he hit his head/face during his fall at work. The Board thus finds that appellant has established diagnosed medical conditions in connection with the accepted December 1, 2025 employment incident.

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 a medical condition causally

⁴ *S.J.*, Docket No. 25-0359 (issued April 15, 2025); *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 *S.J.*, *id.*; *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).

⁶ *S.J.*, *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).

⁷ *S.J.*, *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).

⁸ *S.J.*, *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).

⁹ *R.H.*, Docket No. 25-0188 (issued January 31, 2025); *A.S.*, Docket No. 19-1955 (issued April 9, 2020); *Leslie C. Moore*, 52 ECAB 132 (2000).

related to the accepted December 1, 2025 employment incident. 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 diagnosed medical condition in connection with the accepted December 1, 2025 employment incident.

ORDER

IT IS HEREBY ORDERED THAT the February 9, 2026 decision of the Office of Workers' Compensation Programs is reversed, and the case is remanded for further proceedings consistent with this decision of the Board.

Issued: July 2, 2026
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