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W.S., Appellant	)	
	)	
and	)	Docket No. 26-0313
	)	Issued: June 15, 2026
U.S. POSTAL SERVICE, PROCESSING &	)	
DISTRIBUTION CENTER, Anaheim, CA,	)	
Employer	)	
	)	

Case Submitted on the Record

Office of Solicitor, for the Director

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On February 13, 2026 appellant, through counsel, filed a timely appeal from December 17, 2025 merit decisions of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act² (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.³

² 5 U.S.C. § 8101 *et seq.*

³ The Board notes that following the December 17, 2025 decisions, OWCP received additional evidence. However, the Board's *Rules of Procedure* provides: "The Board's review of a case is limited to the evidence in the case record that was before OWCP at the time of its final decision. Evidence not before OWCP will not be considered by the Board for the first time on appeal." 20 C.F.R. § 501.2(c)(1). Thus, the Board is precluded from reviewing this additional evidence for the first time on appeal. *Id.*

ISSUES

The issues are: (1) whether appellant met her burden of proof to expand the acceptance of her claim to include additional conditions as causally related to, or consequential to, her accepted employment injury; and (2) whether appellant has met her burden of proof to establish disability from work commencing April 19, 2025, causally related to her accepted employment injury.

FACTUAL HISTORY

On August 3, 2023, appellant, then a 36-year-old transportation logistics operations supervisor, filed an occupational disease claim (Form CA-2) alleging that she developed chronic lower back pain due to factors of her federal employment, including 10 to 11 hours of constant sitting five to six days per week. She noted that she first became aware of her condition and realized its relationship to her federal employment on January 16, 2023.

By decision dated May 29, 2024, OWCP accepted the claim for lumbar sprain and lower back strain. It paid her wage-loss compensation for total disability on the supplemental rolls from December 11, 2023 through April 18, 2025.

In a report dated March 17, 2025, Dr. Archie R. Mays, an orthopedic surgeon, related appellant's current complaints of low back pain shooting into her right leg with numbness. He recounted that on January 16, 2023 appellant was working when she ran out of paper. Appellant retrieved two boxes of paper, however, when she picked up the second box she felt pain in both legs. Dr. Mays diagnosed strain of the muscle, fascia, and tendon of the lower back, and sprain of the lumbar spine. In a March 24, 2025 report, he instructed appellant to remain off work until May 5, 2025.

An April 18, 2025 lumbar spine magnetic resonance imaging (MRI) scan report noted an impression of L3-4 disc bulge without spinal canal or neuroforaminal stenosis; L4-5 disc bulge with ligamentum flavum hypertrophy, mild bilateral neuroforaminal stenosis, and no spinal canal stenosis; and L5-S1 disc bulge without spinal canal or neuroforaminal stenosis.

In a form report dated April 21, 2025, Dr. Mays recounted appellant's subjective complaints and noted that she was currently working part time with another employer. He reviewed diagnostic tests and provided physical examination findings. Dr. Mays diagnosed lower back muscle, fascia, and tendon strain, and lumbar sprain. He placed appellant off work until May 26, 2025. Additional form reports dated June 2 and July 14, 2025 from Dr. Mays related repetitive findings. He continued appellant's disability status until September 5, 2025.

In a letter dated August 11, 2025, appellant, through counsel, requested expansion of the acceptance of her claim to include L3-4, L4-5, and L5-S1 disc bulges as causally related to her accepted employment injury.

In a letter dated August 12, 2025, OWCP informed appellant that the evidence of record was insufficient to support expansion of the acceptance of her claim. It advised her of the evidence necessary to support the request and afforded her 30 days to provide this information.

On August 15, 2025, appellant filed a claim for compensation (Form CA-7) for disability from work for the period April 19 through August 15, 2025.

In response appellant submitted an August 18, 2025 form report from Dr. Mays, which was repetitive of prior reports. He placed appellant off work until September 26, 2025.

On August 18, 2025, OWCP received a disability certificate from Dr. John B. Dorsey, a Board-certified orthopedic surgeon. He found that appellant would be totally disabled from work during the period August 18 through September 15, 2025.

In a letter dated August 21, 2025, OWCP noted receipt of appellant's claim for wage-loss compensation for the period April 19 through August 15, 2025 and continuing. It informed her that the evidence of record was insufficient to support the claim for compensation. OWCP advised appellant as to the evidence required and afforded her 30 days to provide the requested information.

Dr. Mays, in September 15 and October 6, 2025 reports, reiterated findings and diagnoses from prior reports. He placed appellant off work until October 24, 2025.

In a report dated September 26, 2025, Dr. Dorsey noted appellant's accepted employment conditions. He related that an April 18, 2025 MRI scan showed L3-4, L4-5, and L5-S1 disc bulges. Dr. Dorsey explained that appellant's lumbar facet hypertrophy in combination with the disc bulges were the cause of her lumbar neuropathic pain radiating into her legs, which began again on January 16, 2023 after she lifted two boxes of paper. He concluded that appellant's claim should be expanded to include L3-4, L4-5, and L5-S1 disc bulges. Dr. Dorsey requested further diagnostic testing to rule out lumbar radiculopathy. He found that appellant was disabled from work based on her physical examination and MRI scan findings.

Dr. Dorsey, in an October 6, 2025 disability note, found that appellant would be totally disabled for the period October 6 through December 3, 2025.

On October 31, 2025, appellant, through counsel, requested expansion of the acceptance of her claim based on Dr. Dorsey's September 26, 2025 report.

On November 3, 2025, Dr. Mays released appellant to return to modified work on November 3, 2025 with restrictions.

In a December 1, 2025 report, Dr. Mays related appellant's continuing complaints. He diagnosed lower back muscle, fascia, and tendon strain, and lumbar sprain and opined that appellant would be totally disabled for the period December 1, 2025 through January 12, 2026. On December 1, 2025, Dr. Mays released appellant to return to modified work on January 15, 2026 with restrictions.

By decision dated December 17, 2025, OWCP denied expansion of the acceptance of appellant's claim to include lumbar disc bulges as causally related to, or consequential to, the accepted employment injury.

In a separate decision also dated December 17, 2025, OWCP denied appellant's claim for disability from work commencing April 19, 2025, causally related to her accepted employment injury. It found Dr. Dorsey's September 26, 2025 report insufficient to support disability for the period April 19 through August 15, 2025 and continuing, causally related to her accepted employment injury.

LEGAL PRECEDENT – ISSUE 1

Where an employee claims that a condition not accepted or approved by OWCP was due to an employment injury, he or she bears the burden of proof to establish that the condition is causally related to the employment injury.⁴

The medical evidence required to establish causal relationship between a specific condition, as well as any attendant disability claimed, and the employment injury, is rationalized medical opinion evidence.⁵ A physician's opinion on whether there is a causal relationship between the diagnosed condition and the implicated employment factor(s) must be based on a complete factual and medical background.⁶ Additionally, the opinion of the physician 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 specific employment factor(s) identified by the claimant.⁷

When an injury arises in the course of employment, every natural consequence that flows from that injury likewise arises out of the employment, unless it is the result of an independent intervening cause attributable to the claimant's own intentional misconduct.⁸ Thus, a subsequent injury, be it an aggravation of the original injury or a new and distinct injury, is compensable if it is the direct and natural result of a compensable primary injury.⁹

ANALYSIS -- ISSUE 1

The Board finds that appellant has not met her burden of proof to expand the acceptance of her claim to include additional conditions as casually related to, or consequential to, her accepted employment injury.

In support of her expansion claim, appellant submitted a September 26, 2025 report from Dr. Dorsey. Dr. Dorsey reviewed an April 18, 2025 MRI scan, and opined that the acceptance of her claim should be expanded to include L3-4, L4-5, and L5-S1 disc bulges. He concluded that appellant's lumbar facet hypertrophy in combination with the disc bulges was the cause of her lumbar neuropathic pain radiating into her legs, which started again on January 16, 2023, after lifting two boxes of paper. However, Dr. Dorsey failed to provide medical rationale for his

⁴ *J.W.*, Docket No. 26-0141 (issued April 24, 2026); *R.J.*, Docket No. 17-1365 (issued May 8, 2019); *W.L.*, Docket No. 17-1965 (issued September 12, 2018); *V.B.*, Docket No. 12-0599 (issued October 2, 2012); *Jaja K. Asaramo*, 55 ECAB 200, 204 (2004).

⁵ *J.W.*, *id.*; *T.C.*, Docket No. 19-1043 (issued November 8, 2019); *M.W.*, 57 ECAB 710 (2006); *John D. Jackson*, 55 ECAB 465 (2004).

⁶ *J.W.*, *id.*; *E.M.*, Docket No. 18-1599 (issued March 7, 2019); *Robert G. Morris*, 48 ECAB 238 (1996).

⁷ *J.W.*, *id.*; *M.V.*, Docket No. 18-0884 (issued December 28, 2018); *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345 (1989).

⁸ *J.W.*, *id.*; *M.M.*, Docket No. 20-1557 (issued November 3, 2021); *I.S.*, Docket No. 19-1461 (issued April 30, 2020); *Charles W. Downey*, 54 ECAB 421 (2003).

⁹ *J.W.*, *id.*; *J.M.*, Docket No. 19-1926 (issued March 19, 2021); *Susanne W. Underwood (Randall L. Underwood)*, 53 ECAB 139, 141 n.7 (2001).

conclusory opinion. The Board has held that medical evidence that does not offer a rationalized explanation by the physician of how the accepted employment factors physiologically caused or aggravated the diagnosed condition(s) is of limited probative value.¹⁰ Dr. Dorsey did not explain with sufficient rationale how the accepted employment injury caused the additional diagnoses.¹¹ For these reasons, his September 26, 2025 report is insufficient to establish appellant's expansion claim.¹²

OWCP also received a number of medical reports from Dr. Mays. Dr. Mays diagnosed strain of the muscle, fascia, and tendon of the lower back, and sprain of the lumbar spine. However, he did not diagnose additional lumbar spine conditions. Dr. Mays' reports therefore do not support expansion of the acceptance of appellant's claim.

The remaining evidence of record consisted of an April 18, 2025 lumbar MRI scan. The Board, however, has held that reports of diagnostic tests, standing alone, lack probative value as they do not provide an opinion as to whether the accepted employment factors caused the diagnosed condition.¹³ Thus, this evidence is insufficient to establish appellant's expansion claim.

As the medical evidence of record is insufficient to establish expansion of the acceptance of the claim to include additional conditions as causally related to, or consequential to, appellant's accepted employment injury, the Board finds that she 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(a) and 20 C.F.R. §§ 10.605 through 10.607.

LEGAL PRECEDENT – ISSUE 2

An employee seeking benefits under FECA¹⁴ has the burden of proof to establish the essential elements of his or her claim including that any disability or specific condition for which compensation is claimed is causally related to the employment injury.¹⁵

¹⁰ *S.E.*, Docket No. 26-0036 (issued January 29, 2026); *S.B.*, Docket No. 26-0124 (issued March 4, 2026); *D.D.*, Docket No. 25-0751 (issued August 27, 2025); *T.L.*, Docket No. 23-0073 (issued January 9, 2023); *V.D.*, Docket No. 20-0884 (issued February 12, 2021); *Y.D.*, Docket No. 16-1896 (issued February 10, 2017).

¹¹ *See C.B.*, Docket No. 26-0093 (issued February 23, 2026); *C.B. (S.B.)*, Docket No. 19-1629 (issued April 7, 2020); *V.T.*, Docket No. 18-0881 (issued November 19, 2018); *S.E.*, Docket No. 08-2214 (issued May 6, 2009); *T.M.*, Docket No. 08-0975 (issued February 6, 2009).

¹² *C.B.*, *id.*; *J.W.*, Docket No. 25-0011 (issued November 19, 2024); *B.W.*, Docket No. 21-0536 (issued March 6, 2023); *M.M.*, Docket No. 20-1557 (issued November 3, 2021).

¹³ *See C.B.*, *id.*; *W.T.*, Docket No. 23-0323 (issued August 15, 2023); *V.Y.*, Docket No. 18-0610 (issued March 6, 2020); *G.S.*, Docket No. 18-1696 (issued March 26, 2019); *A.B.*, Docket No. 17-0301 (issued May 19, 2017).

¹⁴ *Supra* note 1.

¹⁵ *R.B.*, Docket No. 25-0715 (issued December 9, 2025); *C.B.*, Docket No. 20-0629 (issued May 26, 2021); *D.S.*, Docket No. 20-0638 (issued November 17, 2020); *S.W.*, Docket No. 18-1529 (issued April 19, 2019); *J.F.*, Docket No. 09-1061 (issued November 17, 2009); *Kathryn Haggerty*, 45 ECAB 383 (1994); *Elaine Pendleton*, 40 ECAB 1143 (1989).

Under FECA the term “disability” means the incapacity, because of an employment injury, to earn the wages that the employee was receiving at the time of injury.¹⁶ Disability is thus not synonymous with physical impairment, which may or may not result in an incapacity to earn wages.¹⁷ An employee who has a physical impairment causally related to a federal employment injury, but who nevertheless has the capacity to earn the wages he or she was receiving at the time of injury, has no disability as that term is used in FECA.¹⁸ When, however, the medical evidence establishes that the residuals or sequelae of an employment injury are such that, from a medical standpoint, they prevent the employee from continuing in his or her employment, he or she is entitled to compensation for loss of wages.¹⁹

The medical evidence required to establish causal relationship between a claimed period of disability and an employment injury is rationalized medical opinion evidence. The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the claimed disability and the accepted employment injury.²⁰

For each period of disability claimed, the employee has the burden of proof to establish that he or she was disabled from work causally related to the accepted employment injury.²¹ The Board will not require OWCP to pay compensation for disability in the absence of medical evidence directly addressing the specific dates of disability for which compensation is claimed. To do so would essentially allow an employee to self-certify their disability and entitlement to compensation.²²

ANALYSIS -- ISSUE 2

The Board finds that this case is not in posture for decision.

In support of her claim for disability for work, appellant submitted reports dated March 17 through December 1, 2025 from Dr. Mays, and a September 26, 2025 report and disability notes dated August 18, October 6 and December 1, 2025 from Dr. Dorsey.

In denying appellant’s claim for disability from work during the period in question, OWCP only referenced the September 26, 2025 report from Dr. Dorsey. It, however, did not consider or

¹⁶ 20 C.F.R. § 10.5(f).

¹⁷ See *R.B.*, *supra* note 15; *L.W.*, Docket No. 17-1685 (issued October 9, 2018).

¹⁸ See *M.W.*, Docket Nos. 23-0031 and 23-0333 (issued May 12, 2025); *K.H.*, Docket No. 19-1635 (issued March 5, 2020).

¹⁹ See *R.B.*, *supra* note 15; *D.R.*, Docket No. 18-0323 (issued October 2, 2018).

²⁰ *R.B.*, *id.*; *S.J.*, Docket No. 17-0828 (issued December 20, 2017); *Kathryn E. DeMarsh*, 56 ECAB 677 (2005).

²¹ *A.M.*, Docket No. 25-0788 (issued November 17, 2025); see *C.W.*, Docket No. 25-0243 (issued July 17, 2025); *B.D.*, Docket No. 18-0426 (issued July 17, 2019); *Amelia S. Jefferson*, 57 ECAB 183 (2005); *Fereidoon Kharabi*, 52 ECAB 291, 293 (2001).

²² *Id.*

address the remaining evidence from Dr. Dorsey and Dr. Mays in its December 17, 2025 decision denying appellant's disability claim.

In the case of *William A. Couch*,²³ the Board held that, when adjudicating a claim, OWCP is obligated to consider all evidence properly submitted by a claimant and received by OWCP before the final decision is issued. As OWCP did not review the above-noted evidence of record in its December 17, 2025 decision, it failed to follow its procedures.²⁴

As Board decisions are final with regard to the subject matter appealed, it is crucial that OWCP consider and address all relevant evidence received prior to the issuance of its final decision.²⁵ On remand, OWCP shall review all relevant evidence submitted by appellant regarding entitlement to disability from work commencing April 19, 2025, causally related to her accepted employment injury. Following this and other such further development as deemed necessary, it shall issue a *de novo* decision.

CONCLUSION

The Board finds that appellant has not met her burden of proof to expand the acceptance of her claim to include additional conditions as causally related to, or consequential to, her accepted employment injury. The Board further finds that this case is not in posture for decision as to whether appellant has met her burden of proof to establish disability from work commencing April 19, 2025, causally related to her accepted employment injury.

²³ *William A. Couch*, 41 ECAB 548, 553 (1990); *see also Order Remanding Case, A.B.*, Docket No. 22-0179 (issued June 28, 2022); *Order Remanding Case, S.H.*, Docket No. 19-1582 issued May 26, 2020); *R.D.*, Docket No. 17-1818 (issued April 3, 2018).

²⁴ OWCP's procedures provide that all evidence submitted should be reviewed and discussed in the decision. Evidence received following development that lacks probative value should also be acknowledged. Whenever possible, the evidence should be referenced by author and date. Federal (FECA) Procedure Manual, Part 2 -- Claims, *Initial Denials*, Chapter 2.1401.5b(2) (November 2012).

²⁵ *See A.B.*, *supra* note 23; *C.S.*, Docket No. 18-1760 (issued November 25, 2019); *Yvette N. Davis*, 55 ECAB 475 (2004); *see also William A. Couch*, *supra* note 23.

ORDER

IT IS HEREBY ORDERED THAT the December 17, 2025 decision of the Office of Workers' Compensation Programs denying expansion of the acceptance of her claim is affirmed. The December 17, 2025 decision denying her claim for disability from work commencing April 19, causally related to her accepted employment injury, is set aside. The case is remanded for further proceedings consistent with this decision of the Board.

Issued: June 15, 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