

² The Board notes that appellant submitted additional evidence on appeal to the Board documenting a bilateral shoulder claim under retired OWCP File No. xxxxxx054. However, the Board's *Rules of Procedures* 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.*

ISSUE

The issue is whether appellant has met her burden of proof to expand the acceptance of her claim to include additional shoulder conditions causally related to the accepted employment injuries.

FACTUAL HISTORY

On May 9, 2007 appellant, then a 57-year-old distribution clerk, filed an occupational disease claim (Form CA-2) alleging that she sustained injuries to her upper back, lower back, hip, and legs due to the repetitive lifting and walking required by her limited-duty work for four to five hours per day. She indicated that she first became aware of her claimed injuries on March 15, 2007, and realized their relation to her federal employment on April 5, 2007. Appellant did not immediately stop work and continued performing limited-duty work.

OWCP initially accepted appellant's claim for back sprain of the lumbar region and back sprain of the thoracic region and paid her wage-loss compensation for partial disability on the supplemental rolls, effective October 13, 2007.

Appellant stopped work on February 26, 2009, and OWCP paid her wage-loss compensation for total disability on the periodic rolls, effective May 10, 2009.³

Appellant submitted medical reports dated from 2007 through 2020, wherein attending physicians, including Dr. Louise Lamarre, a Board-certified pain management physician, and Dr. Samir B. Lapsiwala, a Board-certified neurosurgeon, discussed her back and lower extremity conditions.

On December 3, 2025 OWCP expanded the acceptance of appellant's claim to include lumbar intervertebral disc displacement and lumbar radiculopathy.

In a memorandum of telephone call (Form CA-110) dated December 3, 2025, appellant inquired about unspecified work-related shoulder conditions. OWCP interpreted the telephone call to constitute a request to expand the acceptance of the present claim to include additional shoulder conditions causally related to the accepted employment injuries.

In a December 3, 2025 development letter, OWCP informed appellant of the deficiencies of her expansion claim and advised her of the type of evidence needed. It afforded her 30 days to respond. No response was received.

³ OWCP assigned the present claim OWCP File No. xxxxxx690. Under a separate occupational disease claim, assigned OWCP File No. xxxxxx250, OWCP accepted varus deformities of both feet, bilateral plantar fascial fibromatosis, plantar fasciitis of the right foot, tarsal tunnel syndrome of the right lower limb, solitary bone cyst of the right ankle/foot, enthesopathy of the right ankle/foot, and Achilles tendinitis of the right leg. Under another occupational disease claim, assigned OWCP File No. xxxxxx366, OWCP accepted internal derangement of the left knee, primary osteoarthritis of both knees/lower legs, and medial meniscus tear of the right knee. Under OWCP File No. xxxxxx908, appellant submitted medical evidence pertaining to her right ankle condition. The claim file does not contain the disposition of any specific claim filed with OWCP. OWCP has administratively combined OWCP File Nos. xxxxxx250, xxxxxx366, xxxxxx908, and xxxxxx690, with the latter serving as the master file.

By decision dated January 5, 2026, OWCP denied appellant's expansion claim, finding that the medical evidence did not establish additional shoulder conditions causally related to the accepted employment injuries.

LEGAL PRECEDENT

When 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, and the 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 diagnosed condition and the accepted employment injury.⁵

ANALYSIS

The Board finds that appellant has not met her burden of proof to expand the acceptance of her claim to include additional shoulder conditions causally related to the accepted employment injuries.

In a December 3, 2025 telephone call to OWCP, appellant inquired about unspecified work-related shoulder conditions. OWCP interpreted the telephone call to constitute a request to expand the acceptance of the present claim to include additional shoulder conditions causally related to the accepted employment injuries.

In a December 3, 2025 development letter, OWCP informed appellant of the deficiencies of her expansion claim and advised her of the type of evidence needed. It afforded her 30 days to respond. No response was received. The file for the present claim contains medical reports dated from 2007 through 2020, wherein attending physicians, including Dr. Lamarre and Dr. Lapsiwala, discussed appellant's back and lower extremity conditions. Appellant has not submitted medical evidence, whether in connection with the present claim or the several claims administratively combined with the present claim, which demonstrate that she sustained a shoulder condition causally related to her accepted employment injuries.

As the Board finds that the medical evidence of record is insufficient to establish expansion of the acceptance of the claim to include additional shoulder conditions causally related to the accepted employment injuries, 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(a) and 20 C.F.R. §§ 10.605 through 10.607.

⁴ *J.R.*, Docket No. 20-0292 (issued June 26, 2020); *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 *See E.J.*, Docket No. 09-1481 (issued February 19, 2010).

CONCLUSION

The Board finds that appellant has not met her burden of proof to expand the acceptance of her claim to include additional shoulder conditions causally related to the accepted employment injuries.

ORDER

IT IS HEREBY ORDERED THAT the January 5, 2026 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: June 24, 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