

² The Board notes that, following the September 12, 2026 decision, appellant submitted additional evidence to OWCP. 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.*

FACTUAL HISTORY

On April 29, 2025 appellant, then a 43-year-old city carrier, filed a traumatic injury claim (Form CA-1) alleging that on April 14, 2025 she injured her neck and back when the vehicle she was operating was rear-ended while in the performance of duty. Appellant stopped work on April 26, 2025.

On April 17, 2025 appellant received treatment from Demetra Venancio, a physician assistant.

In an April 26, 2025 report, Dr. Maged A. Barakat, a Board-certified family practitioner, diagnosed acute lower midline back pain and left trapezius muscle strain opining that these were work-related injuries. He found that appellant was totally disabled.

In a May 5, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of medical evidence required and afforded her 60 days to submit the requested evidence.

On May 5, 2025 Helen C. Dzujna, a physician assistant, provided treatment. Commencing May 6, 2025, Christopher D. Patrick, physical therapist, provided treatment.

Appellant accepted a May 14, 2025 modified city carrier position.

On May 28, 2025 Dr. Barakat completed an attending physician's report (Form CA-20) describing the April 14, 2025 motor vehicle accident. He diagnosed back muscle strain. Dr. Barakat answered "No" to the question of whether appellant's diagnosed condition was caused or aggravated by the accepted employment incident. In a separate form report of even date, he diagnosed low back muscle strain "work-related injury."

In a follow-up letter dated June 4, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish her claim. It noted that she had 60 days from the May 5, 2025 letter to submit the requested 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.

OWCP subsequently received an April 26, 2025 report from Dr. Barakat relating that appellant experienced a work-related injury on April 14, 2025. Appellant sought treatment for lower back pain and left-sided shoulder muscle pain. On physical examination Dr. Barakat found tenderness in the left trapezius muscle and decreased range of motion in the lumbar spine. He opined that there were "no diagnoses linked to this encounter."

OWCP also received a May 5, 2025 report from Ms. Dzujna. Mr. Patrick provided treatment from May 16 through June 13, 2025. On May 12 and 21, 2025 Claudette M. Thyme, an advanced practice registered nurse (APRN), provided treatment.

By decision dated September 12, 2025, OWCP accepted that the April 14, 2025 employment incident occurred as alleged. However, it denied appellant's claim, finding that the

medical evidence of record was insufficient to establish that her diagnosed medical condition was causally related to the accepted April 14, 2025 employment incident.

LEGAL PRECEDENT

An employee seeking benefits under FECA³ has the burden of proof to establish the essential elements of his or her claim including the fact that the individual is an employee of the United States within the meaning of FECA, that the claim was timely filed, 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.⁴ These are the essential elements of every compensation claim regardless of whether the claim is predicated on 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 submit sufficient evidence to establish that he or she actually experienced the employment incident at the time and place, and in the manner alleged. Second, the employee must submit sufficient evidence to establish that the employment incident caused an injury.⁶

The medical evidence required to establish causal relationship between a claimed specific 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 specific employment incident identified by the claimant.⁸

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a medical condition causally related to the accepted April 14, 2025 employment incident.

³ *Supra* note 1.

⁴ *L.H.*, Docket No. 26-0201 (issued April 6, 2026); *C.G.*, Docket No. 20-0058 (issued September 30, 2021); *S.B.*, Docket No. 17-1779 (issued February 7, 2018); *J.P.*, 59 ECAB 178 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁵ *J.M.*, Docket No. 17-0284 (issued February 7, 2018); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁶ *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).

⁷ *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 *A.S.*, Docket No. 19-1955 (issued April 9, 2020); *Leslie C. Moore*, 52 ECAB 132 (2000).

Dr. Barakat, in an April 26, 2025 report, diagnosed acute lower midline back pain and left trapezius muscle strain opining that they were work-related injuries. In a separate report of even date, he related that appellant experienced a work-related injury on April 14, 2025 but opined that there were “no diagnoses linked to this encounter.” On May 28, 2025 Dr. Barakat completed a Form CA-20 describing the April 14, 2025 motor vehicle accident and diagnosing back muscle strain. He answered “No” to the question of whether appellant’s diagnosed condition was caused or aggravated by the accepted employment incident. In a separate form report of even date, Dr. Barakat diagnosed low back muscle strain “work-related injury.” His reports provide inconsistent opinions on the causal relationship between appellant’s accepted employment incident on April 14, 2025 and the diagnosed conditions. Furthermore, Dr. Barakat failed to explain with medical rationale how any of the diagnosed conditions were caused or aggravated by the accepted employment incident. The Board has held that medical evidence that does not offer a rationalized explanation by the physician of how an employment incident physiologically caused or aggravated the diagnosed condition(s) is of limited probative value.⁹ This evidence is therefore insufficient to establish the claim.

Appellant also submitted physician assistant, APRN, and physical therapist reports. However, certain healthcare providers such as physician assistants, APRNs and physical therapists are not considered physicians as defined under FECA, and their reports do not constitute competent medical evidence.¹⁰ Consequently, their medical findings and/or opinions will not suffice for purposes of establishing entitlement to compensation benefits.¹¹

As the medical evidence of record is insufficient to establish a medical condition causally related to the accepted April 14, 2025 employment incident, 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 and 20 C.F.R. §§ 10.605 through 10.607.

⁹ *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).

¹⁰ Section 8102(2) of FECA provides as follows: 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 F.A.*, Docket No. 24-0014 (issued January 30, 2026) (physician assistants are not considered physicians as defined by FECA); *A.C.*, Docket No. 24-0661 (issued September 11, 2024) (APRNs are not considered physicians as defined under FECA and, therefore, are not competent to provide a medical opinion); *R.R.*, Docket No. 24-0624 (issued July 29, 2024) (certified family nurse practitioners are not considered physicians as defined under FECA and their reports do not constitute competent medical evidence); *see also B.D.*, Docket No. 25-0852 (issued December 1, 2025) (physical therapists are not considered physicians under FECA).

¹¹ *Id.*

CONCLUSION

The Board finds that appellant has not met her burden of proof to establish a medical condition causally related to the accepted April 14, 2025 employment incident.

ORDER

IT IS HEREBY ORDERED THAT the September 12, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: June 5, 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