

<sup>2</sup> The Board notes that, following the December 18, 2025 decision, appellant submitted additional evidence to OWCP. 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 his burden of proof to establish disability from work for the period May 14 through 30, 2025, causally related to the accepted December 6, 2024 employment injury.

## **FACTUAL HISTORY**

On May 1, 2025 appellant, then a 33-year-old park ranger, filed a traumatic injury claim (Form CA-1) alleging that on December 6, 2024 he sustained an arm injury when he was conducting combative training on the floor while in the performance of duty. He advised that a student used maximum pressure to push his arm away from the core of his body, causing a painful sensation and popping sound. Appellant did not initially stop work.

On May 7, 2025 OWCP accepted appellant's claim for right elbow sprain.

On May 7, 2025 OWCP received an April 30, 2025 form entitled "orders" wherein Dr. David Lalli, an osteopathic Board-certified orthopedic surgeon, indicated that appellant was last evaluated on April 30, 2025 and was scheduled to undergo a right elbow open distal biceps repair on May 13, 2025. The form contained the diagnosis "strain of muscle, fascia, and tendon of other parts of biceps, unspecified arm..." Dr. Lalli noted that appellant was advised to remain off work until further evaluation. He indicated that appellant's ability to return to work would be determined at a follow-up evaluation, and that detailed documentation would be provided upon receipt of disability or Family and Medical Leave Act (FMLA) forms. Appellant also submitted a position description and other administrative/personnel documents.

Appellant stopped work on May 14, 2025.

On June 22, 2025 appellant filed a claim for compensation (Form CA-7) alleging disability from work for the period May 14 through 30, 2025.

In a September 30, 2025 development letter, OWCP informed appellant of the deficiencies of his disability claim and advised him of the type of evidence needed. It afforded him 30 days to respond. No response was received from appellant. In a separate development letter of even date, OWCP requested that the employing establishment provide information regarding the amount of appellant's weekly night differential premium pay effective December 6, 2024 and May 14, 2025. It afforded the employing establishment 15 days to respond. On October 1, 2025 OWCP received information from the employing establishment regarding the amount of appellant's weekly night differential premium pay effective December 6, 2024 and May 14, 2025.

By decision dated December 18, 2025, OWCP denied appellant's disability claim, finding that the medical evidence of record was insufficient to establish disability from work for the period May 14 through 30, 2025, causally related to the accepted December 6, 2024 employment injury.

### **LEGAL PRECEDENT**

An employee seeking benefits under FECA 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.<sup>3</sup>

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.<sup>4</sup> Disability is thus not synonymous with physical impairment, which may or may not result in an incapacity to earn wages.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup>

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.<sup>8</sup>

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 his or her disability and entitlement to compensation.<sup>9</sup>

### **ANALYSIS**

The Board finds that appellant has not met his burden of proof to establish disability from work for the period May 14 through 30, 2025, causally related to the accepted December 6, 2024 employment injury.

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<sup>3</sup> *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).

<sup>4</sup> 20 C.F.R. § 10.5(f).

<sup>5</sup> See *L.W.*, Docket No. 17-1685 (issued October 9, 2018).

<sup>6</sup> See *K.H.*, Docket No. 19-1635 (issued March 5, 2020).

<sup>7</sup> See *D.R.*, Docket No. 18-0323 (issued October 2, 2018).

<sup>8</sup> *S.J.*, Docket No. 17-0828 (issued December 20, 2017); *Kathryn E. DeMarsh*, 56 ECAB 677 (2005).

<sup>9</sup> *K.A.*, Docket No. 19-1564 (issued June 3, 2020); *J.B.*, Docket No. 19-0715 (issued September 12, 2019); *William A. Archer*, 55 ECAB 674 (2004); *Fereidoon Kharabi*, 52 ECAB 291, 293 (2001).

Appellant submitted an April 30, 2025 form entitled “orders” wherein Dr. Lalli indicated that appellant was scheduled to undergo a right elbow open distal biceps repair on May 13, 2025. The form contained the diagnosis “strain of muscle, fascia and tendon of other parts of biceps, unspecified arm...” Dr. Lalli noted that appellant was advised to remain off work until further evaluation. He indicated that appellant’s ability to return to work would be determined at a follow-up evaluation, and that detailed documentation would be provided upon receipt of disability or FMLA forms. However, this document does not address disability from work during the period May 14 through 30, 2025 causally related to the accepted December 6, 2024 employment injury, *i.e.*, right elbow sprain. The Board has held that medical evidence that does not offer an opinion regarding the cause of an employee’s condition or disability is of no probative value on the issue of causal relationship.<sup>10</sup> Therefore, this evidence is insufficient to establish appellant’s disability claim.

As the medical evidence of record is insufficient to establish causal relationship between the claimed period of disability and the accepted December 6, 2024 employment injury, the Board finds that appellant has not met his 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.

### **CONCLUSION**

The Board finds that appellant has not met his burden of proof to establish disability from work for the period May 14 through 30, 2025, causally related to the accepted December 6, 2024 employment injury.

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<sup>10</sup> See *F.S.*, Docket No. 23-0112 (issued April 26, 2023); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

**ORDER**

**IT IS HEREBY ORDERED THAT** the December 18, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: June 23, 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