



the employing establishment controverted the claim, asserting that she did not report the injury when she returned to the station and appeared to look fine. Appellant stopped work on July 29, 2025.

In support of her claim, appellant submitted after visit summaries, which were illegible. She also submitted an August 15, 2025 work status note, wherein Dr. Randy Semma, a Board-certified podiatrist, noted that appellant was evaluated on that date. He held her off work until September 15, 2025.

In a September 4, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of factual and medical evidence required and provided a questionnaire for her completion. OWCP afforded appellant 60 days to submit the necessary evidence. In a separate development letter of even date, it requested that the employing establishment provide additional information regarding appellant's traumatic injury claim, including comments from a knowledgeable supervisor. OWCP afforded the employing establishment 30 days to respond.

In response to OWCP's development letter, appellant submitted a September 3, 2025 work status note, wherein Dr. Semma reported that appellant was evaluated on that date for an injury to the left foot. He noted that it was imperative that she remain immobilized to help with the healing of this injury and held her off work through September 12, 2025.

In a follow-up letter dated October 2, 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 September 4, 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.

Appellant subsequently submitted an October 10, 2025 attending physicians report (Form CA-20), Dr. Semma reported that appellant had a foot strain of the left foot resulting in pain, limping, and swelling. He noted that she was first evaluated on July 29, 2025 and did not go to the emergency room until August 2025. Dr. Semma diagnosed left foot pain, left foot injury, and left foot contusion. When asked if the condition was caused or aggravated by the employment activity described, he reported that appellant presented to the emergency room in August indicating that she rolled/injured her left foot at work two weeks prior. Dr. Semma concluded that appellant was totally disabled from work during the period July 29 through December 31, 2025.

In an October 28, 2025 report, Dr. Eric Kovan, a Board-certified physiatrist, reported that appellant presented for evaluation of left foot pain and difficulty walking, noting that on July 29, 2025 appellant sustained a slip and fall injury at work when she landed on her left ankle while delivering mail. He asserted that a twisting-type mechanism took place and the condition was most likely a contusion leading to a component of complex regional pain syndrome and hypersensitivity. Dr. Kovan diagnosed pain in left foot, pain in left ankle and joints of left foot, and paresthesia of skin and reported that the injuries were work related as appellant had no injuries to the left foot prior to this. He reported that imaging studies of the left lower extremity revealed no evidence of a fracture or dislocation of the joint spaces and recommended an electromyography

(EMG) study to rule out any nerve damage of the left lower extremity with a follow-up appointment in two months' time.

In a statement received on November 5, 2025, appellant described the circumstances surrounding her February 21, 2025 injury when she was delivering mail. She also detailed the course of treatment for her alleged employment condition.

By decision dated November 7, 2025, OWCP denied appellant's claim, finding that the evidence of record was insufficient to establish causal relationship between a medical condition and the accepted July 29, 2025 employment incident.

### **LEGAL PRECEDENT**

An employee seeking benefits under FECA<sup>2</sup> 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 limitation of FECA,<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup>

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. 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.<sup>6</sup>

The medical evidence required to establish causal relationship between a claimed specific condition and an employment incident is rationalized medical opinion evidence.<sup>7</sup> 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

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<sup>2</sup> *Id.*

<sup>3</sup> *E.K.*, Docket No. 22-1130 (issued December 30, 2022); *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).

<sup>4</sup> *S.H.*, Docket No. 22-0391 (issued June 29, 2022); *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).

<sup>5</sup> *E.H.*, Docket No. 22-0401 (issued June 29, 2022); *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).

<sup>6</sup> *H.M.*, Docket No. 22-0343 (issued June 28, 2022); *T.J.*, Docket No. 19-0461 (issued August 11, 2020); *K.L.*, Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

<sup>7</sup> *S.M.*, Docket No. 22-0075 (issued May 6, 2022); *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).

nature of the relationship between the diagnosed condition and specific employment incident identified by the employee.<sup>8</sup>

### ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a medical condition causally related to the accepted July 29, 2025 employment incident.

In work status notes dated August 15 and September 3, 2025, Dr. Semma noted that appellant presented for evaluation of a left foot injury and held her off work through September 12, 2025. However, he did not address the issue of whether appellant's left foot condition was causally related to the accepted July 29, 2025 employment incident. Therefore, this report is of no probative value and is insufficient to establish the claim.<sup>9</sup>

In an October 10, 2025 Form CA-20, Dr. Semma diagnosed left foot pain, left foot injury, and left foot contusion. When asked if the condition was caused or aggravated by the employment activity described, he reported that appellant indicated that she rolled/injured her left foot at work two weeks prior, but he did not provide an independent opinion on causation. As previously noted, medical evidence that does not offer an opinion on the cause of an employee's condition is of no probative value on the issue of causal relationship.<sup>10</sup>

In an October 28, 2025 report, Dr. Kovan evaluated appellant and diagnosed pain in left foot, pain in left ankle and joints of left foot, and paresthesia of skin. He and opined that the diagnosed conditions were caused by a slip and fall at work on July 29, 2025, which involved a twisting-type mechanism. While Dr. Kovan provided an affirmative opinion in support of causal relationship, he did not offer sufficient rationale in support of his conclusion.<sup>11</sup> The Board has held that medical opinion evidence must offer a medically-sound explanation of how the specific employment incident physiologically caused injury.<sup>12</sup> This evidence is therefore insufficient to establish the claim.

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<sup>8</sup> *J.D.*, Docket No. 22-0935 (issued December 16, 2022); *T.L.*, Docket No. 18-0778 (issued January 22, 2020); *Y.S.*, Docket No. 18-0366 (issued January 22, 2020); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

<sup>9</sup> *R.G.*, Docket No. 25-0342 (issued May 12, 2025); *J.H.*, Docket No. 24-0748 (issued September 20, 2024); *G.M.*, Docket No. 24-0388 (issued May 28, 2024); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

<sup>10</sup> *Id.*

<sup>11</sup> *See J.S.*, Docket No. 25-0231 (issued March 7, 2025); *A.C.*, Docket No. 24-0661 (issued September 11, 2024); *R.B.*, Docket No. 23-1027 (issued April 3, 2024); *S.B.*, Docket No. 24-0064 (issued February 28, 2024); *S.C.*, Docket No. 21-0929 (issued April 28, 2023); *J.D.*, Docket No. 19-1953 (issued January 11, 2021); *M.W.*, Docket No. 14-1664 (issued December 5, 2014).

<sup>12</sup> *C.L.*, Docket No. 25-0593 (issued July 15, 2025); *K.J.*, Docket No. 21-0020 (issued October 22, 2021); *L.R.*, Docket No. 16-0736 (issued September 2, 2016); *J.R.*, Docket No. 12-1099 (issued November 7, 2012); *Douglas M. McQuaid*, 52 ECAB 382 (2001).

OWCP also received after-visit summaries, which were illegible. The Board has long held that reports that are illegible cannot be considered probative medical evidence.<sup>13</sup> Therefore these reports are insufficient to establish the claim.

As the medical evidence of record is insufficient to establish causal relationship between a medical condition and the accepted July 29, 2025 employment incident, the Board finds that appellant has not met her burden of proof.<sup>14</sup>

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 her burden of proof to establish a medical condition causally related to the accepted July 29, 2025 employment incident.

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<sup>13</sup> See *L.B.*, Docket No. 21-0353 (issued May 23, 2022); *T.D.*, Docket No. 20-0835 (issued February 2, 2021); *Merton J. Sills*, 39 ECAB 572, 575 (1988).

<sup>14</sup> *I.D.*, Docket No. 22-0848 (issued September 2, 2022); *T.G.*, Docket No. 14-751 (issued October 20, 2014).

**ORDER**

**IT IS HEREBY ORDERED THAT** the November 7, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: March 10, 2026  
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge  
Employees' Compensation Appeals Board