United States Department of Labor
Employees' Compensation Appeals Board

C.P., Appellant	)	
and	)	**Docket No. 26-0481**
	)	**Issued: October 23, 2026**
DEPARTMENT OF VETERANS AFFAIRS, NORTHERN INDIANA HEALTH CARE SYSTEM, FORT WAYNE VA MEDICAL CENTER, Fort Wayne, IN, Employer	)	

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

DECISION AND ORDER

Before:
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

JURISDICTION

On April 30, 2026 appellant filed a timely appeal from a December 18, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act[1] (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.[2]

ISSUE

The issue is whether OWCP abused its discretion by denying appellant's requests for reimbursement of the remaining claimed travel expenses.

[1] 5 U.S.C. § 8101 *et seq*.

[2] The Board notes that following the December 18, 2025 decision, appellant submitted additional evidence to OWCP and with her appeal to the Board. 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 January 5, 2021 appellant, then a 44-year-old nurse, filed a traumatic injury claim (Form CA-1) alleging that on December 30, 2020, a combative patient kicked her right knee on the lateral side which caused her knee to buckle, while in the performance of duty. OWCP accepted the claim for contusion of right knee, effusion of right knee, strain of other muscle(s) and tendon(s) of right leg, and other tear of medial meniscus, right knee. Appellant stopped work on April 30, 2021. She underwent a right knee arthroscopy and debridement chondroplasty surgery on May 7, 2021. OWCP paid appellant appropriate wage-loss compensation on its supplemental rolls from April 30, 2021 through August 1, 2021. Appellant returned to full-time, light-duty work on August 2, 2021.

The record reflects that after her May 7, 2021 surgery, appellant lost intermittent time from work to attend medical appointments, which included physical therapy and physician evaluations.

On July 23, 2025 appellant submitted a medical travel refund request (Form OWCP-957) which included a request for reimbursement of travel expenses incurred on March 14, April 11, May 16, and July 18, 2025 for medical appointments at the Federal Injury Center in South Bend, Indiana. She claimed 240 miles round trip for each appointment and provided a copy of a map of her route. OWCP received corresponding medical documentation to support that appellant received treatment in South Bend, Indiana from Dr. Brandon Zabukovic, a Board-certified family practitioner and approved provider, for her accepted employment injury on the dates claimed.

By letter dated August 7, 2025, OWCP advised appellant that it was unable to authorize reimbursement for travel over 100 miles for each of the medical examinations on March 14, April 11, May 16, and July 18, 2025. It advised her of OWCP's regulations regarding travel reimbursement, including that in order for reimbursement of travel expenses over 100 miles round trip to be authorized, she must submit evidence to establish that there were no physicians located within 50 miles of her residence who could provide adequate medical treatment for her accepted conditions or other evidence or explanation supporting the need to travel more than 100 miles round trip to receive medical treatment for her work-related conditions. OWCP also noted that issues of authorization for medical treatment and reimbursement of travel expenses for medical treatment were distinct. It afforded appellant 30 days to submit the necessary evidence.

In August 11, 12, and 18, 2025 responses, appellant indicated that OWCP had previously reimbursed her for travel expenses for her visits to Dr. Zabukovic. She explained that he was an approved provider and she had been seeing him for medical treatment and physical therapy since September 2023. In her August 11, 2025 letter, appellant asserted that her condition had improved under Dr. Zabukovic's care, he was the closest physician who specialized in her treatment needs, and who understood OWCP forms and the workers' compensation system. She stated that local physicians had delayed her care due to coding issues. An August 22, 2023 letter from OWCP which approved Dr. Zabukovic as a treating physician was received along with a copy of paid past travel bills.

OWCP continued to receive progress reports and a work capacity evaluation (Form OWCP-5c) from Dr. Zabukovic.

In September 4, and November 26 and 29, 2025 statements, appellant explained that she saw Dr. Zabukovic for follow-up evaluations once a month and attended physical therapy in town. She stated that OWCP had previously reimbursed her for travel and medical appointments to Dr. Zabukovic and that he was an approved physician who knew "everything about her and what's going on." Appellant asserted that not being reimbursed for travel to Dr. Zabukovic's office, for which she had previously been reimbursed multiple times for the same mileage, had created a financial burden and stress.

By decision dated December 18, 2025, OWCP denied appellant's request for reimbursement of travel expenses, beyond 100 miles round trip, for the dates March 14, April 11, May 16, and July 18, 2025.

LEGAL PRECEDENT

OWCP regulations provide that the employee is entitled to reimbursement for reasonable and necessary expenses, including transportation needed to obtain authorized medical services, appliances, or supplies.[3] To determine a reasonable travel distance, it will consider the availability of services, the employee's condition, and the means of transportation. Effective August 29, 2011, the most recent regulations provide that a round-trip distance of up to 100 miles is considered a reasonable distance to travel.[4] If round-trip travel of more than 100 miles is contemplated, or air transportation or overnight accommodations will be needed, the employee must submit a written request to OWCP for prior authorization with information describing the circumstances and necessity for such travel expenses. OWCP will approve the request if it determines that the travel expenses are reasonable and necessary, and are related to obtaining authorized medical services, appliances, or supplies.[5]

The Board has recognized that OWCP has broad discretion in approving services provided under FECA.[6] The only limitation on OWCP's authority is that of reasonableness. OWCP may authorize medical treatment but determine that the travel expense incurred for such authorized treatment was unreasonable or unnecessary.[7]

ANALYSIS

The Board finds that OWCP has not abused its discretion by denying appellant's requests for reimbursement of the remaining claimed travel expenses.

Appellant submitted a Form OWCP-957 which included a request for reimbursement of travel expenses incurred on March 14, April 11, May 16, and July 18, 2025 for medical

[3] 20 C.F.R. § 10.315(a).

[4] *Id.*

[5] *Id.* at 10.315(b).

[6] *A.N.,* Docket No. 24-0824 (issued February 21, 2025); *V.L.,* Docket No. 23-0061 (issued August 22, 2023); *S.M.,* Docket No. 19-0989 (issued May 12, 2020); *G.C.,* Docket No. 19-0298 (issued June 24, 2019).

[7] *Id. See K.K.,* Docket No. 25-0371 (issued April 8, 2025); *Daniel J. Perea,* 42 ECAB 214 (1990) (Thomas, Alternate Member, dissenting).

appointments at the Federal Injury Center in South Bend, Indiana. She claimed 240 miles round trip for each appointment and provided a copy of a map of her route. In an August 7, 2025 letter, OWCP advised appellant of its regulations regarding travel reimbursement, including that in order for reimbursement of travel expenses over 100 miles round trip to be authorized, she must submit evidence to establish that there were no physicians located within 50 miles of her residence who could provide adequate medical treatment for her accepted conditions or other evidence or explanation supporting the need to travel more than 100 miles round trip to receive medical treatment for her work-related conditions.

Appellant submitted statements maintaining that she had issues with local medical care due to coding issues. However, she provided no evidence to establish a lack of available services closer to her home or a specific need for the distances for which she was requesting authorization for reimbursement.[8] Appellant further maintained that OWCP had previously authorized travel expenses for appellant to undergo medical care with Dr. Zabukovic. However, the Board notes that this past practice does not establish a right to continuing authorization.[9] Thus, appellant did not provide OWCP with a sufficient explanation supporting the need to travel more than 100 miles round trip to receive medical treatment for her work-related conditions.

Moreover, the case record does not contain a well-rationalized explanation supported by objective findings from appellant's attending physician explaining the medical necessity for a medical examination and/or treatment more than 100 miles roundtrip from her place of employment or residence.

As no probative evidence was presented with respect to the necessity of travel over the 100-mile round-trip standard set forth in OWCP regulations, the Board finds that OWCP did not abuse its discretion by denying appellant's travel reimbursement request for reimbursement of the remaining claimed travel expenses.

CONCLUSION

The Board finds that OWCP has not abused its discretion by denying appellant's requests for reimbursement of the remaining claimed travel expenses.

[8] *Id.*

[9] *D.C.,* Docket No. 18-0080 (issued May 22, 2018); *see also W.H.,* Docket No. 14-1662 (issued February 3, 2015).

ORDER

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

Issued: October 23, 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