

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ROBIN B. GOODMAN and U.S. POSTAL SERVICE,
POST OFFICE, Houston, TX

*Docket No. 01-2005; Submitted on the Record;
Issued April 15, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has met her burden of proof in establishing that she had a medical condition causally related to a February 26, 2001 employment incident.

On February 26, 2001 appellant, then a 38-year-old letter carrier, was climbing into her postal vehicle when her right leg slipped and she struck her right hip against the vehicle. She noted that the area she struck was a surgery site.¹

In an April 23, 2001 decision, the Office of Workers' Compensation Programs denied appellant's claim. The Office found that appellant had experienced the claimed incident but had not established that an injury had been diagnosed as a result of the claimed incident.

The Board finds that appellant has not met her burden of proof in establishing that she had any condition or disability causally related to the February 26, 2001 incident.

A person who claims benefits under the Federal Employees' Compensation Act² has the burden of establishing the essential elements of his or her claim. Appellant has the burden of establishing by reliable, probative and substantial evidence that her medical condition was causally related to a specific employment incident or to specific conditions of employment.³ As part of such burden of proof, rationalized medical opinion evidence showing causal relation must be submitted.⁴ The mere fact that a condition manifests itself or worsens during a period of employment does not raise an inference of causal relationship between the condition and the

¹ Appellant had undergone surgery previously on her neck, for which bone grafts were taken from her right hip.

² 5 U.S.C. §§ 8101-8193.

³ *Margaret A. Donnelly*, 15 ECAB 40, 43 (1963).

⁴ *Daniel R. Hickman*, 34 ECAB 1220, 1223 (1983).

employment.⁵ Such a relationship must be shown by rationalized medical evidence of causal relation based upon a specific and accurate history of employment incidents or conditions which are alleged to have caused or exacerbated a disability.⁶

In a February 26, 2001 duty status report, a physician with an illegible signature, indicated that appellant slipped and struck her right hip on a postal vehicle. He noted that appellant had pain to palpation of the right hip. In a February 27, 2001 note, Dr. Peyman Pakzaban, a neurosurgeon, indicated that appellant could return to work on March 2, 2001. Appellant submitted medical notes and treatment records. However, she did not submit any rationalized opinion from a physician which gave a diagnosis of her right hip condition and specifically related her right hip condition and any resulting disability to the February 26, 2001 incident. Appellant therefore has not met her burden of proof in establishing that the February 26, 2001 incident caused any medical condition or disability.⁷

The decision of the Office of Workers' Compensation Programs dated April 23, 2001 is hereby affirmed.

Dated, Washington, DC
April 15, 2002

Alec J. Koromilas
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

⁵ *Juanita Rogers*, 34 ECAB 544, 546 (1983).

⁶ *Edgar L. Colley*, 34 ECAB 1691, 1696 (1983).

⁷ The Board notes that the record contains a May 22, 2001 report from Dr. Pakzaban. The scope of the Board's review is limited to the evidence that was before the Office at the time it issued its final decision. 20 C.F.R. § 501.2(c). The Board therefore cannot review the May 22, 2001 report. This evidence may be submitted to the Office with a request for reconsideration.