

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of MARTIN BASS and U.S. POSTAL SERVICE,  
POST OFFICE, Los Angeles, CA

*Docket No. 00-2817; Submitted on the Record;  
Issued November 20, 2001*

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DECISION and ORDER

Before BRADLEY T. KNOTT, A. PETER KANJORSKI,  
PRISCILLA ANNE SCHWAB

The issue is whether the Office of Workers' Compensation Programs met its burden of proof to terminate appellant's compensation effective September 3, 1999 on the grounds that he had no continuing disability.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office dated and finalized June 14, 2000 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.<sup>1</sup>

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<sup>1</sup> The Office hearing representative properly explained that the termination of appellant's compensation was justified by the opinion of Dr. Christopher Wills, a Board-certified orthopedic surgeon who served as an impartial medical examiner. In his May 11, 1999 report, Dr. Wills indicated that appellant did not exhibit any radiculopathy, that he did not have any acute herniated cervical or lumbar disc and that he did not have any orthopedic residuals of his April 8, 1997 employment injury. In this report, Dr. Wills suggested that appellant continued to have residuals of his October 25, 1991 employment injury in the form of cervical and lumbar strains. However, in a June 14, 1999 supplemental report, Dr. Wills clarified that the only residuals of the October 25, 1991 injury were appellant's subjective complaints. He also indicated that the degenerative disease of appellant's cervical and lumbar spine was entirely nonwork related.

The June 14, 2000 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, DC  
November 20, 2001

Bradley T. Knott  
Alternate Member

A. Peter Kanjorski  
Alternate Member

Priscilla Anne Schwab  
Alternate Member