

**United States Department of Labor
Employees' Compensation Appeals Board**

M.T., Appellant

and

**DEPARTMENT OF HOMELAND SECURITY,
U.S. CUSTOMS AND BORDER PROTECTION,
Champlain, NY, Employer**

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**Docket No. 24-0465
Issued: September 27, 2024**

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

Case Submitted on the Record

DECISION AND ORDER

Before:

ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

JURISDICTION

On March 30, 2024 appellant filed a timely appeal from the October 17 and December 11, 2023, and February 29 and March 21, 2024 merit decisions of the Office of Workers' Compensation Programs (OWCP).¹ Pursuant to the Federal Employees'

¹ Appellant submitted a timely request for oral argument before the Board, explaining his disagreement with OWCP's March 21, 2024 decision. 20 C.F.R. § 501.5(b). Pursuant to the Board's *Rules of Procedure*, oral argument may be held in the discretion of the Board. 20 C.F.R. § 501.5(a). Appellant contended that the effects of COVID-19 are different for each individual and she wanted an opportunity to explain that there were no standards tests to measure the damage. The Board, in exercising its discretion, denies appellant's request for oral argument because arguments on appeal can be adequately addressed in a decision based on a review of the case record. Oral argument in this appeal would further delay issuance of a Board decision and not serve a useful purpose. As such, the oral argument request is denied, and this decision is based on the case record as submitted to the Board.

Compensation Act² (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.³

ISSUES

The issues are: (1) whether appellant has met her burden of proof to establish disability from work for the period April 5 through 22, 2023, May 21 through June 17, 2023, and September 19 through October 27, 2023, causally related to her accepted November 9, 2021 employment injury; and (2) whether OWCP abused its discretion by denying appellant's request for travel reimbursement for medical treatment.

FACTUAL HISTORY

On November 22, 2021 appellant, then a 34-year-old customs and border patrol agent, filed a traumatic injury claim (Form CA-1) alleging that on November 9, 2021 she contracted COVID-19 due to her daily interaction with the traveling public and commercial truck drivers while in the performance of duty. She noted that on November 10, 2021 she became ill and on November 16, 2021 she tested positive for COVID-19. Appellant stopped work on November 10, 2021. On November 30, 2021 OWCP accepted the claim for novel coronavirus (COVID-19).

On March 13, 2023 appellant returned to full-time modified-duty work with restrictions based on the January 17, 2023 medical opinion of Dr. Karl Auerbach, Board-certified in preventive and occupational medicine, an OWCP second opinion physician.

Appellant filed claims for compensation (Form CA-7) and time analysis forms (Form CA-7a) for 33 hours of leave buy back (LBB) used during the period April 5 through 22, 2023 due to episodes of long-haul COVID-19; 24 hours of LBB for the period May 21 through June 3, 2023 due to episodes of long-haul COVID-19; and 36 hours of leave without pay (LWOP) for the period June 4 through 17, 2023 due to episodes of long-haul COVID-19 and a doctor's appointment.

In development letters dated May 5, and June 6 and 27, and August 11, 2023, OWCP advised appellant of the deficiencies of her disability claims for the periods April 5 through 22, 2023 and May 21, 2023 and continuing. It advised her of the type of medical evidence needed and afforded her 30 days to respond.

In a May 16, 2023 response to the May 5, 2023 development letter regarding the claimed period April 5 through 22, 2023, appellant contended that an accompanying medical note from Dr. Pamela J. Cook, an attending Board-certified family practitioner, established that she had not

² 5 U.S.C. § 8101 *et seq.*

³ The Board notes that, following the issuance of OWCP's March 21, 2024 decision, appellant submitted new evidence. 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.*

recovered 100 percent from her November 2021 employment injury as she required work restrictions and ergonomical equipment.

In a March 16, 2023 work capacity evaluation (Form OWCP-5c), Dr. Cook opined that appellant could not perform her usual job, but she could work eight hours per day with specific restrictions for an unknown period. She advised that appellant may need occasional days off to rest for flare-ups, as needed. Additionally, Dr. Cook listed the type of ergonomic equipment appellant required.

OWCP received medical evidence dated March 1, 2022 through June 29, 2023, which indicated that appellant suffered from post-COVID syndrome/long-haul COVID.

In a June 15, 2023 Form OWCP-5c, a physician assistant with an illegible signature, advised that appellant was totally disabled from work.

In a June 29, 2023 Form OWCP-5c, Dr. Cook reiterated her opinion that appellant could not perform her usual job, but she could work eight hours per day with specific restrictions for an unknown period. She also reiterated her opinion that appellant may need occasional days off to rest for flare-ups, as needed, and list of ergonomic equipment needed by appellant.

On July 7, 2023 OWCP expanded the acceptance of appellant's claim to include post-COVID-19 condition.

OWCP subsequently received additional reports by Dr. Cook. In clinical encounter reports dated June 26 and August 7, 2023, Dr. Cook noted that appellant's intermittent chest pain, unpredictable right facial drooping, and right arm symptoms remained unchanged. She discussed her examination findings and diagnosed chest pain, post-acute COVID-19, migraine, and antiphospholipid syndrome. Dr. Cook advised that appellant's symptoms were caused by her history of injury, which were consistent with the objective findings. She further advised that appellant had 25 percent mild impairment. Dr. Cook noted that appellant was still working. She concluded that any concerns related to appellant's disability were to be addressed elsewhere as she advised appellant that her role was solely to address appellant's long-haul COVID symptoms and assess her temporary impairment.

In an August 7, 2023 Form OWCP-5c report, Dr. Cook reiterated her opinion regarding appellant's inability to perform her usual job, ability to work eight hours per day with specific restrictions for an unknown period, and possible need for occasional days off to rest for flare-ups, as needed.

By decision dated August 28, 2023, OWCP denied appellant's claim for compensation, in part, for the period April 5 through June 23, 2023. It found that she failed to submit a rationalized opinion from a physician explaining why she was totally disabled from work during the period April 5 through July 20, 2023, due to her accepted employment-related conditions.

On September 8, 2023 appellant requested a telephonic hearing before a representative of OWCP's Branch of Hearings and Review.

Thereafter, OWCP received a September 12, 2023 Form OWCP-5c by Dr. Cook who restated her opinion regarding appellant's work capacity, provided work restrictions, and possible need for occasional days off work.

In an additional clinical encounter report dated September 18, 2023, Dr. Cook again discussed her examination findings and reiterated her prior diagnoses of chest pain and post-acute COVID-19. She also diagnosed fatigue. Dr. Cook restated her prior opinion that she was unable to address appellant's disability as her sole role was to address appellant's long-COVID symptoms and assess her temporary impairment.

In a return-to-work note dated September 18, 2023, Julie Steele-Goodwin, a physician assistant, advised that appellant could return to work on October 23, 2023.

Following a preliminary review, by decision dated October 4, 2023, an OWCP hearing representative set aside the August 28, 2023 decision and remanded the case for findings of fact and a statement of reasons, to be followed by a *de novo* decision regarding appellant's disability claims. The hearing representative found that while OWCP indicated that part of appellant's disability claim was denied in part, it failed to identify which disability claim was denied *versus* which claim was approved. The hearing representative further found that while OWCP stated that appellant's claim was denied for the period April 5 through June 23, 2023, it concluded that her claim was denied for the period April 5 through July 20, 2023. Additionally, the hearing representative found that appellant was denied due process because OWCP issued its August 28, 2023 decision prior to allowing her 30 days to respond to its August 11, 2023 development letter which request the submission of evidence to establish her claim for compensation for the period May 21 through June 3, 2023.

In an October 13, 2023 development letter, OWCP informed appellant that the evidence submitted was insufficient to establish entitlement to compensation for disability for the remaining 33 hours LLB for the period April 5 through 22, 2023, 24 hours of LLB for the period May 21 through June 3, 2023, and 28 hours of LWOP for the period June 5 through 16, 2023. It advised appellant of the type of medical evidence needed to establish her claim and afforded her 30 days to respond.

In an October 12, 2023 return-to-work note, Ms. Steele-Goodwin advised that appellant could return to work on November 27, 2023.

By decision dated October 17, 2023, OWCP authorized payment of compensation for four hours of LWOP on July 20, 2023. However, it denied appellant's claim for compensation for the remaining eight hours of LWOP on July 19, 2023 and four hours of LWOP on July 20, 2023, finding that the evidence of record was insufficient to establish that she attended a medical appointment on July 19, 2023 and why eight hours instead of the four hours granted were necessary to attend the medical appointment on July 20, 2023.

OWCP subsequently received clinical encounter reports dated September 12 and October 5, 2023 from Dr. Cook who continued to diagnose chest pain, post-acute COVID-19, migraine, and antiphospholipid syndrome. Dr. Cook also continued to advise that appellant had

25 percent mild impairment and she was still working, and that she was unable to offer an opinion regarding her total disability.

On October 27, 2023 appellant filed a Form CA-7 for compensation for the period September 18 through October 27, 2023. In a Form CA-7a of even date, she indicated that she used 5 hours of LWOP on September 18, 2023 and 232 hours of LWOP from September 19 through October 27, 2023, for a total of 237 hours, because she had been out of work.

OWCP, in a development letter dated November 3, 2023, advised appellant of the deficiencies of her disability claim for the period September 18 through October 27, 2023. It advised her of the type of medical evidence needed to establish her claim and afforded her 30 days to respond.

In a report dated November 14, 2023, Dr. Maurice A. Racine a family medicine specialist, provided examination findings and diagnosed chest pain. He opined that appellant had 25 percent mild temporary impairment. Dr. Racine further opined that she could return to light-duty desk work with the restriction of limited exertion until December 14, 2023.

In a November 29, 2023 Form OWCP-5c, Dr. Racine opined that appellant could not perform her usual job, but she could work eight hours per day with specific restrictions. He noted that when her accepted condition of long-haul COVID-19 became exacerbated, she may need time off work to rest.

By decision dated December 11, 2023, OWCP authorized the payment of compensation for five hours on September 18, 2023 to attend a medical appointment and to undergo electrocardiogram testing. It, however, denied appellant's claim for compensation for 232 hours for the period September 19 through October 27, 2023, finding that the medical evidence of record was insufficient to establish that she was disabled during the claimed period due to her accepted employment conditions.

OWCP, by decision dated December 15, 2023, authorized payment of intermittent compensation for disability from work during the period March 26 through May 14, 2023. However, it denied appellant's claim for 33 hours of LBB for the period April 5 through 22, 2023; 24 hours of LBB for the period May 21 through June 3, 2023; and 36 hours of LWOP for the period June 4 through 17, 2023, finding that the medical evidence of record was insufficient to establish that appellant was totally disabled for work during the claimed periods.

OWCP thereafter received an unsigned report dated October 4, 2023 which provided physical examination findings and noted appellant's conditions including the accepted condition of post-acute COVID-19 syndrome.

In a December 26, 2023 letter, OWCP informed appellant that it had received her request for travel reimbursement for the period January 17 through September 1, 2023. It authorized her request for travel reimbursement to attend a scheduled second opinion examination on January 17, 2023. However, OWCP advised appellant that the medical evidence of record was insufficient to establish attendance at medical appointments on the following dates: January 20, July 20, August 31, and September 1, 2023. It requested that she submit medical evidence

supporting that she received treatment for her accepted work-related conditions on the claimed dates.

In a January 2, 2024 response letter, appellant explained that she was unaware that authorization was necessary prior to obtaining medical care more than 100 miles away from her home. She further explained that such treatment was necessary to treat her long COVID-19 symptoms and unavailable in her rural community. As a result, Dr. Cook referred appellant to a clinic in Albany, New York, specializing in the treatment of long COVID-19 symptoms, on January 20, July 20, and October 4, 2023. Appellant claimed that the medical evidence established that she was unable to drive more than four hours per day and, thus, she was required to stay overnight in a hotel.

Also, on January 2, 2024, appellant requested reconsideration of the December 15, 2023 disability decision and submitted additional medical evidence.

In a December 27, 2023 Form OWCP-5c, Ms. Steele-Goodwin indicated that appellant was capable of performing her usual job with no restrictions.⁴ In a clinical encounter report dated December 27, 2023, she diagnosed chest pain and fatigue. Ms. Steele-Goodwin reiterated that she was unable to offer an opinion regarding appellant's disability from work.

In a January 16, 2024 letter, OWCP indicated that it had received appellant's request for travel reimbursement on February 7, 2023. It advised her that it was unable to authorize her request because there was no evidence of record to establish that she received medical treatment for her accepted work-related conditions on the claimed date. OWCP requested that appellant submit the necessary evidence within 30 days. No response was received.

In a clinical encounter report dated February 6, 2023, Dr. Cook diagnosed chest pain and post-acute COVID-19. She recommended that appellant initially return to part-time work while also increasing her activity level.

By decision February 29, 2024, OWCP found that the medical evidence of record substantiated that appellant was medically seen for treatment of her employment injury on January 20, February 7, and July 20, 2023. However, it denied her travel reimbursement request for August 31 and September 1, 2023 as the evidence of record was insufficient to support treatment in relation to her work injury for those dates.

OWCP, by decision dated March 21, 2024, denied modification of the December 15, 2023 disability decision.

LEGAL PRECEDENT -- ISSUE 1

An employee seeking benefits under FECA⁵ has the burden of proof to establish the essential elements of his or her claim, including that any disability or specific condition for

⁴ The record indicates that appellant returned to full-duty work with no restrictions on December 27, 2023.

⁵ *Supra* note 2.

which compensation is claimed is causally related to the employment injury.⁶ For each period of disability claimed, the employee has the burden of proof to establish that he or she was disabled from work as a result of the accepted employment injury.⁷ Whether a particular injury causes an employee to become disabled from work, and the duration of that disability, are medical issues that must be proven by a preponderance of probative and reliable medical opinion evidence.⁸

Under FECA, the term disability means an incapacity because of an employment injury, to earn the wages the employee was receiving at the time of the injury.⁹ When, however, the medical evidence establishes that the residuals or sequelae of an employment injury are such that, from a medical standpoint, prevent the employee from continuing in his or her employment, he or she is entitled to compensation for any loss of wages.¹⁰

To establish causal relationship between the disability claimed and the employment injury, an employee must submit rationalized medical evidence, based on a complete factual and medical background, supporting such causal relationship.¹¹ The opinion of the physician 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.¹²

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.¹³

ANALYSIS -- ISSUE 1

The Board finds that appellant has not met her burden of proof to establish disability from work for the period April 5 through 22, 2023, May 21 through June 17, 2023, and

⁶ See *D.S.*, Docket No. 20-0638 (issued November 17, 2020); *F.H.*, Docket No. 18-0160 (issued August 23, 2019); *C.R.*, Docket No. 18-1805 (issued May 10, 2019); *Kathryn Haggerty*, 45 ECAB 383 (1994); *Elaine Pendleton*, 40 ECAB 1143 (1989).

⁷ See *L.F.*, Docket No. 19-0324 (issued January 2, 2020); *T.L.*, Docket No. 18-0934 (issued May 8, 2019); *Fereidoon Kharabi*, 52 ECAB 291, 293 (2001).

⁸ See 20 C.F.R. § 10.5(f); *N.M.*, Docket No. 18-0939 (issued December 6, 2018).

⁹ *Id.* at § 10.5(f); see e.g., *G.T.*, Docket No. 18-1369 (issued March 13, 2019); *Cheryl L. Decavitch*, 50 ECAB 397 (1999).

¹⁰ *G.T., id.*; *Merle J. Marceau*, 53 ECAB 197 (2001).

¹¹ See *S.J.*, Docket No. 17-0828 (issued December 20, 2017); *Kathryn E. DeMarsh*, 56 ECAB 677 (2005).

¹² *T.S.*, Docket Nos. 20-1177 and 20-1296 (issued May 28, 2021); *V.A.*, Docket No. 19-1123 (issued October 29, 2019).

¹³ See *S.G.*, Docket No. 18-1076 (issued April 11, 2019); *William A. Archer*, 55 ECAB 674 (2004); *Fereidoon Kharabi*, *supra* note 7.

September 19 through October 27, 2023, causally related to her accepted November 9, 2021 employment injury.

In support of her claims for compensation, appellant submitted reports dated March 16, June 26 and 29, August 7, and September 12, 2023 from Dr. Cook. In these reports, Dr. Cook opined that appellant could not perform her usual job, but that she could work eight hours per day with specific restrictions for an unknown period. She also advised that appellant may need occasional days off to rest for flare ups, as needed. The reports dated March 16, June 26 and 29 and August 7, 2023 did not specifically address appellant's periods of disability from April 5 through 22, 2023, May 21 through June 17, 2023, and September 19 through October 27, 2023. As noted above, 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.¹⁴ While Dr. Cook's September 12, 2023 report addressed a claimed period of disability, she did not provide an opinion on causal relationship. The Board has held that medical evidence that does not address whether the claimed disability is causally related to the accepted employment-related conditions is of no probative value.¹⁵ Moreover, Dr. Cook's opinion that appellant "may" need occasional days off to rest for flare-ups, as needed is speculative in nature. The Board has held that medical opinions that are speculative or equivocal in character are of diminished probative value.¹⁶ OWCP also received reports dated September 18 and October 5, 2023 from Dr. Cook. In these reports Dr. Cook related that she was unable to address appellant's disability as she indicated that her sole role was to address appellant's long-COVID symptoms and assess her temporary impairment. As previously noted, medical evidence which does not address whether the claimed disability is causally related to the accepted employment-related conditions is of no probative value.¹⁷ For these reasons, the Board finds that her reports are insufficient to establish appellant's disability claims.

Additionally, OWCP received Dr. Racine's November 14 and 29, 2023 reports. These reports postdate the claimed periods of total disability and do not, otherwise, address appellant's inability to work for the periods April 5 through 22, 2023, May 21 through June 17, 2023, and September 19 through October 27, 2023.¹⁸ As such, they are of no probative value and thus insufficient to meet appellant's burden of proof.

Appellant submitted evidence from a physician assistant. The Board has held that certain healthcare providers such as physician assistants, nurses, and physical therapists are not

¹⁴ *Id.* See also *L.C.*, Docket Nos. 24-0567 and 24-0627 (issued June 28, 2024).

¹⁵ See *A.O.*, Docket No. 24-0382 (issued May 16, 2024); *S.M.*, Docket No. 22-1209 (issued February 27, 2024); *M.P.*, Docket No. 23-0759 (issued January 23, 2024); *F.S.*, Docket No. 23-0112 (issued April 26, 2023); *A.S.*, Docket No. 21-1263 (issued July 24, 2023); *R.J.*, Docket No. 19-0179 (issued May 26, 2020); *M.A.*, Docket No. 19-1119 (issued November 25, 2019); *S.I.*, Docket No. 18-1582 (issued June 20, 2019); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

¹⁶ *L.F.*, Docket No. 20-1021 (issued July 30, 2021); *J.K.*, Docket No. 20-1313 (issued May 17, 2021); *D.B.*, Docket No. 18-1359 (issued May 14, 2019).

¹⁷ *Supra* note 15.

¹⁸ *S.H.*, Docket No. 21-0640 (issued February 2, 2023); *M.A.*, Docket No. 19-1119 (issued November 25, 2019).

considered physicians as defined under FECA.¹⁹ Consequently, their medical findings and/or opinions will not suffice for purposes of establishing entitlement to FECA benefits. Thus, this evidence is also insufficient to establish the disability claim.

Lastly, appellant submitted an unsigned report dated October 4, 2023, which noted appellant's accepted condition of post-acute COVID-19 syndrome. However, the Board has held that reports that are unsigned or bear an illegible signature lack proper identification and cannot be considered probative medical evidence.²⁰ Therefore, this evidence is of no probative value and is insufficient to establish appellant's claim.

As the medical evidence of record is insufficient to establish employment-related disability during the claimed periods due to her accepted conditions, the Board finds that she has not met her 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.

LEGAL PRECEDENT -- ISSUE 2

OWCP's regulations provide that the employee is entitled to reimbursement of reasonable and necessary expenses, including transportation needed to obtain authorized medical services, appliances, or supplies.²¹ 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.²² 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.²³

¹⁹ Section 8101(2) of FECA provides that physician "includes surgeons, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, and osteopathic practitioners within the scope of their practice as defined by State law." 5 U.S.C. § 8101(2); 20 C.F.R. § 10.5(t). *See* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Causal Relationship*, Chapter 2.805.3a(1) (May 2023); *David P. Sawchuk*, 57 ECAB 316, 320 n.11 (2006) (lay individuals such as physician assistants, nurses, and physical therapists are not competent to render a medical opinion under FECA). *See also* *R.K.*, Docket No. 24-0472 (issued June 27, 2024) (physician assistants are not considered physicians as defined under FECA); *A.D.*, Docket No. 24-0411 (issued June 20, 2024) (physician assistants are not considered physicians as defined under FECA).

²⁰ *K.M.*, Docket No. 24-0320 (issued May 8, 2024); *J.R.*, Docket No. 23-0215 (issued July 28, 2023); *J.E.*, Docket No. 22-0683 (issued November 10, 2022); *M.A.*, Docket No. 19-1551 (issued April 30, 2020); *Merton J. Sills*, 39 ECAB 572, 575 (1988).

²¹ 20 C.F.R. § 10.315(a).

²² *Id.*

²³ *Id.* at § 10.315(b).

Pursuant to FECA Bulletin No. 14-02, when a claimant submits a travel reimbursement in excess of 100 miles for a single date of service, the bill will automatically be suspended, and the Central Bill Processing provider will send notification to OWCP's claims examiner.²⁴ FECA Bulletin No. 14-02 notes that in some limited circumstances it may be necessary for a claimant to travel more than 100 miles on a regular basis, such as when the claimant lives in a remote area.²⁵

In interpreting this section, the Board has recognized that OWCP has broad discretion in approving services provided under FECA.²⁶ 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.²⁷

ANALYSIS -- ISSUE 2

The Board finds that OWCP has not abused its discretion by denying appellant's request for travel reimbursement for medical treatment.

Appellant submitted a request for travel reimbursement for medical appointments on August 31 and September 1, 2023. In letters dated December 26, 2023 and January 16, 2024, OWCP informed appellant of the evidence needed to establish her travel reimbursement claims. Its regulations provide that the employee is entitled to reimbursement of reasonable and necessary expenses, including transportation needed to obtain authorized medical services, appliances, or supplies.²⁸ 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.²⁹

Appellant submitted documentation of medical treatment on various dates; however, the evidence of record does not establish that she received medical treatment for her November 9, 2021 employment injury on August 31 and September 1, 2023. As noted above, the Board has recognized that OWCP has broad discretion in approving services provided under FECA.³⁰ The only limitation on OWCP's authority is that of reasonableness. As the evidence of record does not establish that appellant received medical treatment on the claimed dates, the Board finds that OWCP has not abused its discretion by denying her request for travel reimbursement.³¹

²⁴ FECA Bulletin No. 14-02 (issued January 29, 2014).

²⁵ *Id.*

²⁶ *G.C.*, Docket No. 19-0298 (issued June 24, 2019).

²⁷ *Id.*

²⁸ *Supra* note 23.

²⁹ *Supra* note 25.

³⁰ *Supra* note 28.

³¹ *See L.K.*, Docket No. 20-0443 (issued August 8, 2023); *W.H.*, Docket No. 14-1662 (issued February 3, 2015).

Appellant may submit new evidence or argument with a written requests 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 disability from work for the period April 5 through 22, 2023, May 21 through June 17, 2023, and September 19 through October 27, 2023, causally related to her accepted November 9, 2021 employment injury. The Board further finds that OWCP has not abused its discretion by denying appellant’s request for travel reimbursement for medical treatment.

ORDER

IT IS HEREBY ORDERED THAT the October 17 and December 11, 2023, February 29 and March 21, 2024 decisions of the Office of Workers’ Compensation Programs are affirmed.

Issued: September 27, 2024
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