

¹ 5 U.S.C. § 8101 *et seq.*

factors of her federal employment as a result of working on a computer reviewing electronic files, medical reports, and decisions for 8 to 10 hours per day. She noted that she first became aware of her condition and realized its relation to her federal employment on January 18, 2023.

In support of her claim, appellant submitted visual testing diagnostic studies dated May 12, 2021 and January 18, 2023 from Dr. Ilona Genis, a Board-certified ophthalmologist. In a May 12, 2021 report, Dr. Genis diagnosed open angle with borderline findings, low risk bilateral; anatomical narrow angle, bilateral; and endothelial corneal dystrophy. In a January 18, 2023 report, she documented treatment for decreased vision. Dr. Genis noted diagnostic examination findings and diagnosed dry eye, guttata, and narrow angle.

In a February 1, 2023 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her as to the type of factual and medical evidence required and provided a questionnaire for her completion. OWCP afforded appellant 30 days to respond.

On February 26, 2023 appellant responded to OWCP's development letter and described the circumstances surrounding her claim. She reported that she began to notice a decrease in her vision and sought treatment with her ophthalmologist on January 18, 2023, when she was informed that her eyes could not lubricate properly resulting in dry eye. Appellant reported that this was due to her computer monitor, which caused her to blink less as her physician informed her that her decrease in vision was not age related.

By decision dated May 4, 2023, OWCP denied appellant's occupational disease claim, finding that the medical evidence of record was insufficient to establish causal relationship between the diagnosed condition and the accepted factors of her federal employment.

On May 11, 2023 appellant requested a review of the written record by a representative of OWCP's Branch of Hearings and Review.

By decision dated August 29, 2023, OWCP's hearing representative affirmed the May 4, 2023 decision.

On August 28, 2024 appellant requested reconsideration.

In support of her claim, appellant submitted a June 4, 2024 medical report from Dr. David M. Sachs, a Board-certified ophthalmologist, wherein he discussed appellant's complaints of decreased and blurred vision. Dr. Sachs provided examination findings and diagnosed meibomian gland dysfunction (MGD) of the upper and lower eyelid of the left and right eye, bilateral myopia, and bilateral visual disturbance.

By decision dated August 29, 2024, OWCP denied modification of its August 29, 2023 decision.

LEGAL PRECEDENT

An employee seeking benefits under FECA² 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,³ 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.⁴ 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.⁵

To establish that an injury was sustained in the performance of duty in an occupational disease claim, an employee must submit the following: (1) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; (2) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the employee.⁶

Causal relationship is a medical question that requires rationalized medical opinion evidence to resolve the issue.⁷ A physician's opinion on whether there is causal relationship between the diagnosed condition and the implicated employment factor(s) must be based on a complete factual and medical background.⁸ Additionally, the physician's opinion must be expressed in terms of a reasonable degree of medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and appellant's specific employment factor(s).⁹

² *Id.*

³ *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).

⁴ *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).

⁵ *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).

⁶ *R.G.*, Docket No. 19-0233 (issued July 16, 2019); *see also Roy L. Humphrey*, 57 ECAB 238, 241 (2005); *Ruby I. Fish*, 46 ECAB 276, 279 (1994); *Victor J. Woodhams*, 41 ECAB 345 (1989).

⁷ *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).

⁸ *M.V.*, Docket No. 18-0884 (issued December 28, 2018).

⁹ *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*, *supra* note 6.

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a medical condition causally related to the accepted factors of her federal employment.

In support of her claim, appellant submitted reports dated May 12, 2021 and January 18, 2023 from Dr. Genis. Dr. Genis provided diagnoses of open angle with borderline findings, low risk bilateral; anatomical narrow angle, bilateral; endothelial corneal dystrophy; dry eye; and guttata. She did not, however, provide an opinion on the cause of the diagnosed medical conditions. The Board has held that medical evidence that does not offer an opinion regarding the cause of an employee's condition is of no probative value on the issue of causal relationship.¹⁰ As such, this evidence is insufficient to establish appellant's claim.

On reconsideration, appellant submitted a June 4, 2024 report in which Dr. Sachs diagnosed meibomian gland dysfunction of the upper and lower eyelid of the left and right eye, bilateral myopia, and bilateral visual disturbance. However, he did not provide an opinion on causal relationship. As such, his opinion is of no probative and is insufficient to establish appellant's claim.¹¹

The diagnostic test results submitted by appellant also fail to establish her claim. The Board has held that diagnostic studies, standing alone, lack probative value as they do not address whether the employment factors caused any of the diagnosed conditions.¹² This evidence is therefore insufficient to establish appellant's claim.

As the medical evidence of record is insufficient to establish causal relationship between a medical condition and the accepted factors of federal employment, the Board finds that appellant has not met her burden of proof.¹³

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 factors of her federal employment.

¹⁰ *G.M.*, Docket No. 24-0388 (issued May 28, 2024); *C.R.*, Docket No. 23-0330 (issued July 28, 2023); *K.K.*, Docket No. 22-0270 (issued February 14, 2023); *S.J.*, Docket No. 19-0696 (issued August 23, 2019); *M.C.*, Docket No. 18-0951 (issued January 7, 2019); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

¹¹ *Id.*

¹² *F.D.*, Docket No. 19-0932 (issued October 3, 2019).

¹³ *LD.*, 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 August 29, 2024 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: January 21, 2025
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

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

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