

<sup>2</sup> 41 ECAB 548 (1990).

from Dr. Watson, dated January 29, 2009 was not reviewed, as the claims examiner specifically stated that no additional evidence, except for Dr. Eichenauer's report, was received.

The Board finds that OWCP in its February 17, 2010 decision did not review the report from Dr. Watson, as no reference was made to this evidence in the decision. For this reason, the case will be remanded to OWCP to enable it to properly consider all the evidence submitted prior to the issuance of the February 17, 2010 decision. Following such further development as the OWCP deems necessary, it shall issue an appropriate decision on the merits.

**IT IS HEREBY ORDERED THAT** the February 17, 2010 decision of the Office of Workers Compensation Programs is set aside; the case record is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: July 25, 2011  
Washington, DC

Richard J. Daschbach, Chief Judge  
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge  
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge  
Employees' Compensation Appeals Board