

representative advised that the record was held open to allow for the submission of additional evidence but only indicated that nonmedical evidence and a duplicate medical report were submitted.

The Board finds that the hearing representative, in her February 9, 2011 decision, did not review the January 27, 2011 reports from Dr. Dalal that were received by OWCP on January 31, 2011. For this reason, the case will be remanded to OWCP to enable it to properly consider all the evidence submitted at the time of the February 9, 2011 decision. Following this and such further development as OWCP deems necessary, it shall issue an appropriate merit decision on the claim.

IT IS HEREBY ORDERED THAT the February 9, 2011 decision of the Office of Workers' Compensation Programs set aside. The case recorded is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: May 23, 2012
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