

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

C.G., claiming as widow of D.G., Appellant)	
)	
and)	Docket No. 13-1113
)	Issued: July 25, 2013
U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, Washington, DC, Employer)	
)	

Appearances:
J. Michael Hannon, Esq., for the appellant
Office of Solicitor, for the Director

**ORDER GRANTING MOTION TO REVERSE
AND REMAND FOR PAYMENT**

Before:
PATRICIA HOWARD FITZGERALD, Judge
ALEC J. KOROMILAS, Alternate Judge
MICHAEL E. GROOM, Alternate Judge

On April 5, 2013 appellant, through her counsel, filed for review of an October 10, 2012 decision of the Office of Workers' Compensation Programs (OWCP). The appeal was docketed as No. 13-1113.

On June 10, 2013 the Director of OWCP submitted a motion to reverse the October 10, 2012 decision and remand the case for payment of compensation. Counsel filed a consent and joinder to the motion on June 11, 2013.¹

The Board, having reviewed the motion, finds that the motion should be granted. The Director acknowledges that, under the particular facts and circumstances of this case, the employee's posting as a Foreign Service Officer for the employing establishment in Kazakhstan contributed to his death on January 27, 2010. The Director noted Board precedent stating that where an employee is sent by the employing establishment to a place where adequate medical facilities are not available or attainable, then disability or death resulting from such inadequacy is

¹ The Board notes appellant had requested oral argument before the Board. In view of granting the Director's motion to reverse OWCP's decision and remand the case, the Board will not address the oral argument request.

compensable under FECA.² Based on the evidence of record, the Board finds that the Director's motion should be granted. The case will be remanded to OWCP for payment of compensation in accord with the Director's June 10, 2013 motion.

IT IS HEREBY ORDERED THAT the Motion to Reverse and Remand for Payment be granted.

Issued: July 25, 2013
Washington, DC

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board

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

Michael E. Groom, Alternate Judge
Employees' Compensation Appeals Board

² See *Thomas D. Wilson*, 33 ECAB 384 (1981); *Aileen M. Winters*, 16 ECAB 551 (1965).