

¹ 41 ECAB 548 (1990).

The Board finds that OWCP, in its November 7, 2013 decision, did not review the August 9, 2013 report from Dr. Markva that was received by OWCP on August 12, 2013.² 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 November 7, 2013 decision. Following such further development as OWCP deems necessary, it shall issue an appropriate merit decision on the claim.

IT IS HEREBY ORDERED THAT the November 7, 2013 decision of the Office of Workers' Compensation Programs be set aside and the case record remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: June 4, 2014
Washington, DC

Patricia Howard Fitzgerald, Acting Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

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

² See *Linda Johnson*, 45 ECAB 439, 440 (1994) (where the Board held that it is necessary that OWCP review all evidence submitted by a claimant and received by OWCP prior to issuance of its final decision and noted that this principle applies with equal force when evidence is received by OWCP the same day a final decision is issued).