

On remand, in a report dated February 8, 2010, the Office medical adviser applied the fifth edition of the A.M.A., *Guides* and determined that appellant had 20 percent permanent impairment of the left lower extremity and 29 percent permanent impairment of the right lower extremity. By decision dated February 23, 2010, the Office found that he was not entitled to an additional schedule award beyond that previously awarded.

The sixth edition of the A.M.A., *Guides* became effective May 1, 2009. FECA Bulletin No. 09-3 provides that any initial schedule award decision issued on or after May 1, 2009 will be based on the sixth edition of the A.M.A., *Guides* even if the amount of the award was calculated prior to that date.² The Board set aside the prior schedule award decisions granting appellant a 29 percent permanent impairment of the right lower extremity and a 20 percent permanent impairment of the left lower extremity. Consequently, the Office should have based its February 23, 2010 schedule award decision on the sixth edition of the A.M.A., *Guides* rather than the fifth edition as it was an initial schedule award determination. The Board thus finds that the case must be remanded to the Office for recalculation of the extent of appellant's permanent impairment under the sixth edition of the A.M.A., *Guides*. Following such further development as it deems necessary, it should issue an appropriate decision.

IT IS HEREBY ORDERED THAT the February 23, 2010 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further proceedings consistent with this decision of the Board.

Issued: June 28, 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

² FECA Bulletin No. 09-03 (issued March 15, 2009, expires May 1, 2010); *see also* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Schedule Awards and Permanent Disability Claims*, Chapter 2.808.6.6a (January 2010); *see also* Part 3 -- Medical, *Schedule Awards*, Chapter 3.700.2 and Exhibit 1 (January 2010).