

hours per day from March 8 to 17, 2010, stopped work on March 18, 2010 and had not returned since. The Office stated:

“The supervisor mentioned that she was aware of previous back conditions, and the most recent lumbar [magnetic resonance imaging] MRI [scan] does suggest disc desiccation not caused by a traumatic injury. The previous conditions will need to be developed.”

By letter dated April 22, 2010, the Office informed appellant that it had authorized treatment for electric stimulation therapy, manual therapy, therapeutic exercises and ultrasound therapy. It stated that “the service requested is authorized for the condition(s) accepted by [the Office].”

By decision dated July 8, 2010, the Office denied compensation for wage loss for the periods requested. It stated that “a claim for compensation can only be paid for disability for the conditions that have been formally accepted to have been caused by the traumatic injuries on the date-of-injury event. This claim has been accepted for a concussion without loss of consciousness for the singular slip and fall [she] had on December 15, 2009. Only disability that has been caused by this event is compensable on this claim.”

The Board finds that elements of the case file required for adjudication of this case are not contained in the instant record, which requires clarification. The Office accepted a claim for a concussion based on the December 15, 2009 work incident. It denied appellant compensation for wage loss for March 1 to 5, 2010 and from April 21 to May 10, 2010, stating that she did not submit sufficient medical evidence to support disability based on her accepted concussion condition for these periods. The Office stated that the only disability that was compensable was that related to the December 15, 2009 work incident and to the concussion caused by this event.

The Office, however, stated in its April 21, 2010 notation that appellant’s supervisor indicated that appellant had previous back conditions, that she had disc desiccations not caused by the traumatic injury and “previous conditions” which needed to be developed. In addition, it authorized treatment on April 22, 2010 for electric stimulation therapy, manual therapy, therapeutic exercises, and ultrasound therapy and stated that “the service requested is authorized for the condition(s) accepted by [the Office].” The Office did not specify which conditions necessitated these services; nor is there any documentation in the record pertaining to any other previous, accepted conditions.¹ Thus the precise facts regarding appellant’s medical history, history of injury, and whether she had any specific work restrictions pertaining to any previous accepted conditions referenced by the Office are not clear from the instant record.

Accordingly, the case file does not include much of the record pertaining to the history and development of appellant’s claim, as is required for an informed adjudication of this case. As all the records pertaining to her claim are necessary for complete consideration and adjudication of the issue raised on appeal, the Board, therefore, finds that the appeal docketed as No. 10-2144 is not in posture for a decision as the Board is unable to render an informed

¹ The record contains several reports, including the March 20, 2010 MRI scan, indicating that appellant was being treated for back problems of undetermined etiology.

adjudication of the case. The July 8, 2010 decision is set aside and remanded for consolidation, reconstruction and clarification of the case record. The Office is directed on remand to ascertain whether appellant had any previous injuries or accepted conditions, whether there any medical restrictions stemming from her previous work injury and to compose a statement of accepted facts. After such further development as the Office deems necessary, it should issue an appropriate decision to protect her appeal rights.

IT IS HEREBY ORDERED THAT that this case be remanded for consolidation, reconstruction and clarification of the case record.

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