

Board precedent holds that OWCP must review all the evidence submitted by a claimant and received by OWCP prior to the issuance of a final decision.¹ As the Board's jurisdiction is final as to the subject matter, it is crucial that OWCP accomplish this.²

Because OWCP found that appellant failed to submit any medical evidence containing a diagnosis, it is clear to this Board that OWCP did not consider the new medical evidence submitted by appellant in reaching its decision denying his claim. Whether it receives relevant evidence on the date of the decision or several days prior, such evidence must be considered.³ As OWCP failed to address all the relevant evidence of record at the time it issued its February 27, 2012 decision, the case is remanded for a proper review of the evidence and issuance of an appropriate final decision.

IT IS HEREBY ORDERED THAT the February 27, 2012 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further action consistent with this order of the Board.

Issued: December 21, 2012
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board

¹ See *M.B.*, Docket No. 09-17(issued September 23, 2009); *Yvette N. Davis*, 55 ECAB 475 (2004); *Linda Johnson*, 45 ECAB 439 (1994) (evidence received the same day as the issuance of OWCP's decision); *William A. Couch*, 41 ECAB 548 (1990).

² See *id.*

³ *Willard McKennon*, 51 ECAB 145 (1999).