



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.<sup>1</sup> As the Board's jurisdiction is final as to the subject matter, it is crucial that OWCP accomplish this.<sup>2</sup> In its March 2, 2012 decision, OWCP did not consider the medical evidence submitted by appellant because it was not relevant to its factual determination. In its August 2, 2012 decision, the claims examiner erroneously disregarded the medical evidence as duplicative, without discussing its probative value. As OWCP failed to address all the relevant evidence of record at the time it issued its August 2, 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 August 2, 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: March 12, 2013  
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

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<sup>1</sup> See *J.I.*, Docket No. 12-1062 (issued December 21, 2012); *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).

<sup>2</sup> *Id.*