

per decision issued August 17, 1999.” OWCP further noted that “[p]er decision issued December 19, 2002, under case #xxxxxx641, you were again paid for bilateral hearing loss, 18 percent for a total payment of \$25,508.79.” It noted that “[i]n the present case (xxxxxx641) you would only be eligible for a schedule award if the medical evidence supported a hearing impairment greater than the previously paid impairment of 20 percent. In this case the new impairment rating yielded only an 18 percent hearing loss therefore, the correct additional entitlement for bilateral hearing loss impairment is zero.” OWCP therefore determined that an overpayment of compensation was created.

The Board has duly considered the matter and notes that the case is not in posture for a decision. The evidence indicates that claim number xxxxxx252 has evidence germane to the overpayment determination in claim number xxxxxx641. However, as noted, claim number xxxxxx252 is not presently before the Board.

Pursuant to its procedures, OWCP has determined that cases should be combined where correct adjudication depends on cross-referencing between files. In the instant appeal, it appears that, for a full and fair adjudication, OWCP claims pertaining to appellant’s bilateral hearing loss conditions should be combined pursuant to OWCP procedures.³ This will allow OWCP to consider all relevant claim files in developing appellant’s claim and determining whether an overpayment of compensation was created. The case will be remanded to OWCP to combine claim numbers xxxxxx641 and xxxxxx252 pursuant to OWCP procedures. Following this and such other development as deemed necessary, it shall issue an appropriate decision on the overpayment matter.

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000).

IT IS HEREBY ORDERED THAT the October 30, 2012 decision be set aside and the matter remanded to the Office of Workers' Compensation Programs for further proceedings consistent with this order of the Board.

Issued: September 3, 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