

noted that on July 8, 2010 OWCP accepted degenerative disc disease from L2-S1 under file number xxxxxx534.

The Board finds that the issue in the instant claim, xxxxxx789, whether employment factors aggravated appellant's degenerative disc disease of the lumbar spine, is moot because under file number xxxxxx534, OWCP has accepted degenerative disc disease from L2-S1 as employment related. Appellant has been receiving wage-loss compensation for total disability since he retired in April 1989. He also receives medical benefits for his accepted conditions, which also include lumbosacral strain and L2-3 disc herniation.

IT IS HEREBY ORDERED THAT the decisions of the Office of Workers' Compensation Programs dated March 13, 2013 and November 14, 2012 are set aside.¹

Issued: September 26, 2014
Washington, DC

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board

¹ Richard J. Daschbach, Chief Judge, who participated in the preparation of the decision, was no longer a member of the Board after May 16, 2014.