

telephone conversations with OWCP. Appellant also submitted financial information with her letter.

In its July 3, 2014 decision, OWCP found that appellant was at fault in the creation of an overpayment in the amount of \$2,583.39. It noted that “You did not submit a response to the preliminary decision dated May 7, 2014.” However, appellant’s response by letter dated May 28, 2014 was received on June 2, 2014.

While OWCP is not required to list every piece of evidence submitted to the record, the record is clear that appellant’s response to the preliminary overpayment decision was not reviewed before the issuance of its July 3, 2014 decision. Whether it receives relevant evidence on the date of the decision or several days before, such evidence must be considered.³ As the Board’s decisions are final as to the subject matter appealed, it is crucial that all evidence relevant to the subject matter of the claim properly submitted to OWCP be reviewed and addressed.⁴ Accordingly, the case is remanded for proper review of the evidence and, following any necessary further development, the issuance of an appropriate final decision.

IT IS HEREBY ORDERED THAT the decision of the Office of Workers’ Compensation Programs dated July 3, 2014 is set aside and the case remanded for further action consistent with this order of the Board.

Issued: February 3, 2015
Washington, DC

Christopher J. Godfrey, Chief Judge
Employees’ Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees’ Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees’ Compensation Appeals Board

³ *J.I.*, Docket No. 12-1062 (issued December 12, 2012); *William McKennon*, 51 ECAB 145 (1999).

⁴ *See Yvette N. Davis*, 55 ECAB 475 (2004).