

Appellant also had an accepted claim for a bilateral foot condition, claim number xxxxxx649, which is not currently available for review by the Board. The record indicates that appellant was performing light-duty work until November 3, 2013 in accordance with her restrictions under claim number xxxxxx649. Appellant then stopped work on November 4, 2013 and has not returned. OWCP denied appellant's claim for periods of disability beginning November 4, 2013 in its December 9, 2014 decision currently before the Board.

OWCP's decision dated June 9, 2014 and the medical evidence in the record address appellant's disability for work due to both her back injuries and her foot conditions accepted in claim number xxxxxx649. While OWCP stated that it was not making a finding of fact with respect to claim number xxxxxx649 in the December 9, 2004 decision, in the June 9, 2014 decision, OWCP stated that appellant's physicians failed to reference which of her work duties under claim number xxxxxx649, caused her ongoing disability. Appellant's attending physician, Dr. Michael E. Hebrard, a Board-certified physiatrist, has opined that appellant's foot conditions resulted in consequential injuries to her spine and resulted in her alleged periods of total disability. OWCP included a description of the accepted conditions of her foot injury in the statement of accepted facts when referring her claim for a second opinion evaluation by Dr. Mohinder Nijjar, a Board-certified orthopedic surgeon, and he addressed this claim in his report.

The Board, having reviewed the case record, finds that the case is not in posture for decision. The Board finds that the factual and medical issues regarding appellant's current claims for disability are intertwined such that all three OWCP claims must be combined² and a *de novo* decision issued regarding whether her claims for disability beginning November 4, 2013 and continuing are employment related.

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

IT IS HEREBY ORDERED THAT the December 9, 2014 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: May 13, 2015
Washington, DC

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

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board