

surgeon, which had been submitted by letter dated April 14, 2005 by counsel at that time and received by OWCP on April 17, 2015, prior to the April 20, 2015 decision.

The Board notes that, in his March 13, 2015 report, Dr. Blecha noted the history of injury, his review of the medical record, and appellant's medical treatment and presented examination findings. He diagnosed rupture anterior cruciate ligament (ACL), post ACL reconstruction, scoliosis, and lumbar spinal stenosis and spondylosis postinstrumented fusion, L4 to the sacrum. Under the sixth edition of the American Medical Association, *Guides to the Evaluation of Permanent Impairment* (A.M.A., *Guides*), Dr. Blecha opined that appellant had 12 percent left lower extremity impairment. Citations to the A.M.A., *Guides* as well as his methodology in calculating the schedule award were provided.

Because Board decisions are final with regard to the subject matter appealed,³ it is crucial that OWCP address all relevant evidence received prior to the issuance of its final decision.⁴ As OWCP did not review Dr. Blecha's report, accordingly, the Board finds that this case is not in posture for decision.⁵ On remand, OWCP shall review all evidence of record and, following any further development of the medical evidence deemed necessary, it shall issue a *de novo* decision on appellant's claim.⁶

³ 20 C.F.R. § 501.6(d).

⁴ See *William A. Couch*, 41 ECAB 548, 553 (1990).

⁵ See *H.H.*, Docket No. 14-1985 (issued June 26, 2015).

⁶ Due to the disposition of this case, appellant's arguments will not be addressed. He also submitted new evidence on appeal. However, the Board lacks jurisdiction to review evidence for the first time on appeal. See 20 C.F.R. § 501.2(c). Appellant may submit this evidence to OWCP on remand.

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated April 20, 2015 is set aside and the case is remanded for further consideration consistent with this order.

Issued: October 20, 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