



appellant's original injury. He noted that appellant was in the performance of his regular duties as a carpenter when he was injured. Dr. Briggeman noted that appellant continued to have degeneration of cervical intervertebral disc, intervertebral disc disorder with myelopathy/cervical region, spinal stenosis in the cervical region, and radiculitis. He opined that appellant's condition has materially worsened and he sustained several consequential injuries as a result of his work-related injury including cervical radiculopathy, neuralgia/neuritis/radiculitis, cervical stenosis at C3-7 with cord impingement and, chronic headaches, and right- and left-sided sensorimotor median mononeuropathy. Dr. Briggeman further opined that the resulting impact of appellant's original workplace injury which occurred on February 23, 2009 caused the consequential conditions and has affected his ability to perform his job. These reports were received by OWCP on October 21, 2014. In its October 23, 2014 decision, OWCP denied modification of the wage-earning determination of May 9, 2013 on the grounds that the evidence presented was not sufficient to warrant modification. It did not note receipt or consideration of the reports from Dr. Briggeman dated May 28 and July 23, 2014.

The Board finds that OWCP, in its October 23, 2014 decision, did not review the reports from Dr. Briggeman dated May 28 and July 23, 2014.<sup>3</sup> For this reason, the case will be remanded to OWCP to enable it to properly consider all the evidence submitted at the time of the October 23, 2014 decision. Following such further development as OWCP deems necessary, it shall issue an appropriate merit decision on the claim.

**IT IS HEREBY ORDERED THAT** the October 23, 2014 decision of the Office of Workers' Compensation Programs be set aside. The case recorded is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: February 9, 2016  
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

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<sup>3</sup> See *id.*