

March 17 and September 4, 2015 and a new report from Dr. Ellen Duncan, an attending Board-certified anesthesiologist, did not establish good cause for refusal. However, the record as transmitted to the Board does not contain the new medical reports.

The Board finds that the case is not in posture for a decision as the record is incomplete and the case must be remanded for reconstruction of the record.

In order to perform a fully informed adjudication of the issues, the Board must be able to review the complete evidentiary basis for OWCP's October 20, 2015 decision finding that appellant had not submitted sufficient evidence to establish good cause for her failure to cooperate with vocational rehabilitation. The hearing representative relied on relevant medical evidence that is not included in the electronic case record now before the Board. Therefore, the case must be remanded to OWCP for reconstruction of the record, including associating Dr. Duey's March 17 and September 14, 2015 reports and Dr. Duncan's September 11, 2015 report with the case record. Following this and all other development deemed necessary, OWCP shall issue an appropriate decision in the case.

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

Issued: June 7, 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