



indicated that she used 240 hours of leave without pay from September 21 through October 30, 2015. Following development of the medical evidence, by decision dated September 29, 2017, OWCP's hearing representative found that there was no medical evidence establishing appellant's inability to work from September 21 through October 30, 2015 due to her accepted leg conditions.<sup>2</sup> He further found that the weight of the medical evidence did not support "a cervical condition" as a result of the August 6, 2015 employment incident. However, the hearing representative relied on medical evidence from OWCP File No. xxxxxx647 which was accepted for a right shoulder strain.

The Board has duly considered the matter and finds that this case is not in posture for decision. OWCP procedures provide that cases should be combined when correct adjudication of the issues depends on frequent cross-referencing between files. If a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body, doubling is required.<sup>3</sup> In the instant case, OWCP's hearing representative found that there was relevant evidence in appellant's right shoulder claim, OWCP File No. xxxxxx647 which he considered in reaching his decision in the present claim, OWCP File No. xxxxxx912. Evidence pertaining to OWCP File No. xxxxxx647, however, is not found in the case record presently before the Board.

For a full and fair adjudication, the case must be returned to OWCP to combine the current case record with OWCP File No. xxxxxx647, and determine whether appellant has provided sufficient rationalized medical opinion evidence to establish that she sustained total disability due to her federal employment from September 21 through October 30, 2015 and whether she established a cervical condition causally related to an August 6, 2015 employment injury.<sup>4</sup> Following this and such further development as OWCP deems necessary, it shall issue a *de novo* decision.

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<sup>2</sup> In reviewing appellant's prior medical history, OWCP's hearing representative also mentioned two medical reports from OWCP File No. xxxxxx647. There is no other evidence suggesting that OWCP has administratively combined OWCP File No. xxxxxx647 with the current file.

<sup>3</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance & Management*, Chapter 2.400.8(c) (February 2000).

**IT IS HEREBY ORDERED THAT** the September 29, 2017 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further action consistent with this decision of the Board.

Issued: March 6, 2019  
Washington, DC

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

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

Alec J. Koromilas, Alternate Judge  
Employees' Compensation Appeals Board