

Appellant had previously filed a traumatic injury claim due to a May 25, 2017 employment injury that OWCP accepted for right shoulder joint sprain and cervical disc displacement. OWCP assigned this case File No. xxxxx230.

By decision dated January 30, 2018, OWCP denied appellant's claim for compensation for the period commencing November 24, 2017 and continuing. On February 12, 2018 appellant, through counsel, requested a hearing before OWCP's Branch of Hearings and Review. During the hearing, he asserted that his right ankle condition had resolved, but that when he fell on August 22, 2017 he had aggravated his neck and right shoulder conditions which had been accepted under OWCP File No. xxxxxx230. OWCP's hearing representative indicated that he would review both claim files before rendering his decision.

By decision dated August 28, 2018, OWCP's hearing representative denied the claim for disability compensation. He indicated that he had reviewed OWCP File Nos. xxxxxx721 and xxxxxx230 in rendering his decision and concluded that the medical evidence he had reviewed was insufficient to establish that the claimed disability was caused by the August 22, 2017 employment injury.

The Board has duly considered the matter and concludes that this case is not in posture for decision. In the August 28, 2018 decision, OWCP's hearing representative referenced his review of the May 25, 2017 claim adjudicated by OWCP under File No. xxxxxx230, specifically noting that he had reviewed medical evidence found in the prior claim file.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.² Appellant has claimed an aggravation of his accepted neck and shoulder conditions when he fell on August 22, 2017. OWCP only accepted an ankle sprain due to this injury. As noted, in the August 28, 2018 decision, OWCP's hearing representative referenced appellant's May 2017 claim, adjudicated by OWCP File No. xxxxxx230, which was accepted for neck and shoulder conditions.

As these files have not been administratively combined, the Board is unable to determine whether all pertinent evidence had been reviewed by OWCP in the instant claim to determine whether appellant established entitlement to the claimed period of disability.

The record before the Board does not contain the evidence from the May 25, 2017 traumatic injury claim, OWCP File No. xxxxxx230, thus precluding a full and proper adjudication of the claim for disability. The Board thus finds that the case is not in posture for decision as the record as provided by OWCP is incomplete and would not permit an informed adjudication of the case. The case must therefore be remanded to OWCP to administratively combine the File Nos.

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

xxxxxx230 and xxxxxx721 and for further reconstruction and development as it may deem necessary, to be followed by an appropriate decision.³

IT IS HEREBY ORDERED THAT the August 28, 2018 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: October 22, 2019
Washington, DC

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

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

³ See *T.M.*, Docket No. 18-0887 (issued February 21, 2019).