

diagnosis and an opinion, supported by medical rationale, addressing how the claimed employment incident caused or aggravated a medical condition. It afforded him 30 days to submit the requested medical evidence.

In response, on April 2, 2019 appellant submitted November 21, 2018 medical records, November 22, 2018 blood test results, and December 20, 2018 and February 11, 2019 progress notes.

By decision dated April 3, 2019, OWCP denied appellant's occupational disease claim finding that the medical evidence of record was insufficient to establish that a medical condition was diagnosed in connection to the accepted employment factors. It found that, "[y]ou were provided 30 days to submit the requested information. No further evidence was received." OWCP did not note receipt or consideration of the November 21, 2018 medical records, November 22, 2018 blood test results, the December 20, 2018 progress notes or the February 11, 2019 progress notes.

The Board finds that OWCP, in its April 3, 2018, decision, did not review the November 21, 2018 medical records, the November 22, 2018 blood test results, the December 20, 2018 progress notes, or the February 11, 2019 progress notes. Whether OWCP receives relevant evidence on the date of the decision or days before, such evidence must be considered.² As the Board's decisions are final as to the subject matter appealed, it is crucial that all evidence relevant to the subject matter of the claim properly submitted to OWCP be reviewed and addressed.³ 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 April 3, 2019 decision. Following such further development as OWCP deems necessary, it shall issue a *de novo* decision on the claim. Accordingly,

² *T.J.*, Docket No. 14-1854 (issued February 3, 2015); *J.J.*, Docket No. 12-1062 (issued December 12, 2012); *William McKennon*, 51 ECAB 145 (1999).

³ *T.J.*, *id.*; see *Yvette N. Davis*, 55 ECAB 475 (2004).

IT IS HEREBY ORDERED THAT the April 3, 2019 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further action consistent with this order of the Board.

Issued: January 2, 2020
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