

OWCP had previously accepted appellant's claim for a cervical and lumbar sprain under OWCP File No. xxxxxx705, sustained on January 31, 2011 when she was struck by a door on her left scapula, which she claims has also contributed to the development of CRPS. Appellant also had prior claims for a March 27, 2009 left shoulder injury under OWCP File No. xxxxxx299. She alleged that those injuries also contributed to the development of CRPS.

In support of her claim, appellant provided a June 28, 2017 report by Dr. Carolina Mejia Otero, a Board-certified internist and rheumatologist, who noted appellant's history of multiple occupational left shoulder injuries and diagnosed possible CRPS of the left upper extremity. She also submitted a series of reports from Dr. Jorge L. Baez, a physiatrist, dated from February 14, 2011 to August 21, 2013, diagnosing cervical spine conditions and left shoulder tendinitis.

By decision dated January 22, 2018, OWCP denied the claim, finding that the evidence of record has not established the alleged employment factors. It concluded, therefore, that the requirements had not been met to establish an injury as defined by FECA.

On January 30, 2018 appellant requested reconsideration. She clarified that the sudden recrudescence of CRPS in her left upper extremity on August 25, 2016 occurred without an identifiable injury.

By decision dated May 16, 2018, OWCP modified the January 22, 2018 decision to accept the alleged factors of federal employment, as well as a diagnosed medical condition. However, it denied the claim finding that causal relationship was not established.

On May 23, 2018 appellant requested reconsideration. She provided an April 30, 2018 report by Dr. John C. Charnas, Board-certified in occupational medicine, who noted her history of CRPS subsequent to occupational left upper extremity injuries in 2007, 2009, and 2011. Dr. Charnas reported appellant's account of a severe increase of CRPS symptoms that day after a patient leaned on her left shoulder. Appellant also submitted a May 1, 2018 report by Dr. Otero, who opined that appellant met the diagnostic criteria for CRPS of the left upper extremity based on objective clinical signs and a history of the 2007 occupational injury.

By decision dated October 26, 2018, OWCP denied modification of its prior decision.

On November 1, 2018 appellant requested reconsideration, contending that the claimed CRPS was caused by repeated employment injuries to the left shoulder as claimed under OWCP File No. xxxxxx299 and OWCP File No. xxxxxx705.

By decision dated November 20, 2018, OWCP denied appellant's request for reconsideration.

On November 28, 2018 appellant requested reconsideration. She submitted a November 27, 2018 report by Dr. Otero, who opined that appellant's April 2006, March 2009, and January 2011 occupational injuries led to CRPS of the left upper extremity.

By decision dated February 25, 2019, OWCP denied modification.

The Board has duly considered the matter and finds that the case is not in posture for decision.

OWCP's procedures provide that cases should be combined where correct adjudication depends on cross-referencing between files and where two or more injuries occur to the same part of the body.² Under OWCP File No. xxxxxx705, OWCP accepted a January 31, 2011 employment incident in which a door struck appellant's left scapula, resulting in accepted cervical and lumbar strains. Appellant alleged that the accepted January 31, 2011 incident and March 27, 2009 left shoulder injury claimed under OWCP File No. xxxxxx299 resulted in CRPS of the left upper extremity. Additionally, OWCP found in its February 25, 2019 decision under the present claim that adjudication of appellant's claim required a review of contemporaneous medical records addressing appellant's prior left upper extremity injuries. On that basis, for a full and fair adjudication, the claims in OWCP File Nos. xxxxxx707, xxxxxx299, and xxxxxx705 should be combined.

Under its procedures, OWCP has determined that cases should be combined where a new injury case is reported for an employee who previously filed an injury claim for the same part of the body and where correct adjudication depends on cross-referencing between files.³ This will allow OWCP to consider all relevant claim files in developing this occupational disease claim.⁴

Accordingly, the Board will remand the case to OWCP to combine the case records for OWCP File Nos. xxxxxx707, xxxxxx299, and xxxxxx705 along with any other claim files OWCP determines should be combined. Following this and such development as deemed necessary, OWCP shall issue a *de novo* merit decision on appellant's claim.

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

³ *Id.* at Chapter 2.400.8(c)(1); *D.F.*, Docket No. 20-0354 (issued August 4, 2020); *C.C.*, Docket No. 14-1576 (issued March 9, 2015).

⁴ *Id.*

IT IS HEREBY ORDERED THAT the January 7, 2019, November 20, and October 18, 2018 decisions of the Office of Workers' Compensation Programs are set aside and the case is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: September 29, 2020
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board