

**United States Department of Labor  
Employees' Compensation Appeals Board**

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<b>L.N., Appellant</b>	)	
	)	
<b>and</b>	)	<b>Docket No. 21-0771</b>
	)	<b>Issued: October 28, 2021</b>
<b>U.S. POSTAL SERVICE, KEDZIE GRACE</b>	)	
<b>POST OFFICE, Chicago, IL, Employer</b>	)	
_____	)	

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:  
ALEC J. KOROMILAS, Chief Judge  
JANICE B. ASKIN, Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge

On April 19, 2021 appellant filed an appeal from a January 7, 2021 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 21-0771.

The Board, having duly considered the matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed his appeal.<sup>2</sup> The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.<sup>3</sup>

In this regard, by a January 7, 2021 decision, OWCP's hearing representative vacated an October 19, 2020 decision denying authorization for compounded medication, and remanded the case for further development due to an unresolved conflict in medical opinion, to be followed by a *de novo* decision on the issue of authorization for compounded medication. The Board finds that

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<sup>1</sup> 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>2</sup> 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP."

<sup>3</sup> *Id.*

this does not constitute a final adverse decision as it is interlocutory in nature and it has no jurisdiction with respect to any interlocutory matters decided or not decided.<sup>4</sup>

As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-0771 must be dismissed. Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 21-0771 is dismissed.

Issued: October 28, 2021  
Washington, DC

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

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

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

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<sup>4</sup> *Id.* at § 501.2(c)(2), which provides: "There will be no appeal with respect to any interlocutory matter decided (or not decided) by OWCP during the pendency of a case." *S.U.*, Docket No. 20-0636 (issued December 3, 2020); *Jennifer A. Guillary*, 57 ECAB 485 (2005).