

<sup>2</sup> Appellant submitted a timely request for oral argument before the Board. 20 C.F.R. § 501.5(b). Pursuant to the Board's *Rules of Procedure*, oral argument may be held in the discretion of the Board. 20 C.F.R. § 501.5(a). Appellant did not state a specific reason for requesting oral argument. The Board, in exercising its discretion, denies appellant's request for oral argument because the issues on appeal can adequately be addressed in a decision based on a review of the case record. Oral argument in this appeal would further delay issuance of a Board decision and not serve a useful purpose. As such, the oral argument request is denied and this order is based on the case record as submitted to the Board.

and walking while in the performance of duty caused her left knee to swell and become stiff. Appellant did not stop work.

The notice of recurrence was originally filed under OWCP File No. xxxxxx487, an occupational disease claim (Form CA-2) accepted for aggravation of left patellar tendinitis; and aggravation of pain in joint, left lower leg. The recurrence claim was converted by OWCP to a new occupational disease claim, assigned OWCP File No. xxxxxx656, which is the claim presently before the Board. Appellant's claims have not been administratively combined by OWCP.

By decision dated April 8, 2021, OWCP denied appellant's occupational disease claim under OWCP File No. xxxxxx656, finding that the medical evidence of record was insufficient to establish causal relationship between the diagnosed medical condition and the accepted employment factors.

On April 22, 2021 appellant requested reconsideration of OWCP's April 8, 2021 decision.

By decision dated July 7, 2021, OWCP denied modification of its April 8, 2021 decision. It referenced appellant's prior claim in OWCP File No. xxxxxx487 and summarized medical evidence found in that case record.

The Board has duly considered the matter and concludes that this case is not in posture for decision. OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.<sup>3</sup> For example, 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>4</sup>

Herein, appellant has a previously accepted claim for aggravation of patellar tendinitis, left and aggravation of pain in joint, lower leg, left under OWCP File No. xxxxxx487. The present claim, OWCP File No. xxxxxx656, also pertains to the left knee. Appellant's claims, however, have not been administratively combined by OWCP. For a full and fair adjudication, the case must be returned to OWCP to administratively combine the current case record with OWCP File No. xxxxxx487. Following this and such further development as OWCP deems necessary, it shall issue a *de novo* decision. Accordingly,

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

<sup>4</sup> *Id.*; *R.H.*, Docket No. 21-0575 (issued December 21, 2021); *D.C.*, Docket No. 19-0100 (issued June 3, 2019); *N.M.*, Docket No. 18-0833 (issued April 18, 2019); *K.T.*, Docket No. 17-0432 (issued August 17, 2018).

**IT IS HEREBY ORDERED THAT** the July 7, 2021 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: May 10, 2022  
Washington, DC

Patricia H. Fitzgerald, 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