

The Board, having duly considered this matter, finds that the case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when proper adjudication of the issues depends on frequent cross-referencing between case files.¹ 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.² OWCP specifically referenced schedule awards for the right upper extremity granted in other claims, OWCP File Nos. xxxxxx004 and xxxxxx972, in finding that appellant was not entitled to a schedule award for the right upper extremity in the current case, OWCP File No. xxxxxx940. However, the evidence pertaining to these files is not part of the case record presented before the Board. Evidence contained in another of claimant's case files may be used, but a copy of that evidence should be placed into the case file being adjudicated.³ All evidence that forms the basis of a decision must be in that claimant's case record.⁴ Therefore, for a full and fair adjudication, the case shall be remanded to OWCP to administratively combine the current case record with OWCP File Nos. xxxxxx004 and xxxxxx972. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision regarding appellant's schedule award claim. Accordingly,

¹ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c(1) (February 2000); *V.G.*, Docket No. 19-0670 (issued April 30, 2020); *L.P.*, Docket Nos. 18-1558, 18-1568 (issued June 21, 2019); *W.S.*, Docket No. 15-0969 (issued October 5, 2015); *C.C.*, Docket No. 14-1576 (issued March 9, 2015).

² *Id.*; *M.B.*, Docket No. 20-1175 (issued December 31, 2020); *L.M.*, Docket No. 19-1490 (issued January 29, 2020).

³ *Supra* note 1 at Chapter 2.800.5a (June 2011); *Order Remanding Case, R.L.*, Docket No. 20-0901 (issued July 27, 2021).

⁴ *Id.*; *see also Order Remanding Case, G.O.*, Docket No. 18-1483 (issued June 20, 2019).

IT IS HEREBY ORDERED THAT the January 18, 2022 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: February 13, 2023
Washington, DC

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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

James D. McGinley, Alternate Judge
Employees' Compensation Appeals Board