

<sup>2</sup> On June 5, 2023 the Board dismissed appellant's May 7, 2023 appeal as untimely filed. *Order Dismissing Appeal, C.H.*, Docket No. 23-0776 (issued June 5, 2023). On June 6, 2023 appellant, through his representative, filed a petition for reconsideration. On June 18, 2025, the Board granted appellant's petition for reconsideration and reinstated his appeal. *Order Granting Petition for Reconsideration and Reinstating Appeal, C.H.*, Docket No. 23-0776 (issued June 18, 2025).

mail. He noted that he first became aware of his condition on May 5, 2017 and realized its relation to his federal employment on February 9, 2019. Appellant did not stop work.

OWCP assigned this claim OWCP File No. xxxxxx017 and accepted the claim for bilateral ulnar neuropathy/ulnar nerve lesions.

By decision dated September 9, 2021, OWCP granted appellant a schedule award for eight percent permanent impairment of the right upper extremity and eight percent permanent impairment of the left upper extremity. The award ran for 49.92 weeks from May 13, 2021 through April 27, 2022.

On September 29, 2021 appellant filed a Form CA-2 claiming an increased schedule award.

By decisions dated May 26 and June 16, 2022, OWCP expanded its acceptance of the claim to include bilateral frozen shoulder (adhesive capsulitis of the right and left shoulders) and bilateral carpal tunnel syndrome (CTS).

On July 6, 2022 OWCP referred appellant, along with a statement of accepted facts (SOAF) and the medical record, to Dr. Kevin F. Hanley, a Board-certified orthopedic surgeon, for an updated impairment rating evaluation to include all accepted conditions in accordance with the sixth edition of the American Medical Association, *Guides to the Evaluation of Permanent Impairment* (A.M.A., *Guides*)<sup>3</sup>.

In a report dated August 31, 2022, Dr. Hanley opined that appellant had eight percent permanent impairment of the right upper extremity and eight percent permanent impairment of the left upper extremity, which indicated no change in his overall impairment rating. In a December 21, 2022 report, Dr. Katz, serving as OWCP's district medical adviser (DMA), concurred with Dr. Hanley.

By decision dated February 2, 2023, OWCP denied appellant's claim for an increased schedule award.

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

Appellant previously filed a traumatic injury claim (Form CA-1) alleging bilateral upper extremity injuries due to pulling a large cage full of mail on May 5, 2017, which OWCP denied under OWCP File No. xxxxxx613. The present claim, OWCP File No. xxxxxx017, also pertains to bilateral upper extremity conditions, which appellant first became aware of on May 5, 2017. However, OWCP had not administratively combined the claims at the time it obtained the second opinion from Dr. Hanley.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.<sup>4</sup> For example, if a

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<sup>3</sup> A.M.A., *Guides* (6<sup>th</sup> ed. 2009).

<sup>4</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

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>5</sup>

Therefore, for full and fair adjudication, this case shall be remanded for OWCP to administratively combine OWCP File Nos. xxxxxx613 and xxxxxx017, so it can consider all relevant claim files and accompanying evidence in adjudicating appellant's current claim for an increased schedule award.<sup>6</sup> It shall then prepare an updated SOAF, and refer appellant to a new specialist in the appropriate field of medicine for a second opinion examination. Following this and other such further development as deemed necessary, OWCP shall issue *a de novo* decision. Accordingly,

**IT IS HEREBY ORDERED THAT** the February 2, 2023 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: July 2, 2025  
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>5</sup> *Id.*; *M.L.*, Docket No. 20-1176 (issued April 29, 2021); *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No. 18-1777 (issued July 2, 2019).

<sup>6</sup> *Supra* note 4 at Chapter 2.400.8c(1); *W.D.*, Docket No. 19-0961 (issued March 31, 2021); *L.P.*, Docket Nos. 18-1558, 18-1568 (issued June 21, 2019).