

² OWCP assigned the present claim OWCP File No. xxxxxx407. Under OWCP File No. xxxxxx973, OWCP accepted lumbar back sprain. OWCP has not administratively combined OWCP File No. xxxxxx973 with the present claim.

supplemental rolls commencing August 7, 2023, and on the periodic rolls commencing December 31, 2023.

By notice dated January 8, 2026, OWCP advised appellant that it proposed to terminate his wage-loss compensation and medical benefits based on the opinion of Dr. David Lumsden, a Board-certified orthopedic surgeon serving as the second opinion specialist, who reported that the accepted employment-related conditions had ceased without residuals or disability. It afforded appellant 30 days to submit additional evidence or argument challenging the proposed termination.

By decision dated April 21, 2026, OWCP terminated appellant's wage-loss compensation and medical benefits, effective that date. It found that Dr. Lumsden's opinion constituted the weight of the medical opinion evidence and established that appellant no longer had disability or residuals causally related to the accepted June 22, 2023 employment injury.

The Board, having duly considered this matter, finds that OWCP failed to meet its burden of proof to terminate appellant's wage-loss compensation and medical benefits, effective April 21, 2026.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.³ 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.⁴ Herein, appellant's claim under OWCP File No. xxxxxx973 also involved the lumbar spine. OWCP relied on the opinion of Dr. Lumsden in justifying its termination decision. However, it had not administratively combined OWCP File No. xxxxxx973 with the present claim. Once OWCP accepts a claim and pays compensation, it has the burden of proof to justify termination or modification of benefits.⁵ As OWCP did not administratively combine the claim files prior to its referral to Dr. Lumsden, the Board finds that it failed to meet its burden of proof to terminate appellant's wage-loss compensation.⁶ Accordingly,

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (March 16, 2026).

⁴ *Id.*; *L.G.*, Docket No. 18-1676 (issued August 22, 2019); *D.L.*, Docket No. 17-1588 (issued January 28, 2019).

⁵ See *Order Reversing Case, D.S.*, Docket No. 25-0878 (issued December 12, 2025); *Order Reversing Case, E.B., id.*; *D.G.*, Docket No. 19-1259 (issued January 29, 2020); *S.F.*, 59 ECAB 642 (2008); *Kelly Y. Simpson*, 57 ECAB 197 (2005); *Paul L. Stewart*, 54 ECAB 824 (2003).

⁶ See *Order Reversing Case, D.S., id.*; *Order Reversing Case, E.B., id.*; *Order Reversing Case, C.V.*, Docket No. 23-0913 (issued December 4, 2023).

IT IS HEREBY ORDERED THAT the April 21, 2026 decision of the Office of Workers' Compensation Programs is reversed.

Issued: August 12, 2026
Washington, DC

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

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

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