

² The Board notes that, following the November 18, 2025 decision, OWCP received additional evidence. The Board’s *Rules of Procedure* provides: “The Board’s review of a case is limited to the evidence in the case record that was before OWCP at the time of its final decision. Evidence not before OWCP will not be considered by the Board for the first time on appeal.” 20 C.F.R. § 501.2(c)(1). Thus, the Board is precluded from reviewing this additional evidence for the first time on appeal. *Id.*

on the supplemental rolls effective December 9, 2009, and on the periodic rolls effective November 12, 2017.

In a notice dated January 19, 2024, OWCP advised appellant that it proposed to terminate her wage-loss compensation and medical benefits based on a November 7, 2023 report of Dr. Alexander Doman, a Board-certified orthopedic surgeon serving as OWCP's referral physician.

By decision dated March 8, 2024, OWCP terminated appellant's wage-loss compensation and medical benefits, effective that date. It found that Dr. Doman'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 April 9, 2009 employment injury.

On April 8, 2024 appellant, through counsel, requested an oral hearing before a representative of OWCP's Branch of Hearings and Review. A hearing was held on July 12, 2024. OWCP also received additional reports by Dr. Kalish dated August 29, 2023 and March 19, 2024.

By decision dated October 4, 2024, OWCP's hearing representative affirmed the March 8, 2024 termination decision.

On October 4, 2025 appellant, through her representative, requested reconsideration of the October 4, 2024 decision. Counsel argued that OWCP improperly accorded the weight of the medical opinion evidence to Dr. Doman's November 7, 2023 report to terminate appellant's wage-loss compensation and medical benefits, effective March 8, 2024, as Dr. Doman had disregarded a critical element of the SOAF.

By decision dated November 18, 2025, OWCP summarily denied appellant's request for reconsideration, pursuant to 5 U.S.C. § 8128(a). The November 18, 2025 decision merely noted: "your letter neither raised substantive legal questions nor included new and relevant evidence, it is insufficient to warrant a review of our decision of our prior decision at this time."

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

The Board finds that OWCP did not make findings regarding the argument counsel submitted in support of the reconsideration request.³ Rather, the November 18, 2025 decision simply noted: "your letter neither raised substantive legal questions nor included new and relevant evidence, it is insufficient to warrant a review of our decision of our prior decision at this time." As OWCP summarily denied appellant's request for reconsideration, it did not comply with the review requirements of FECA and its implementing regulations.⁴

³ See *Order Remanding Case, R.C.*, Docket No. 21-0845 (issued December 13, 2021); *Order Remanding Case, R.C.*, Docket No. 20-1671 (issued May 6, 2021); *Order Remanding Case, J.K.*, Docket No. 20-0556 (issued August 13, 2020); *Order Remanding Case, C.D.*, Docket No. 20-0450 (issued August 13, 2020); *Order Remanding Case, T.B.*, Docket No. 20-0426 (issued July 27, 2020).

⁴ See *C.G.*, Docket No. 20-0051 (issued June 29, 2020); *T.P.*, Docket No. 19-1533 (issued April 30, 2020); see also 20 C.F.R. § 10.607(b).

Section 8124(a) of FECA provides that OWCP shall determine and make a finding of fact and make an award for or against payment of compensation.⁵ Its regulations at 20 C.F.R. § 10.126 provide that the decision of the Director of OWCP shall contain findings of fact and a statement of reasons.⁶ As well, OWCP's procedures provide that the reasoning behind OWCP's evaluation should be clear enough for the reader to understand the precise defect of the claim and the kind of evidence which would overcome it.⁷

The Board shall therefore set aside OWCP's November 18, 2025 decision and remand the case for an appropriate decision which describes the arguments submitted on reconsideration and provides detailed reasons for accepting or rejecting the reconsideration request.⁸ Accordingly,

IT IS HEREBY ORDERED THAT the November 18, 2025 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: August 18, 2026
Washington, DC

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

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

⁵ 5 U.S.C. § 8124(a).

⁶ 20 C.F.R. § 10.126.

⁷ Federal (FECA) Procedure Manual, Part 2 -- Claims, *Disallowances*, Chapter 2.1400.5 (February 2013).

⁸ 5 U.S.C. § 8124(a). All evidence submitted should be reviewed and discussed in the decision. Evidence received following development that lacks probative value should also be acknowledged. Whenever possible, the evidence should be referenced by author and date. *Id.* at Chapter 2.1401.5(b)(2) (November 2012).