

**United States Department of Labor
Employees' Compensation Appeals Board**

P.G., Appellant

and

**DEPARTMENT OF THE AIR FORCE,
LACKLAND AIR FORCE BASE, TX, Employer**

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**Docket No. 10-2209
Issued: June 28, 2011**

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:

RICHARD J. DASCHBACH, Chief Judge
ALEC J. KOROMILAS, Judge
COLLEEN DUFFY KIKO, Judge

Appellant, a 55-year-old air conditioning equipment mechanic, has an accepted claim for right eye laceration and traumatic cataract, which occurred on March 12, 2007. He underwent surgery on March 13, 2007, which included an intraocular lens implant. By decision dated May 14, 2010, the Office granted appellant a schedule award for 15 percent impairment of visual system, right eye. It based the award on the district medical adviser's (DMA) May 5, 2010 report, which in turn was based on the February 22, 2010 examination findings of Dr. William F. Davitt III, a Board-certified ophthalmologist and Office referral physician.¹ Appellant filed the instant appeal on August 30, 2010.

The Board finds that the case is not in posture for decision. The Federal Employees' Compensation Act provides that the "degree of loss of vision ... is determined without regard to correction."² Following the May 1, 2009 implementation of the sixth edition of the A.M.A., *Guides*, the procedure manual noted with respect to loss of vision that the percentage of impairment "continues to be based on best *uncorrected* vision."³ (Emphasis added.) Both the

¹ Appellant's impairment was calculated based on the sixth edition of the American Medical Association, *Guides to the Evaluation of Permanent Impairment*.

² 5 U.S.C. § 8107(c)(19) (2006); *see D.F.*, 59 ECAB 288, 290 (2007).

³ Federal (FECA) Procedure Manual, Part 3 -- Medical, *Schedule Awards*, Chapter 3.700.4c (January 2010).

Office referral physician and the DMA relied on appellant's "best corrected vision" in calculating his visual system impairment. Once the Office undertakes development of the record, it must do a complete job in procuring medical evidence that will resolve the relevant issues in the case.⁴ As the medical evidence developed by the Office was based in part on an analysis of appellant's best corrected vision, the case will be remanded for further development. After the Office has developed the case record to the extent it deems necessary, a *de novo* decision shall be issued.

IT IS HEREBY ORDERED THAT the May 14, 2010 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded for further action consistent with this order of the Board.

Issued: June 28, 2011
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

⁴ *Richard F. Williams*, 55 ECAB 343, 346 (2004).