



On February 4, 2019 OWCP referred appellant, along with a statement of accepted facts (SOAF) and a copy of the medical record to Dr. Jackson Holland, a Board-certified otolaryngologist, for a second opinion evaluation to determine the nature and extent of his employment-related conditions.

In his March 5, 2019 medical report, Dr. Holland reviewed the SOAF, history of injury and the medical evidence of record. He identified appellant's previous hearing loss claim under OWCP File No. xxxxxxx898, as well as his subsequent treatment and receipt of right and left hearing aids. On evaluation, Dr. Holland noted appellant's right ear hearing impairment as moderate and his left ear hearing impairment as moderate to severe. He reviewed appellant's audiometric testing results and, using the sixth edition of the American Medical Association, *Guides to the Evaluation of Permanent Impairment*, (A.M.A., *Guides*),<sup>2</sup> found at 500, 1,000, 2,000, and 3,000 Hertz losses of 10, 15, 25, and 50 decibels (dBs) on the right, respectively; and 15, 20, 50, and 75 dBs on the left, respectively. Dr. Holland diagnosed neurosensory hearing impairment, binaural, noise-induced hearing loss, binaural and tinnitus. He found zero percent monaural hearing loss in the right ear; 22.5 percent monaural hearing loss in the left ear; and 3.7 percent binaural hearing loss. Dr. Holland described the progression of appellant's hearing loss since his 2009 audiometric evaluation and opined that the continued occupational exposure spanning from 2009 until his retirement in June 2018 was of sufficient intensity and duration to be the primary contributor to his neurosensory hearing loss progression and incremental increase is ratable for the left and right ears.

By decision dated May 10, 2019, OWCP accepted appellant's occupational disease claim for binaural sensorineural hearing loss, with tinnitus, unspecified ear.

On June 6, 2019 appellant filed a claim for a schedule award (Form CA-7).

In an August 8, 2019 development letter, OWCP noted that appellant had previously been awarded compensation for eight percent permanent impairment of the left ear under OWCP File No. xxxxxxx898. It requested a narrative medical report from his physician explaining whether he or she believes the current percentage of hearing loss includes the prior percentage awarded or if it should be considered an addition to the prior percentage awarded. OWCP afforded appellant 30 days to submit the additional evidence. No additional evidence was received.

By decision dated October 22, 2019, OWCP denied appellant's schedule award claim, finding that the evidence of record was insufficient to establish that his additional work exposure contributed to an additional impairment.

The Board has duly considered the matter and finds that the case is not in posture for decision. OWCP's procedures provide that cases should be administratively combined when correct adjudication depends on cross-referencing between files or when two or more injuries occur to the same part of the body.<sup>3</sup> In the present claim, appellant alleged bilateral hearing loss

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<sup>2</sup> A.M.A., *Guides* (6<sup>th</sup> ed. 2009).

<sup>3</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000).

due to noise exposure at work. OWCP noted that it had previously accepted on August 11, 2009 that appellant sustained binaural hearing loss due to factors of his federal employment under OWCP File No. xxxxxx898. For a full and fair adjudication, the claim in OWCP File No. xxxxxx898 must be administratively combined with the present claim. This will allow OWCP to consider all relevant claim files in developing this schedule award claim.<sup>4</sup>

Accordingly, the Board will remand the case to OWCP to administratively combine the present claim with OWCP File No. xxxxxx898. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* merit decision on appellant's schedule award claim.

**IT IS HEREBY ORDERED THAT** the October 22, 2019 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: January 29, 2021  
Washington, DC

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Alternate Judge  
Employees' Compensation Appeals Board

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

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<sup>4</sup> *Id.* at Chapter 2.400.8(c)(1); *W.W.*, Docket No. 19-0884 (issued June 16, 2020); *L.P.*, Docket Nos. 18-1558, 181568 (issued June 21, 2019); *L.S.*, Docket Nos. 17-1863, 17-1867, 17-1868 (issued April 18, 2018); *W.S.*, Docket No. 15-0969 (issued October 5, 2015); *C.C.*, Docket No. 14-1576 (issued March 9, 2015).