

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Delta M. v. Frank Bisignano, Commissioner of Social Security

Delta M. v. Bisignano, No. 3:25-CV-225-SJF (N.D. Ind. Feb. 25, 2026) · No. No. 3:25-CV-225-SJF · Decided
February 25, 2026

SUMMARY

The United States District Court for the Northern District of Indiana reviews the denial of Delta M.’s applications for Disability Insurance Benefits and Supplemental Security Income. The court concludes that the administrative law judge improperly treated consultative psychologist Dr. Russell Coulter-Kern’s reports as vague or inadequate without recontacting him as required by applicable Social Security regulations. The court remands the Commissioner’s decisions for further proceedings.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Scott J. Frankel
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	February 25, 2026
DOCKET	No. 3:25-CV-225-SJF
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decisions denying the plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income.
STANDARD OF REVIEW	The court reviews whether the ALJ applied the correct legal standards and whether the decision is supported by substantial evidence. It may not reweigh evidence, resolve evidentiary conflicts, decide credibility questions, or substitute its judgment for the ALJ's, but the ALJ must adequately explain the analysis and build a logical bridge from the evidence to the conclusions.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court opinion
PARTIES	Delta M. v. Frank Bisignano, Commissioner of Social Security

TOPICS

judicial review of agency action

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PRACTICE AREAS

Social Security

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QUESTIONS PRESENTED

1. Whether the ALJ's characterization of Dr. Coulter-Kern's consultative-examination opinions as vague, minimally explained, and inadequately supported triggered the regulatory duty to recontact the consultative examiner under 20 C.F.R. §§ 404.1519p(b) and 416.919p(b).
2. Whether the Commissioner's reliance on 20 C.F.R. § 404.1520b(b)(1) eliminated or supplanted the duty to recontact a consultative examiner when the examiner's report was inadequate or incomplete.

HOLDINGS

1. When an ALJ determines that a consultative examiner's report is inadequate or incomplete concerning the nature, severity, duration of an impairment, or residual functional capacity, the regulations require the Commissioner to contact the medical source, explain the evidentiary need, and request the missing information or a revised report.
2. The general provision addressing inconsistencies or insufficiencies in the entire case record does not, without more, eliminate or supplant the specific mandatory duty to recontact a consultative examiner whose report is inadequate or incomplete.

KEY QUOTATIONS

“Accordingly, because the ALJ believed Dr. Coulter-Kern’s report was incomplete or inadequate, the ALJ had a “regulatory duty” to recontact Dr. Coulter-Kern.” (Section III.C)

“Without more, the Court cannot find that the Commissioner’s reliance on 20 C.F.R. § 404.1520b(b)(1) supplants the mandate to recontact a consultative examiner in 20 C.F.R. § 404.1519p(b) and 20 C.F.R. § 416.919p(b).” (Section III.C)

“For these reasons, the Commissioner’s decision is REVERSED and REMANDED for further administrative proceedings consistent with this opinion.” (Section IV)

FACTUAL BACKGROUND

Delta M. sought reinstatement of DIB and an award of SSI based on physical and mental impairments, including bipolar disorder, anxiety, PTSD, substance use disorder, and shoulder conditions. Two consultative examinations by psychologist Dr. Russell Coulter-Kern documented distress and various limitations involving instruction-following, concentration, workplace interactions, and coping with work pressures. The ALJ found the opinions not persuasive, characterizing them as vague, minimally explained, and internally unsupported, and denied benefits after finding that Delta M. could perform other work. The district court concluded that the ALJ's stated concerns indicated that the consultative reports were incomplete or inadequate.

PROCEDURAL HISTORY

Delta M. applied for DIB and SSI, alleging disability beginning August 25, 2020. The applications were denied initially, on reconsideration, and following an administrative hearing; the ALJ issued unfavorable decisions on June 28 and July 22, 2024, and the Appeals Council denied further review on January 17, 2025. The plaintiff filed this action on March 13, 2025. The district court reversed and remanded for further administrative proceedings because the ALJ treated a consultative examiner's opinions as vague or inadequately explained without recontacting the examiner as required by the applicable regulations.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Commissioner must conduct further administrative proceedings consistent with the opinion, including recontacting Dr. Coulter-Kern for clarification of the allegedly inadequate or incomplete consultative reports and reevaluating the medical opinion evidence as appropriate.

CASES CITED

- Fast v. Barnhart, 397 F.3d 468, 470 (7th Cir. 2005)
- Clifford v. Apfel, 227 F.3d 863, 868 (7th Cir. 2000)
- Elder v. Astrue, 529 F.3d 408, 413 (7th Cir. 2008)
- Roddy v. Astrue, 705 F.3d 631, 636 (7th Cir. 2013)
- Simila v. Astrue, 573 F.3d 503, 513 (7th Cir. 2009)
- Skinner v. Astrue, 478 F.3d 836, 841 (7th Cir. 2007)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Summers v. Berryhill, 864 F.3d 523, 526 (7th Cir. 2017)
- Biestek v. Berryhill, 139 S. Ct. 1148, 1154 (2019)
- Young v. Barnhart, 362 F.3d 995, 1001 (7th Cir. 2004)
- Lopez v. Barnhart, 336 F.3d 535, 539 (7th Cir. 2003)
- Scott v. Barnhart, 297 F.3d 589, 595 (7th Cir. 2002)
- Craft v. Astrue, 539 F.3d 668, 673 (7th Cir. 2008)
- Moore v. Colvin, 743 F.3d 1118, 1123 (7th Cir. 2014)
- Indoranto v. Barnhart, 374 F.3d 470, 474 (7th Cir. 2004)
- Briscoe ex rel. Taylor v. Barnhart, 425 F.3d 345, 355 (7th Cir. 2005)
- Liskovitz v. Astrue, 559 F.3d 736, 742-43 (7th Cir. 2009)
- Mark R. v. Bisignano, No. 1:25-CV-00572-TAB-SEB, 2026 WL 262130, at *1, *3-*5 (S.D. Ind. Feb. 2, 2026)
- Greer v. Comm'r of Soc. Sec., No. 3:24-CV-795-CCB-SJF, 2025 WL 2655929, at *3-*4 (N.D. Ind. Sept. 15, 2025)

- La'Toya R. v. Bisignano, No. 1:24-CV-01564-JMS-TAB, 2025 WL 1413807, at *5 (S.D. Ind. May 15, 2025)
- Reginald H. v. O'Malley, No. 24 C 3827 (N.D. Ill. Jan. 8, 2025)
- Cieszynski v. Kijakazi, No. 22-2024, 2023 WL 2523499, at *5 (7th Cir. Mar. 15, 2023)
- Reginald H. v. O'Malley, No. 24 C 3827 (N.D. Ill. Oct. 23, 2024)
- Robert D. v. Kijakazi, No. 22 C 3714 (N.D. Ill. July 27, 2023)
- Tanya S. v. Kijakazi, No. 2:21CV38, 2021 WL 6201733, at *12 (N.D. Ind. Dec. 31, 2021)

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