

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Rhoda B. v. Frank Bisignano, Commissioner of Social Security

Rhoda B. v. Bisignano, No. 1:25-CV-03013-JAG (E.D. Wash. Mar. 30, 2026) · No. 1:25-CV-03013-JAG ·
Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Washington reverses the Commissioner of Social Security’s decision denying Rhoda B. disability benefits and remands for further proceedings. The court finds harmful error in the ALJ’s treatment of alleged neurocognitive deficits, right knee osteoarthritis, lay-witness evidence, and subjective complaints. The court grants Plaintiff’s motion for remand, denies the Commissioner’s motion to affirm, and directs the ALJ to reassess all impairments and medical opinions.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	James A. Goeke
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	March 30, 2026
DOCKET	1:25-CV-03013-JAG
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff sought judicial review under 42 U.S.C. § 405(g) of the Commissioner's final decision denying Disability Insurance Benefits and Supplemental Security Income. The parties filed briefing, and the court considered plaintiff's motion for remand and defendant's motion to affirm the administrative decision.
STANDARD OF REVIEW	The court reviews legal conclusions de novo and reviews the ALJ's decision for substantial evidence and legal error. The court may not substitute its judgment for the ALJ's where the evidence is susceptible to more than one rational interpretation, but a decision supported by substantial evidence must still be set aside if the ALJ failed to apply the proper legal standards.
PRECEDENTIAL VALUE	Unpublished district-court order; persuasive at most and not binding precedent outside the case.

TOPICS

judicial review of agency action

administrative law

disability definition

remedies

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PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether substantial evidence and proper legal standards supported the ALJ's evaluation of plaintiff's impairments at step two and at the later sequential-evaluation steps.
2. Whether the ALJ properly evaluated lay-witness evidence concerning plaintiff's post-stroke cognitive limitations.
3. Whether the ALJ provided legally sufficient reasons for discounting plaintiff's subjective complaints.
4. Whether the ALJ properly evaluated the medical opinions and cognitive testing in determining plaintiff's residual functional capacity.

HOLDINGS

1. Although failure to classify an impairment as severe at step two is not reversible error when the ALJ considers the impairment's effects throughout the remaining sequential evaluation, the ALJ commits reversible error when the omission results in failure to consider the impairment's effect on the claimant's ability to work. The ALJ reversibly erred by failing to account for plaintiff's neurocognitive deficits and right-knee osteoarthritis in evaluating her ability to perform past work and other work.
2. The ALJ reversibly erred by failing to meaningfully consider and analyze the detailed lay-witness statement from plaintiff's former employer concerning plaintiff's post-stroke cognitive decline and job performance.
3. The ALJ did not provide legally sufficient reasons for discounting plaintiff's complaints of cognitive impairment. Relatively simple volunteer work, household chores, and playing cards were not specific, clear, and convincing reasons to reject the complaints.
4. The ALJ must reassess all medical opinions, including cognitive testing and follow-up testing, on remand, with attention to both cognitive and physical impairments.

KEY QUOTATIONS

"However, where, as in this case, the ALJ does not even consider the impacts of conditions deemed non-severe on Plaintiff's ability to work, the ALJ commits reversible error." (Section VII.A)

"Absent affirmative evidence of malingering, the ALJ's reasons for rejecting the claimant's testimony must be 'specific, clear and convincing.'" (Section VII.C)

FACTUAL BACKGROUND

Plaintiff alleged disability beginning May 15, 2021, based primarily on stroke-related impairments and heart issues. The ALJ found severe impairments including a history of stroke with left hemiplegia, atrial fibrillation, left shoulder abnormality, hypertension, seizure disorder, and obesity, but found neurocognitive deficits following the stroke and right-knee osteoarthritis non-severe. The ALJ determined that plaintiff retained the capacity for restricted light work and could perform past work and other jobs in the national economy. The record included cognitive testing, plaintiff's reports of brain fog, and a detailed statement from a former employer describing a substantial post-stroke decline in plaintiff's cognitive job performance.

PROCEDURAL HISTORY

Plaintiff applied for benefits in July 2021. An administrative law judge denied benefits on February 27, 2024, and the Appeals Council denied review. Plaintiff filed this action on January 31, 2025. The district court granted plaintiff's motion for remand, denied the Commissioner's motion to affirm, overturned the ALJ's decision, entered judgment for plaintiff, and closed the file.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The ALJ must address all impairments, take new evidence if offered, offer plaintiff an opportunity for a hearing, and reassess all medical opinions, including opinions and testing concerning cognitive and physical impairments.

CASES CITED

- Andrews v. Shalala, 53 F.3d 1035, 1039 (9th Cir. 1995)
- McNatt v. Apfel, 201 F.3d 1084, 1087 (9th Cir. 2000)
- Tackett v. Apfel, 180 F.3d 1094, 1097-99 (9th Cir. 1999)
- Richardson v. Perales, 402 U.S. 389, 401 (1971)
- Morgan v. Commissioner of Social Security Administration, 169 F.3d 595, 599 (9th Cir. 1999)
- Sprague v. Bowen, 812 F.2d 1226, 1229-30 (9th Cir. 1987)
- Brawner v. Secretary of Health and Human Services, 839 F.2d 432, 433 (9th Cir. 1988)
- Bowen v. Yuckert, 482 U.S. 137, 140-42 (1987)
- Batson v. Commissioner of Social Security Administration, 359 F.3d 1190, 1193-94 (9th Cir. 2004)
- Rashad v. Sullivan, 903 F.2d 1229, 1231 (9th Cir. 1990)
- Reddick v. Chater, 157 F.3d 715, 722 (9th Cir. 1998)
- Smolen v. Chater, 80 F.3d 1273, 1281 (9th Cir. 1996)
- Lester v. Chater, 81 F.3d 821, 834 (9th Cir. 1995)
- Dodrill v. Shalala, 12 F.3d 915, 918 (9th Cir. 1993)

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