

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Dawn H. v. Commissioner, Social Security Administration

Dawn H. · No. 6:24-cv-01997-HZ · Decided March 31, 2026

SUMMARY

The United States District Court for the District of Oregon reviewed the Commissioner of Social Security's denial of disability insurance benefits and supplemental security income. The court held that the ALJ inadequately evaluated state agency psychological opinions concerning the need for a predictable work environment, reversed the decision, and remanded for further administrative proceedings, while upholding the ALJ's treatment of the consultative examiner's opinion regarding varicose veins.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                           |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Oregon                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | Marco A. Hernández                                                                                                                                                                                                                                                                                        |
| JURISDICTION          | United States District Court for the District of Oregon                                                                                                                                                                                                                                                   |
| DECIDED               | March 31, 2026                                                                                                                                                                                                                                                                                            |
| DOCKET                | 6:24-cv-01997-HZ                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | Action under 42 U.S.C. § 405(g) seeking judicial review of the Commissioner's final decision denying disability insurance benefits and supplemental security income.                                                                                                                                      |
| STANDARD OF REVIEW    | The court may set aside the Commissioner's decision only if it is based on legal error or is not supported by substantial evidence in the record as a whole. Substantial evidence is more than a mere scintilla but less than a preponderance and is evidence a reasonable mind might accept as adequate. |
| PRECEDENTIAL VALUE    | Unpublished district court opinion                                                                                                                                                                                                                                                                        |
| PARTIES               | Dawn H. v. Commissioner, Social Security Administration                                                                                                                                                                                                                                                   |

TOPICS

- judicial review of agency action
- administrative law
- disability definition

## PRACTICE AREAS

social security

administrative law

## QUESTIONS PRESENTED

1. Whether the ALJ provided legally sufficient, substantial-evidence-supported reasons for rejecting the state-agency psychological opinions that Plaintiff needed a predictable work environment with minimal deviation.
2. Whether the ALJ erred by discounting the consultative examiner's opinion and failing to include limitations related to Plaintiff's varicose veins in the residual functional capacity.
3. Whether any error in the ALJ's step-two treatment of Plaintiff's varicose veins was harmless.

## HOLDINGS

1. The ALJ erred by rejecting Drs. Barsukov and Tomak's opinions that Plaintiff was moderately limited in adapting to changes in the work setting and needed a predictable work environment with minimal deviation, because the reasons cited by the ALJ were not supported by substantial evidence and did not contradict those specific limitations.
2. The ALJ did not err in discounting Dr. Resendiz's opinion or in omitting limitations related to Plaintiff's varicose veins from the RFC.
3. Any error in the ALJ's step-two characterization of Plaintiff's varicose veins was harmless because the ALJ resolved step two in Plaintiff's favor and considered the alleged limitations at later steps.

## KEY QUOTATIONS

*“Substantial evidence means more than a mere scintilla but less than a preponderance; it is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.”* (Standard of Review)

*“The ALJ has not provided sufficient reasons supported by substantial evidence for rejecting these opinions.”* (Discussion)

*“Based on the foregoing, the Commissioner’s decision is REVERSED and REMANDED for further administrative proceedings.”* (Conclusion)

## FACTUAL BACKGROUND

Plaintiff alleged disability based on depression, diabetes, back problems, anxiety, hepatitis C, liver problems, and arthritis. The ALJ found severe impairments including lumbar degenerative disc disease, right knee osteoarthritis, obesity, diabetes mellitus, depression, and anxiety, but concluded that Plaintiff retained the capacity for light work with physical and mental limitations. The ALJ rejected portions of state-agency psychological opinions recommending a predictable work environment with minimal deviation and discounted a consultative examiner's opinion concerning physical limitations, including limitations attributed to varicose veins.

## PROCEDURAL HISTORY

Plaintiff applied for DIB and SSI, and the applications were denied initially and on reconsideration. After a hearing on October 18, 2023, the ALJ found Plaintiff not disabled on December 15, 2023. The Appeals Council denied review, and Plaintiff sought review in the United States District Court for the District of Oregon. The court reversed and remanded for further administrative proceedings.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

Remand for further administrative proceedings, including reconsideration of the state-agency psychological opinions and Plaintiff's need for a predictable work environment with minimal deviation.

## CASES CITED

- Valentine v. Comm'r, 574 F.3d 685, 689 (9th Cir. 2009)
- Bowen v. Yuckert, 482 U.S. 137, 140-42 (1987)
- Vasquez v. Astrue, 572 F.3d 586, 591 (9th Cir. 2009)
- Lingenfelter v. Astrue, 504 F.3d 1028, 1035 (9th Cir. 2007)
- Massachi v. Astrue, 486 F.3d 1149, 1152 (9th Cir. 2007)
- Woods v. Kijakazi, 32 F.4th 785, 792 (9th Cir. 2022)
- Leach v. Kijakazi, 70 F.4th 1251, 1257-58 (9th Cir. 2023)
- Lewis v. Astrue, 498 F.3d 909, 911 (9th Cir. 2007)
- Graybeal v. Astrue, No. 3:10-cv-06387-PK, 2011 WL 6019434, at \*6 (D. Or. Nov. 2, 2011)