

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,
CENTRAL DIVISION

Destanie E. v. Frank Bisignano, Commissioner of the Social Security
Administration

Destanie E. · No. 2:25-cv-00521 · Decided April 22, 2026

SUMMARY

A United States magistrate judge recommends reversing the Commissioner of Social Security’s denial of disability benefits and remanding for further proceedings. The recommendation concludes that the administrative law judge failed to determine whether the claimant’s anxiety disorder and post-traumatic stress disorder were medically determinable impairments and that the error was not harmless.

CASE DETAILS

COURT	United States District Court for the District of Utah, Central Division
WRITING FOR THE COURT	Daphne A. Oberg, United States Magistrate Judge
JURISDICTION	United States District Court for the District of Utah, Central Division
DECIDED	April 22, 2026
DOCKET	2:25-cv-00521
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Report and recommendation on judicial review of the Commissioner of Social Security's denial of disability insurance benefits.
STANDARD OF REVIEW	The court reviews whether substantial evidence supports the ALJ's factual findings and whether the ALJ applied the correct legal standards. It may not reweigh the evidence or substitute its judgment for that of the ALJ.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Destanie E. v. Frank Bisignano, Commissioner of the Social Security Administration

TOPICS

judicial review of agency action

agency adjudication

administrative law

disability definition

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PRACTICE AREAS

Social Security disability

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the ALJ erred by failing to determine at step two whether the claimant's anxiety disorder and post-traumatic stress disorder were medically determinable impairments.
2. Whether the ALJ's failure to address those impairments was harmless because the ALJ found other severe impairments and referred generally to anxiety and trauma-related disorders in the residual functional capacity discussion.

HOLDINGS

1. The ALJ erred by failing to consider whether the claimant's anxiety disorder and post-traumatic stress disorder were medically determinable impairments at step two.
2. The ALJ's failure to evaluate anxiety and PTSD as medically determinable impairments was not harmless.

KEY QUOTATIONS

“However, this harmless error analysis does not apply to an ALJ’s failure to find an impairment to be medically determinable.” (Analysis)

“In sum, the ALJ’s brief reference to anxiety and trauma disorders as “historical diagnoses” does not establish he adequately considered these impairments in assessing RFC.” (Analysis)

FACTUAL BACKGROUND

The claimant alleged disability based in part on anxiety disorder and post-traumatic stress disorder. The medical record contained multiple references to diagnoses and treatment for anxiety and PTSD during and shortly before the relevant period, and state-agency psychological consultants identified both as severe medically determinable impairments. The ALJ discussed other mental impairments, including ADHD and bipolar disorder, but did not address whether anxiety or PTSD were medically determinable impairments at step two or clearly account for them in the residual functional capacity assessment.

PROCEDURAL HISTORY

Destanie E. applied for Title II disability insurance benefits, alleging disability beginning in June 2022. After a hearing, the administrative law judge found several severe impairments, determined that anxiety and post-traumatic stress disorder had not been evaluated as medically determinable impairments, found that the claimant could perform other work, and denied benefits. The Appeals Council denied review, making the ALJ's decision

final. The claimant sought review in the district court, and the magistrate judge recommended reversal and remand for further administrative proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The magistrate judge recommended that the district judge reverse the Commissioner's decision and remand for the ALJ to properly evaluate anxiety disorder and PTSD at step two and, if necessary, at the remaining steps of the sequential evaluation, including step three.

CASES CITED

- Lax v. Astrue, 489 F.3d 1080, 1084 (10th Cir. 2007)
- Jensen v. Barnhart, 436 F.3d 1163, 1165 (10th Cir. 2005)
- Biestek v. Berryhill, 587 U.S. 97, 102-03 (2019)
- Langley v. Barnhart, 373 F.3d 1116, 1118 (10th Cir. 2004)
- Bowen v. Yuckert, 482 U.S. 137, 140-42 (1987)
- Williams v. Bowen, 844 F.2d 748, 750-51 (10th Cir. 1988)
- Ray v. Bowen, 865 F.2d 222, 224 (10th Cir. 1989)
- Allman v. Colvin, 813 F.3d 1326, 1330 (10th Cir. 2016)
- Ray v. Colvin, 657 F. App'x 733, 734-35 (10th Cir. 2016)
- Smith v. Colvin, 821 F.3d 1264, 1266-67 (10th Cir. 2016)