

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Adrienne Lombardo v. Frank Bisignano, Commissioner of Social
Security

Adrienne Lombardo v. Frank Bisignano, Commissioner of Social Security · No. 4:24-CV-56 · Decided March
10, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania remands Adrienne Lombardo’s Social Security disability case for further proceedings. The court holds that the Administrative Law Judge failed to explain why a one- to two-step task limitation stated by a persuasive state-agency medical consultant was omitted from the residual functional capacity assessment. Because the vocational testimony identified jobs requiring reasoning levels exceeding that limitation, the court found the decision insufficiently explained for meaningful judicial review.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Martin C. Carlson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 10, 2026
DOCKET	4:24-CV-56
DISPOSITION	vacated
PROCEDURAL POSTURE	Appeal under 42 U.S.C. § 405(g) from the Commissioner's final decision denying applications for disability insurance benefits and supplemental security income.
STANDARD OF REVIEW	The court reviews the Commissioner's factual findings for substantial evidence and reviews legal issues plenary. The court may not reweigh the evidence or substitute its judgment for that of the ALJ, but the ALJ must adequately articulate the evidentiary and legal basis for the decision to permit meaningful judicial review.
PRECEDENTIAL VALUE	Unknown; district-court memorandum opinion
PARTIES	Adrienne Lombardo v. Frank Bisignano, Commissioner of Social Security

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the ALJ erred by finding a state-agency medical opinion persuasive while failing to incorporate that opinion's limitation to one- and two-step tasks into the RFC or explain why the limitation was rejected.
2. Whether the omission was harmless when the ALJ relied on occupations requiring reasoning levels two or three despite the one- and two-step task limitation.
3. Whether the ALJ's decision adequately articulated the reasoning connecting the medical evidence, RFC, and denial of benefits to permit substantial-evidence review.

HOLDINGS

1. When an ALJ finds persuasive a medical opinion containing a limitation to one- and two-step tasks, the ALJ must either include that limitation in the RFC and restrict the claimant to reasoning-level-one occupations, or identify substantial evidence supporting rejection of the limitation.
2. A limitation to one- and two-step tasks is equivalent to a limitation to reasoning-level-one occupations; occupations requiring reasoning level two or three are not compatible with that limitation absent substantial evidence explaining otherwise.
3. The court could not treat the ALJ's omission as harmless or supply a different rationale for the ALJ's decision where the ALJ had found the relevant opinion persuasive but did not address a material limitation.

KEY QUOTATIONS

“when a medical opinion is found persuasive and contains a limitation to one- and two-step tasks, the ALJ is obligated to either: (1) include the limitation in the RFC and limit the claimant to reasoning level one occupations, or, (2) identify the substantial evidence that the ALJ is relying on in rejecting the limitation.” (26)

“The DOT defines occupations by reasoning level and defines “reasoning level one” as the ability to “apply commonsense understanding to carry out simple one-or two-step instructions.”” (28-29)

FACTUAL BACKGROUND

Lombardo alleged disability based primarily on major depressive disorder and generalized anxiety disorder, with symptoms including panic attacks, suicidal ideation, fluctuating concentration, and episodic debilitating anxiety and depression. Her treating psychiatrist opined that her impairments caused marked workplace limitations, that she would be off task more than 20 percent of the workday, and that she would miss more than four days per

month. Two state-agency consultants offered differing assessments; one found that she could perform simple repetitive tasks, while the other found that she could perform one- and two-step tasks. The ALJ found both state-agency opinions persuasive, adopted an RFC for simple and routine tasks, but omitted the one- and two-step limitation and identified jobs requiring reasoning levels two or three.

PROCEDURAL HISTORY

Lombardo applied for disability insurance benefits and supplemental security income, alleging disability beginning April 17, 2019. After an administrative hearing at which Lombardo and a vocational expert testified, the ALJ denied benefits on December 27, 2022. The court held that the ALJ failed to address or incorporate a persuasive state-agency consultant's limitation to one- and two-step tasks and remanded for a new administrative hearing.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Vacate the Commissioner's final decision denying benefits and remand for a new administrative hearing and further consideration of the medical-opinion evidence, the one- and two-step task limitation, the RFC, and the occupations the claimant may perform. The court did not direct a particular ultimate disability determination.

CASES CITED

- *Morales v. Apfel*, 225 F.3d 310, 317, 319 (3d Cir. 2000)
- *Cruz v. Bisignano*, No. 1:24-CV-1966, 2025 WL 2813882, at *7-8 (M.D. Pa. Sept. 30, 2025)
- *Steinmetz v. Colvin*, Civ. No. 23-CV-2066, 2025 WL 36159, at *7 (M.D. Pa. Jan. 6, 2025)
- *Dobrowolsky v. Califano*, 606 F.2d 403, 407 (3d Cir. 1979)
- *Johnson v. Commissioner of Social Security*, 529 F.3d 198, 200 (3d Cir. 2008)
- *Ficca v. Astrue*, 901 F. Supp. 2d 533, 536 (M.D. Pa. 2012)
- *Pierce v. Underwood*, 487 U.S. 552, 565 (1988)
- *Richardson v. Perales*, 402 U.S. 389, 401 (1971)
- *Mason v. Shalala*, 994 F.2d 1058, 1064, 1066 (3d Cir. 1993)
- *Consolo v. Federal Maritime Commission*, 383 U.S. 607, 620 (1966)
- *Leslie v. Barnhart*, 304 F. Supp. 2d 623, 627 (M.D. Pa. 2003)
- *T-Mobile South, LLC v. Roswell*, 574 U.S. 293, 135 S. Ct. 808, 815 (2015)
- *Consolidated Edison Co. v. NLRB*, 305 U.S. 197, 229 (1938)
- *Biestek v. Berryhill*, 139 S. Ct. 1148, 1154 (2019)
- *Dickinson v. Zurko*, 527 U.S. 150, 153 (1999)
- *Arnold v. Colvin*, No. 3:12-CV-02417, 2014 WL 940205, at *1 (M.D. Pa. Mar. 11, 2014)
- *Burton v. Schweiker*, 512 F. Supp. 913, 914 (W.D. Pa. 1981)

- Wright v. Sullivan, 900 F.2d 675, 678 (3d Cir. 1990)
- Zirnsak v. Colvin, 777 F.3d 607, 611 (3d Cir. 2014)
- Rutherford v. Barnhart, 399 F.3d 546, 552 (3d Cir. 2005)
- Burnett v. Commissioner of Social Security Administration, 220 F.3d 112, 119-21 (3d Cir. 2000)
- Jones v. Barnhart, 364 F.3d 501, 505 (3d Cir. 2004)
- Diaz v. Commissioner of Social Security, 577 F.3d 500, 504 (3d Cir. 2009)
- Hess v. Commissioner of Social Security, 931 F.3d 198, 211-14 (3d Cir. 2019)
- Biller v. Acting Commissioner of Social Security, 962 F. Supp. 2d 761, 778-79 (W.D. Pa. 2013)
- Gormont v. Astrue, Civ. No. 11-2145, 2013 WL 791455, at *7 (M.D. Pa. Mar. 4, 2013)
- Titterington v. Barnhart, 174 F. App'x 6, 11 (3d Cir. 2006)
- Cummings v. Colvin, 129 F. Supp. 3d 209, 214-15 (W.D. Pa. 2015)
- Burns v. Barnhart, 312 F.3d 113, 129 (3d Cir. 2002)
- Metzger v. Berryhill, No. 3:16-CV-1929, 2017 WL 1483328, at *5 (M.D. Pa. Apr. 20, 2017)
- Rathbun v. Berryhill, No. 3:17-CV-00301, 2018 WL 1514383, at *6 (M.D. Pa. Mar. 12, 2018)
- Chandler v. Commissioner of Social Security, 667 F.3d 356, 359, 361 (3d Cir. 2012)
- Durden v. Colvin, 191 F. Supp. 3d 429, 455 (M.D. Pa. 2016)
- Rita R. v. Kijakazi, No. 21 C 5631, 2023 WL 2403139, at *3-4 (N.D. Ill. Mar. 8, 2023)
- Daniel M. v. Kijakazi, No. 2:21-CV-243, 2023 WL 154909, at *3 (D. Vt. Jan. 11, 2023)
- Gonzalez v. Astrue, 537 F. Supp. 2d 644, 657 (D. Del. 2008)
- Schuster v. Astrue, 879 F. Supp. 2d 461, 466 (E.D. Pa. 2012)
- Burns v. Colvin, 156 F. Supp. 3d 579, 598 (M.D. Pa. 2016)
- Whitney v. Bisignano, No. 4:24-CV-1950, 2026 WL 522922, at *10 (M.D. Pa. Feb. 25, 2026)
- Michelle M. v. Bisignano, No. 3:23-CV-02163, 2025 WL 2713737, at *7 (M.D. Pa. Sept. 23, 2025)
- Warren v. Dudek, No. 1:24-CV-635, 2025 WL 1168276, at *6 (M.D. Pa. Apr. 22, 2025)
- Shipman v. Kizakazi, No. 3:22-CV-00636, 2023 WL 5599607, at *10 (M.D. Pa. Aug. 29, 2023)

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