

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

NORMA JEAN WILLIAMJS

PLAINTIFF

V.

CIVIL ACTION NO. 2:15-CV-2115-MEF

CAROLYN W. COLVIN, Commissioner,
Social Security Administration

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and having heard oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench following the parties' oral argument, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The Court is concerned that the RFC does not adequately account for the combination of limitations that result from Plaintiff's rheumatoid arthritis and coronary artery disease. The record contains assessments from treating physician, Dr. Joseph Dunaway and consultative examiner, Dr. Clifford Evans. However, the ALJ dismissed their more restrictive assessments in favor of a non-examining consultant's conclusion that the Plaintiff could perform a full range of light work. Given

the chronic nature of Plaintiff's impairments, the Court finds that remand is necessary to allow the ALJ to allow the ALJ to develop the record further with regard to Plaintiff's RFC.

Because Dr. Dunaway's assessment is not entirely consistent with his treatment notes, on remand, the ALJ is directed to recontact Dr. Dunaway for clarification of the objective bases for his assessment. Further, the ALJ is directed to obtain an RFC assessment from Dr. James Deneke, Plaintiff's treating rheumatologist and to obtain a consultative cardiac exam, complete with an RFC assessment, to accurately determine Plaintiff's RFC. Should Dr. Deneke be unwilling or otherwise unable to complete an RFC assessment, the ALJ should order a consultative rheumatology exam.

If this new evidence indicates that the Plaintiff is unable to perform her past relevant work, then the ALJ should submit appropriate hypothetical questions to the vocational expert to determine whether the Plaintiff is capable of performing work that exists in significant numbers in the national economy.

IT IS SO ORDERED AND ADJUDGED on this the 15th day of July, 2016.

/s/ Mark E. Ford
HON. MARK E. FORD
UNITED STATES MAGISTRATE JUDGE