

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

DEBRA L. HUGHES,	)	
	)	
Plaintiff,	)	
	)	
	)	
v.	)	Case No. 06-1050-WEB
	)	
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER OF THE SOCIAL SECURITY	)	
ADMINISTRATION	)	
	)	
Defendant.	)	

**ORDER ADOPTING RECOMMENDATION AND REPORT**

Plaintiff seeks review of the Defendant's denial of disability insurance benefits and supplemental security income payments. 42 U.S.C. § § 423 and 1381 *et seq.* The matter was referred to Magistrate Judge Reid for a recommendation and report pursuant to Fed. R. Civ. P. 72(b). Now before the Court is the Recommendation and Report of Magistrate Judge Reid. (Doc. 11). Neither party has filed a written objection.

The Magistrate Judge found that the administrative law judge (ALJ) erred in his analysis of the opinions of Dr. Bazzano, a treating physician, and that the ALJ's conclusion that Dr. Bazzano's opinions are based on plaintiff's subjective complaints is not supported by the evidence in this case. On remand, the ALJ will consider recontacting Dr. Bazzano in accordance with 20 C.F.R. §404.1512(e). The Magistrate Judge further found that the ALJ erred in his RFC findings and failed to comply with SSR 96-8p. On remand, ALJ should take into consideration the GAF scores in his analysis of the limitations resulting from Plaintiff's severe mental impairment. Finally, the Magistrate Judge found that the ALJ erred in his step four analysis and failed to comply with the

requirements of SSR 82-62 when the ALJ did not make any findings regarding physical or mental demands of claimant's past work. On remand, the ALJ will need to make the specific factual findings necessary to properly evaluate the Plaintiff's ability to meet the demands of his prior work.

It is therefore ORDERED that the decision of the Commissioner be REVERSED, and that the case be REMANDED for further proceedings (sentence four remand) for the reasons set forth in the Magistrate Judge's Recommendation and Report.

The Clerk of the Court is directed to enter Judgment accordingly.

SO ORDERED this 10th day of January, 2007.

s/Wesley E. Brown  
Wesley E. Brown  
U.S. Senior District Judge