

United States Court of Appeals
For the Eighth Circuit

No. 22-1497

Stephen Klick

Plaintiff - Appellant

v.

Kilolo Kijakazi, Acting Commissioner of Social Security

Defendant - Appellee

Appeal from United States District Court
for the District of Minnesota

Submitted: November 7, 2022

Filed: November 10, 2022

[Unpublished]

Before COLLOTON, MELLOY, and KOBES, Circuit Judges.

PER CURIAM.

Stephen Klick appeals the district court's¹ order affirming the denial of disability insurance benefits. We find that substantial evidence in the record as a

¹The Honorable David T. Schultz, United States Magistrate Judge for the District of Minnesota, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

whole supports the adverse decision. See Galloway v. Kijakazi, 46 F.4th 686, 689 (8th Cir. 2022) (standard of review). Specifically, the ALJ’s determination that Klick did not have the medically determinable impairment of post-traumatic stress disorder (PTSD) during the relevant period was supported. See Gallus v. Callahan, 117 F.3d 1061, 1064-65 (8th Cir. 1997) (substantial evidence supported ALJ’s finding that claimant did not have medically determinable mental impairment; while one provider had assigned diagnosis, it was not supported by record, and other providers had concluded claimant did not have impairment). While the evidence showed that Klick’s psychologist diagnosed “other trauma- and stressor-related disorder” in 2019, we conclude that the ALJ’s failure to include this diagnosis among Klick’s severe impairments was harmless error, as the ALJ thoroughly evaluated all of the medical evidence relating to his mental impairments in determining his residual functional capacity (RFC), and as Klick has not identified any symptoms or limitations arising from this condition that the ALJ did not consider. See Warburton v. Apfel, 188 F.3d 1047, 1050-51 (8th Cir. 1999) (finding ALJ’s decision adequate where, although record did not contain precise diagnosis of claimant’s mental impairment, ALJ adequately captured effects of impairment in RFC determination); Trenary v. Bowen, 898 F.2d 1361, 1364 (8th Cir. 1990) (critical question in disability claim is not diagnosis, but rather functional limitations imposed by impairment). We also find no merit to Klick’s argument that the district court erred in declining to consider his new evidence. See Baker v. Barnhart, 457 F.3d 882, 891 (8th Cir. 2006) (upon judicial review of Commissioner’s decision denying disability benefits, evidence outside administrative record is generally precluded from consideration by court).

The judgment is affirmed.
