

United States Court of Appeals
For the Eighth Circuit

No. 22-3492

LaDonna Smith

Plaintiff - Appellant

v.

Kilolo Kijakazi, Commissioner, Social Security Administration

Defendant - Appellee

Appeal from United States District Court
for the Eastern District of Arkansas - Northern

Submitted: June 1, 2023
Resubmitted: July 26, 2023
Filed: August 24, 2023
[Unpublished]

Before COLLOTON, ERICKSON, and KOBES, Circuit Judges.

PER CURIAM.

LaDonna Smith appeals the district court's¹ order affirming the denial of disability insurance benefits. We agree with the court that substantial evidence in the record as a whole supports the adverse decision. See Swarthout v. Kijakazi, 35 F.4th 608, 610 (8th Cir. 2022) (standard of review).

Specifically, we find that the administrative law judge (ALJ) adequately addressed the opinions of Smith's treating and examining providers. See Nolen v. Kijakazi, 61 F.4th 575, 577 (8th Cir. 2023) (ALJ adequately considered medical opinion by addressing supportability and consistency factors); 20 C.F.R. § 404.1520c(c) (in evaluating persuasiveness of medical opinion, ALJ considers supportability and consistency of opinion, and other factors). We find no merit to Smith's argument that the ALJ was required to defer to her treatment providers' opinions in accordance with this court's prior precedent regarding the treating-source rule, because an intervening rule change abrogated that precedent. See Austin v. Kijakazi, 52 F.4th 723, 730 (8th Cir. 2022) (under revised regulations, treating physician rule no longer applies, rendering prior precedent applying that rule inapposite). We also find no merit to Smith's argument that the ALJ should have included greater mental limitations in the residual functional capacity (RFC) assessment, as substantial evidence supports the ALJ's determination. See Krogmeier v. Barnhart, 294 F.3d 1019, 1024 (8th Cir. 2002) (substantial evidence supported RFC determination based on medical records, consultant and other medical opinions, and some aspects of claimant's testimony).

The judgment is affirmed.

¹The Honorable D.P. Marshall Jr., Chief Judge, United States District Court for the Eastern District of Arkansas.