

# CCWC 13<sup>TH</sup> ANNUAL CONFERENCE

LEGISLATIVE & EDUCATIONAL FORUM

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July 22-24, 2015 | Anaheim, CA  
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# Learn. Network. Repeat.



California Coalition on  
Workers' Compensation

# CCWC 13<sup>TH</sup> ANNUAL CONFERENCE AGENDA

## Wednesday, July 22, 2015

8:00 am – 5:30 pm	Registration Open	Sequoia West Registration
8:00 am – 10:00 am	Exhibitor Setup	Sequoia South Ballroom & Foyer
10:30 am – 11:30 am	<b>Pre-Conference Session: Legislative Primer</b>	Trillium Room
11:30 am – 12:30 pm	Meet the Exhibitors	Sequoia South Ballroom & Foyer
12:30 pm – 2:45 pm	<b>Welcome &amp; Opening General Session</b> <ul style="list-style-type: none"> <li>▪ CCWC Legislative &amp; Political Update</li> <li>▪ North vs. South Workers' Compensation Issues</li> </ul>	Sequoia North Ballroom
2:45 pm – 3:15 pm	Networking Break in the Expo <i>Sponsored by ALPHA Fund</i>	Sequoia South Ballroom
3:15 pm – 4:15 pm	<b>Concurrent Sessions I</b> <ul style="list-style-type: none"> <li>▪ Litigation Management</li> <li>▪ MSAs: Surviving CMS Inconsistency and Intangibility</li> <li>▪ Talkin' about My Generation – Bridging the Generation Gap in the Workplace <i>Sponsored by Harrison and Geiger, LLP</i></li> </ul>	Trillium Room Sorrel Room Wisteria Room
4:25 pm – 5:15 pm	<b>General Session</b> <ul style="list-style-type: none"> <li>▪ Kids' Chance of California Presentation</li> <li>▪ Love, People, and Pain – Staying Motivated Against All Odds</li> </ul>	Sequoia North Ballroom
5:15 pm – 6:45 pm	Welcome Reception & Expo <i>Sponsored by the Law Offices of Stacy L. Tokunaga</i>	Sequoia South Ballroom

## Thursday, July 23, 2015

7:30 am – 8:20 am	Networking Breakfast in the Expo <i>Sponsored by Republic Capital Claims</i> New & Prospective Member Breakfast <i>Sponsored by The Walt Disney Company</i>	Sequoia Ballroom Foyer Wisteria Room
8:30 am – 9:20 am	<b>General Session</b> <ul style="list-style-type: none"> <li>▪ Update from the Department of Industrial Relations</li> <li>▪ Tim East Award Presentation</li> </ul>	Sequoia North Ballroom
9:30 am – 10:30 am	<b>Concurrent Sessions II</b> <ul style="list-style-type: none"> <li>▪ Effective Communication with the Physician</li> <li>▪ Accommodations Under FEHA/ADA and Managing Multiple Leaves Under FTA/FMLA</li> <li>▪ What is a Formulary and How Does a State-Adopted Formulary Work for You?</li> </ul>	Wisteria Room Sorrel Room Trillium Room

10:30 am – 10:45 am	Refreshment Break <i>Sponsored by Cuneo, Black, Ward &amp; Missler</i>	Sequoia South Ballroom
10:45 am – 11:45 am	<b>Concurrent Sessions III</b> <ul style="list-style-type: none"> <li>■ How to Properly Assess Requests for Home Health Care through UR and IMR</li> <li>■ Tele-Medicine and Its Effect on MPN</li> <li>■ Workers' Compensation Abuse – Even When It's Legal</li> </ul> <i>Sponsored by Bickmore</i>	Sorrel Room  Wisteria Room Trillium Room
11:45 am – 1:05 pm	Lunch & Expo	
1:15 pm – 2:15 pm	<b>Concurrent Sessions IV</b> <ul style="list-style-type: none"> <li>■ Case Law, Part I</li> <li>■ To C&amp;R or Not to C&amp;R – When the Employee Returns to Work</li> <li>■ Psychiatric/Stress Claims – How Not to Go Crazy Just Because Your Employee Did</li> </ul>	Trillium Room Sorrel Room  Wisteria Room
2:15 pm – 2:30 pm	Refreshment Break <i>Sponsored by Metro Risk Management</i>	Sequoia North Ballroom
2:30 pm – 3:30 pm	<b>Concurrent Sessions V</b> <ul style="list-style-type: none"> <li>■ Case Law, Part II</li> <li>■ Medical Treatment Utilization Schedule (MTUS)</li> <li>■ Pharmacology, Medical Marijuana, and Medication Management</li> </ul> <i>Sponsored by One Call Medical</i>	Trillium Room Wisteria Room Sorrel Room
3:40 pm – 5:00 pm	<b>General Session</b> <ul style="list-style-type: none"> <li>■ Workers' Compensation Political Crossfire</li> </ul>	Sequoia North Ballroom
5:00 pm – 5:15 pm	Vendor Raffles	Sequoia North Ballroom
5:15 pm – 6:00 pm	Exhibitor Teardown	Sequoia South Ballroom & Foyer
5:30 pm – 7:00 pm	<b>Members-Only Reception</b> <i>Sponsored by Bolen &amp; Massino</i>	House of Blues, Downtown Disney

## Friday, July 24, 2015

8:00 am – 9:00 am	Networking Breakfast	Sequoia Ballroom
9:00 am – 10:00 am	<b>General Session</b> <ul style="list-style-type: none"> <li>■ The State of Workers' Compensation Costs</li> </ul>	Sequoia North Ballroom
10:00 am – 11:15 am	<b>Closing General Session</b> <ul style="list-style-type: none"> <li>■ China Today – Workers' Compensation Is Born in the World's Oldest Country</li> <li>■ CCWC Grand Prize Raffles</li> </ul>	Sequoia North Ballroom

# PRE-CONFERENCE SESSION



## Legislative Primer

Wednesday, July 22, 10:30 am Trillium Room

CCWC's legislative advocate will educate attendees on the basics of the legislative process and provide information on the best ways to participate in the process.

Jason Schmelzer, Legislative Advocate, CCWC

# GENERAL SESSIONS

## CCWC Legislative and Political Update

Wednesday, July 22, 12:30 pm Sequoia North Ballroom



CCWC's advocacy team will provide an update on California politics as it relates to workers' compensation. They will also present a review of 2015 bills that affect the industry, offering information regarding the positions that the CCWC has taken on them.

Paul J. Yoder, Managing Director, CCWC  
Jason Schmelzer, Legislative Advocate, CCWC

## California's Workers' Compensation – North vs. South

Wednesday, July 22, 1:45 pm Sequoia North Ballroom

Join this lively discussion among experts about workers' compensation in Northern and Southern California. What are the differences so many refer to, and why do the discrepancies exist when legislation, regulations, and case law are the same for all?



Alfonso J. Moresi, Commissioner, Workers' Compensation Appeals Board/Senior Partner, Law Office of Laughlin, Falbo, Levy and Moresi  
Richard L. Newman, Chief Judge for the California Department of Industrial Relations, Division of Workers' Compensation  
Mark Priven, Principal, Bickmore Risk Services



## Kids' Chance of California Presentation

Wednesday, July 22, 4:25 pm Sequoia North Ballroom

When workers are seriously or fatally injured on the job in California, their children are victims, as well. Learn how you can make a difference in their lives.

Maria Henderson, President, Kids' Chance of California



## Love, People, and Pain – Staying Motivated against All Odds

Wednesday, July 22, 4:35 pm Sequoia North Ballroom

A double amputee shares his personal journey over the past five years. He will address the challenges of overcoming physical and mental obstacles in a quest to return to a normal life and resume work.

Dwight Johnson, Founder, Soule Innovations, LLC

## Update from the Department of Industrial Relations

Thursday, July 23, 8:30 am Sequoia North Ballroom

The Secretary of the California Labor and Workforce Development Agency and the Director of the Department of Industrial Relations will provide an update on the implementation of SB 863 and discuss other issues that are relevant to workers' compensation stakeholders.

David Lanier, Secretary, California Labor and Workforce Development Agency  
Christine Baker, Director, Department of Industrial Relations



## Workers' Compensation Political Crossfire

Thursday, July 23, 3:40 pm Sequoia North Ballroom

CCWC welcomes key lobbyists for a thoughtful discussion about the state of the California workers' compensation system. Seasoned advocates will discuss legislation currently under consideration in Sacramento, the status of SB 863 implementation, and the need for additional reforms in the future.



MODERATOR: Kevin Confetti, CCWC Board Chair; Deputy Chief Risk Officer,  
University of California – Office of the President – Office of Risk Services  
Jeremy Merz, Policy Advocate, California Chamber of Commerce  
Diane Przepiorski, Executive Director, California Orthopaedic Association  
Richie Ross, Political Consultant, California Applicants' Attorneys Association  
Jason Schmelzer, Legislative Advocate, CCWC

## The State of Workers' Compensation Costs

Friday, July 24, 9:00 am Sequoia North Ballroom



This session will look at the big financial picture of workers' compensation, the underlying and emerging trends, and what it means for your bottom line.

Mujtaba Dattoo, ACAS, MAAA, FCA, Actuarial Practice Leader,  
Aon Risk Solutions, Global Risk Consulting, Actuarial & Analytics

## China Today – Workers' Compensation Is Born in the World's Oldest Country

Friday, July 24, 10:00 am Sequoia North Ballroom



For the past 10 years, China has emerged as a dominant economic and political power. Yet the country's workers' compensation system is only that old, becoming widely mandated in 2004. Learn what is taking shape in one of the world's most populous nations and how workers' compensation compares to our experience in California and the United States.

Tim East, Director, Corporate Risk Management, The Walt Disney Company

## CONCURRENT SESSIONS I **Wednesday, July 22, 3:15 pm – 4:15 pm**

### **Litigation Management – An Employer’s Perspective to Reduce Exposure and Costs**

Trillium Room

The costs associated with defending litigated claims can represent 8-10% of your claim expense. However, the cost impact on your overall claim program is significantly greater. For many, litigated claims represent less than 20% of their annual claim frequency while the total cost of these claims representing more than 75% of their program costs. Join us to learn how one employer directly impacted their program with real-life approaches you can incorporate in your program.

Steve Beussink, AutoZone, Inc.

Gregory McKenna, Gallagher Bassett

### **MSAs – Surviving CMS Inconsistency and Intangibility**

Sorrel Room

This session will provide an overview of the situations in which an MSA is needed, when it should be submitted to CMS, and how to navigate the process of successfully gaining CMS approval. Conditional payments and the benefits of professional administration will also be discussed. In addition, the session will focus on strategies for settling claims without CMS approval, and will address the potential future liabilities facing self-insured employers and insurers.

MODERATOR: Antoinette Smith, Metro Risk Management

Saul Allweiss, Law Office of Saul Allweiss

Jake Reason, EK Health

Tommy Thorton, Carl Allison

### **Talkin’ about My Generation – Bridging the Generation Gap in the Workplace**

Wisteria Room

This session will explore the benefits of the multi-generational workplace and examine strategies to bridge the age difference for better relationships and increased productivity.

Brenda McGuire, ALPHA Fund

## CONCURRENT SESSIONS II **Thursday, July 23, 9:30 am – 10:30 am**

### **Effective Communication with the Physician – Picking Your Battles to Get through Consideration and an Admissible Response**

Wisteria Room

This session will focus on how best to present information – such as records, video, problems, or evidence of prior/subsequent injury – and pose treatment and/or medication questions to the PTP to secure a response.

Taha M. Ahmad, MD, Kaiser

Melvin Belsky, MD, Safeway, Inc.

Alan Kaisler-Meza, MD, Rehab One

## Accommodations under FEHA/ADA and Managing Multiple Leaves under CFRA/FMLA – New Developments, Practical Information, and Advice for Employers

Sorrel Room

Patricia S. Eyres, an expert attorney and consultant to large public and private employers, will present a practical and interactive session providing a refresher and update on what is required of employers to comply with the laws that govern leaves and disabilities. In addition to sharing recent significant case decisions and new regulations, she will offer real and challenging case examples to engage the audience in the discussion of potential solutions.

Patricia S. Eyres, *Eyres Law Group, LLP*

## What Is a Formulary and How Does a State-Adopted Formulary Work for You?

Trillium Room

A clinical pharmacist will discuss formularies and how they work, including the impact on UR/IMR and anticipated reductions in IMR. Questions addressed will include: Does a DIR-adopted formulary mean no more UR/IMR, or is it now limited and how? How will a state-adopted formulary affect your existing formulary? What formulary would best serve the stakeholders in California and why?

MODERATOR: Karen Caterino, *Healthcare Solutions*

Bernyce Peplowski, MD, *US Healthworks*

Alex Swedlow, *CWCI*

Brenda Wood, PharmD, *Healthcare Solutions*

## CONCURRENT SESSIONS III Thursday, July 23, 10:45 am – 11:45 am

### How to Properly Assess Requests for Home Health Care through UR and IMR

Sorrel Room

This informative session will cover a variety of topics, including responding to requests for home health care, applying best practices, and requiring physicians to quantify the nature and extent of the HHC and demonstrate the medical necessity. Additional areas of focus will include the timely submission of requests for HHC to UR, the need for complete documentation in response to requests for IMR, and appropriate reimbursement rates. Challenges presented by recent WCAB decisions in Neri-Hernandez and Patterson will also be discussed.

Saul Allweiss, *Law Offices of Saul Allweiss*

Cathey Jackson, *Safeway*

### Tele-Medicine and Its Effect on MPN

Wisteria Room

Technological innovation in the world of workers' compensation is the wave of the future. This session will explore how physicians will interact with your injured employees through the use of high-resolution cameras and computer systems without your employees ever leaving the work site.

Laurence Miller, MD, *Anthem Healthcare*

## CONCURRENT SESSIONS III Thursday, July 23, 10:45 am – 11:45 am

(CONTINUED)

### Workers' Compensation Abuse – Even When It's Legal

Trillium Room

This moderated session will focus on workers' compensation abuse. The speakers will distinguish abuse from fraud, recommend strategies for handling claims and managing employees when certain red flags are present, and illustrate current trends through real-life examples.

MODERATOR: Mark Walls, *Safety National*  
Steven J. Alves, *Law Office of Steven J. Alves*  
Bill Armstrong, *Armstrong Law Firm*  
Dalene Bartholomew, *Probe Information Services, Inc.*  
Jennifer Lentz Snyder, *Los Angeles County District Attorney's Office*

## CONCURRENT SESSIONS IV Thursday, July 23, 1:15 pm – 2:15 pm

### Case Law, Part I

Trillium Room

This session will focus on the latest and most impactful decisions at the board and present how both defense and applicant attorneys view them.

Jamie Berenson, *Glauber/Berenson*  
Rene Folse, *Floyd, Skeren & Kelly*  
Todd Kelly, *Floyd, Skeren & Kelly*

### To C&R or Not to C&R – When the Employee Returns to Work

Sorrel Room

Is it cost effective to settle future medical claims via Compromise and Release with employees who return to work? What impact does it have on the injured worker? Arguments both for and against will be presented on this moderated panel.

MODERATOR: Michael Sullivan, *Sullivan & Associates, LLC*  
Kristi Montoya, *UPS*  
Debra Russell, *Schools Insurance Authority*

### Psychiatric/Stress Claims – How Not to Go Crazy Just Because Your Employee Did

Wisteria Room

This session addresses the interplay between medical and legal issues in defense and the timely resolution of psychiatric claims.

MODERATOR: John Riggs, *The Walt Disney Company*  
David C. Hall, PhD, *David C. Hall*  
Marc Leibowitz, *Laughlin, Falbo, Levy & Moresi, LLP*



## CONCURRENT SESSIONS V Thursday, July 23, 2:30 pm – 3:30 pm

### Case Law, Part II

Trillium Room

This one-hour session will review the most important case decisions issued in 2014. Some of the cases discussed involve the continuing interpretation and implementation of the workers' compensation reforms of 2012.

William Anderson, State Compensation Insurance Fund

Eric S. Boorstin, Horvitz & Levy LLP

Julius O. Young, Boxer & Gerson, LLP

### Medical Treatment Utilization Schedule (MTUS)

Wisteria Room

What is the meaning of the new regulations to improve medical provider communications, utilization review efficiencies, and medical treatment outcomes? This panel will present the potential impact of standard of care with the new MTUS regulations.

Denise Algire, Safeway, Inc.

Laurence Miller, MD, Anthem Healthcare

### Pharmacology, Medical Marijuana, and Medication Management

Sorrel Room

The panel will present the legal, medical, and workplace implications of medical marijuana prescriptions.

Doug Bloch, Teamsters Joint Council 7

Edward Canavan, Sedgwick CMS

Mark Pew, PRIUM

### Member Lounge

While attending the conference, be sure to stop by the Member Lounge in the Lily Room. Amenities include Internet access, comfortable seating, and snacks. Get some work done or simply unwind with fellow members in a casual, relaxed atmosphere.



## FUTURE CONFERENCE DATES

CCWC Annual Conference

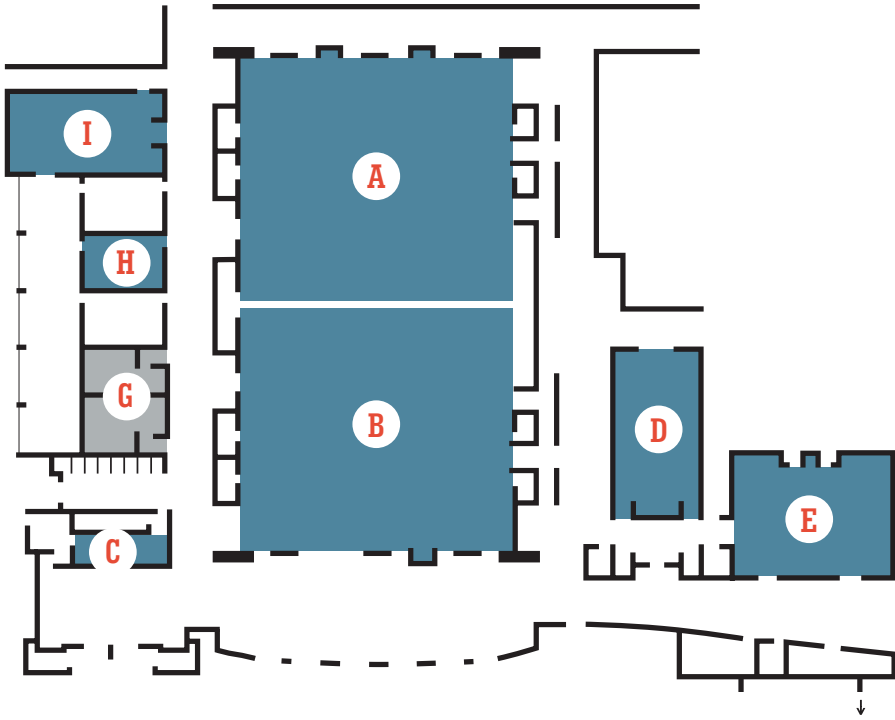
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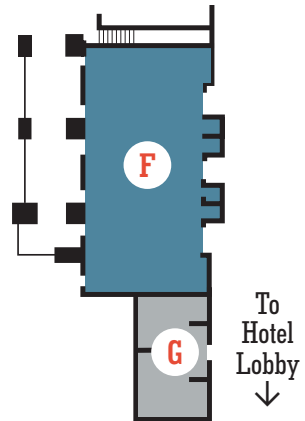
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- A. Sequoia North Ballroom
- B. Sequoia South Ballroom
- C. Sequoia West Registration
- D. California Board Room
- E. Sorrel Room
- F. Trillium Room
- G. Restrooms
- H. Lily Room (Member Lounge)
- I. Wisteria Room



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With offices in Sacramento and Los Angeles, Cuneo, Black, Ward & Missler specializes in the defense of California Workers' Compensation claims and Subrogation before the Workers' Compensation Appeals Board, Civil, and Appellate Courts. We provide quality representation at venues throughout California. Our clients include cities, counties, school districts, public entities, insurance companies, third party administrators, and self-insured employers.



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Hanna, Brophy, MacLean, McAleer & Jensen, LLP specializes in workers' compensation defense and employment-related litigation. Since 1943, employers throughout California have looked to Hanna Brophy for excellence in legal representation.

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They exclusively represent self-insured employers, government entities, third-party administrators, and insurers in workers' compensation proceedings at all Southern California offices of the Workers' Compensation Appeals Board.

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### **Metro Risk Management**

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310.816.6553

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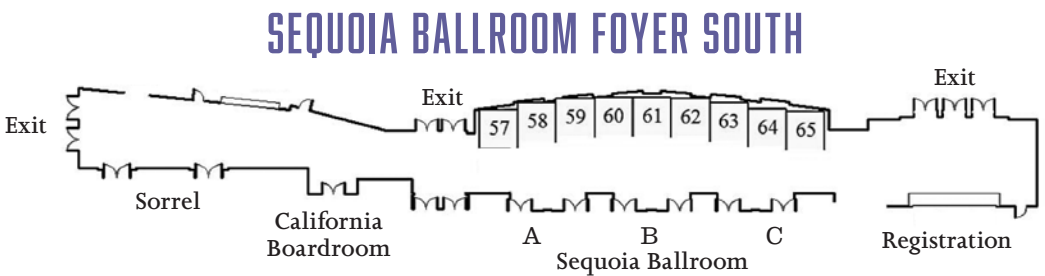
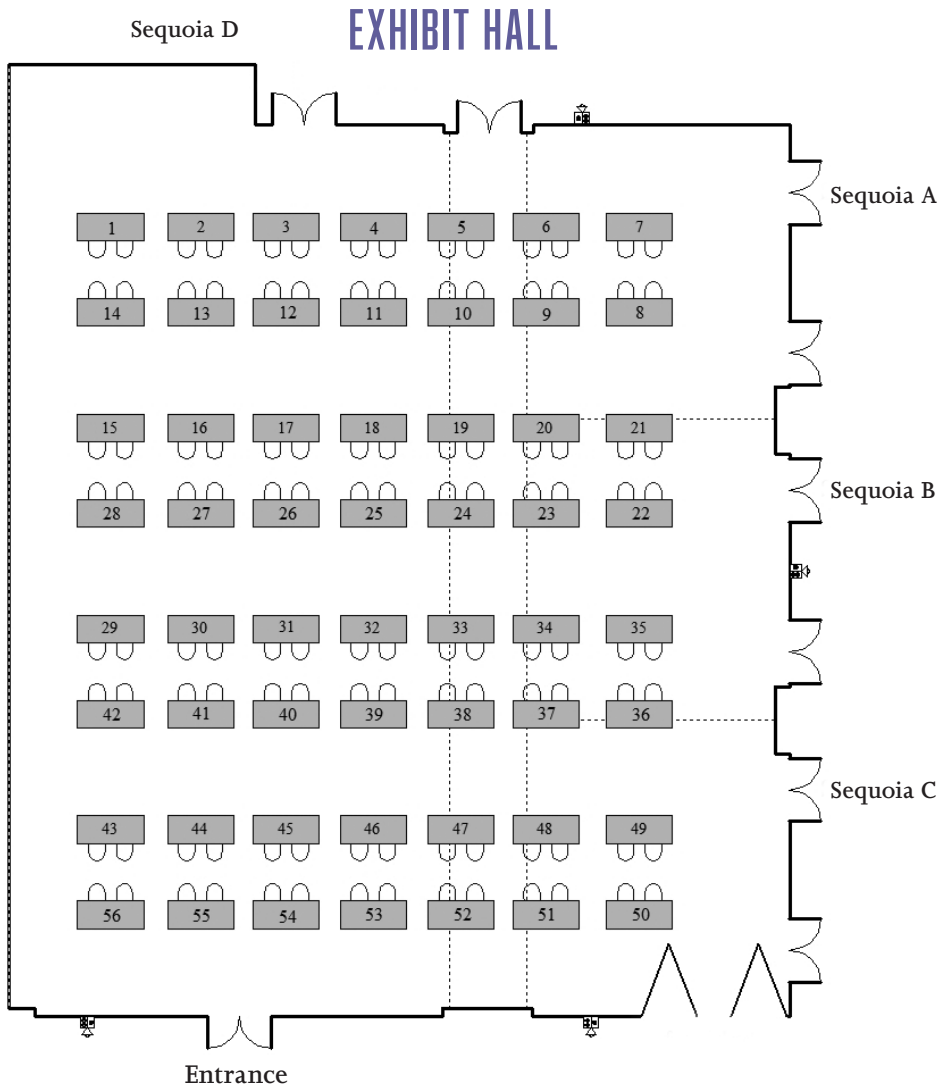
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