



# WCI virtual

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## August 17-19, 2020

### Monday, August 17, 2020

(All times Eastern Standard Time.)

#### 10:00 – 11:15 am **Welcome and Interview with Michele Adams followed by the Industry Keynote**

Join in as WCIvirtual kicks off with a welcome by WCI Founders Jim McConnaughay, General Chair and Steve Rissman, Program Chair. Next, the two conduct a candid interview with Michele Adams, a WCI Advisory Board member and Vice President of Risk Operations and Casualty Claims at Walmart. Continue to watch as our esteemed industry keynote panel dives in to talk about the Great Disrupter...COVID-19.

#### **Industry Keynote:**

#### **COVID 19: Adjusting and Adapting to the Great Disruptor**

##### **Hosts:**

Kimberly George  
*Senior Vice President, Corporate Development, M&A and Healthcare Sedgwick Chicago, IL*

Mark Walls  
*Vice President Communications & Strategic Analysis Safety National St. Louis, MO*

##### **Panel:**

Anas Al-Hamwi  
*Senior Director, Health & Safety, and Injury Management Walgreens Deerfield, IL*

Danielle Lisenbey  
*Global President TPA Solutions Broadspire Atlanta, GA*

In modern history, there has not been a more disruptive risk management event than the COVID-19 pandemic. It has changed everything, including how we work, where we work and how we interact with each other. Every

industry, business and individual has been impacted in numerous ways, which remains fluid as the world continues to face related evolving challenges. This novel virus did not come with a playbook, but after months of living through it, there are many lessons that we can derive from those in our industry who had to quickly adjust and adapt their business models.

In this “Out Front Ideas with Kimberly and Mark” industry keynote session, Kimberly George and Mark Walls lead a diverse group of panelists in a discussion on how their businesses were impacted by COVID-19 and, in response, how they have modified their way of doing business. Learn how they overcame some of their largest challenges, what lessons they learned along the way, and how they expect their businesses, and the workers’ compensation industry as a whole, will have to evolve moving forward.

#### Learning Objectives:

1. Learn how COVID19 impacted various segments of the workers’ compensation industry.
2. Learn how businesses are adapting to the challenges presented in a pandemic.
3. Learn how businesses are changing their business models due to the pandemic.

#### 11:15 – 11:30 am **Break (visit the chat room, browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)**

#### 11:30 – 12:30 pm **Workers’ Comp MSA’s: What You Always Wanted to Know From CMS**

##### **Moderators:**

Roy A. Franco  
*Franco Signor LLC Bradenton, FL*

Heather Sanderson  
*Chief Legal Officer Franco Signor LLC Bradenton, FL*

##### **Speaker:**

John Jenkins, PhD  
*Health Insurance Specialist Centers for Medicare & Medicaid Services Baltimore, MD*

Medicare requires WC plans to report both the Medicare status of claimants and any settlements or judgments for claimants who are Medicare

beneficiaries. Failure to report could one day lead to fines up to \$1,000 per day, per claim. And we know that Medicare is currently exploring the details of how to start these penalties. Presenters will discuss the status of Medicare's progress, share informed predictions on the shape these penalties may take, and go over best practice recommendations that front-line adjusters can use to go on the offensive today, to head off any penalty concerns for non-compliance.

**12:30 – 1:00 pm GKTW Lunch Break**

Join us each day for a special lunch break session designed to raise awareness for our beloved Give Kids The World Village. Let's gather together to learn more about the Village's mission and plans for re-opening, virtual service projects that will be available for individual or team sign up, and how to participate in the Virtual Silent Auction that will be going on throughout the WCI virtual event. If you are interested in sponsorships for Give Kids the World, please visit [www.wci360.com/give-back](http://www.wci360.com/give-back) or contact [cathy@wci360.com](mailto:cathy@wci360.com).

**1:00 – 1:15 pm Break (visit the chat room, browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)**

**1:15 – 3:15 pm Case Law Update**

**Moderator:**  
E. Louis Stern, *Attorney*  
*McConaughay, Coonrod, Pope, Weaver & Stern, PA*  
*Sarasota, FL*

**Panel:**  
Geoffrey Bichler, *Attorney*  
*Bichler, Oliver, Longo & Fox, PLLC*  
*Maitland, FL*

Marc E. Golden, *Attorney*  
*Rosenthal, Levy, Simon & Sosa, PA*  
*West Palm Beach, FL*

David K. Beach, *Attorney*  
*Rissman, Barrett, Hurt, Donahue, McLain & Mangan, PA*  
*Tampa, FL*

Mark L. Zientz, *Attorney*  
*Law Offices of Mark L. Zientz, PA*  
*Miami, FL*

The panelists will discuss many of the major cases that have been decided in the last year by the appellate courts as they affect workers' compensation matters. An analysis of the trends of the court and the law is also given, with emphasis on the practical application of the case law to the handling of a workers' compensation claim. Summaries of cases discussed will be available for attendees.

**3:15 – 3:30 pm Break (visit the chat room, browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)**

**3:30 – 4:30 pm Multi-State Breakout 1**

**A Multi-State Analysis of Common Compensability Issues Confronting Workers' Compensation Claims Handlers**

(Alabama, California, Kentucky, Louisiana, Mississippi, Oklahoma, Texas)

**Moderator:**  
Kyle K. Kinney, *Attorney*  
*Miller, Christie & Kinney, PC*  
*Birmingham, AL*

**Individual State Presenters:**

California:  
Emily Edwards, *Attorney*  
*Manning & Kass, LLP*  
*Los Angeles, CA*

Kentucky:  
Walter E. Harding, *Attorney*  
*Boehl Stopher & Graves, LLP*  
*Louisville, KY*

Louisiana:  
Jeffrey C. Napolitano, *Attorney*  
*Juge, Napolitano, Guilbeau, Rulie & Frieman*  
*Metairie, LA*

Mississippi:  
James M. Anderson, *Attorney*  
*Anderson Crawley & Burke, PLLC*  
*Ridgeland, MS*

Oklahoma:  
Jordan Ensley, *Attorney*  
*Latham Wagner Steele Lehman, PC*  
*Tulsa, OK*

Texas:  
Robert D. Stokes, *Attorney*  
*Flahive, Ogden & Latson*  
*Austin, TX*

While continuing the trend of offering workers' compensation topics and presentations to address current events and the interests of our attendees, the Multi-State Breakout will cover national and state specific workers' compensation issues in both a thought provoking and entertaining virtual format. Presented to you by law firms from the Workers' Compensation Defense Institute (WCDI), our expert panelists will facilitate a discussion of topics including employees' injuries at home, impairment/intoxication defenses and the impact of marijuana legalization, PTSD claims, and obtaining case closure.

## Tuesday, August 18, 2020

(All times Eastern Standard Time.)

### 10:00 – 11:00 am Live Surgery – Upper Extremity Surgery

**Surgery Moderator:**

Lawrence S. Halperin, MD  
Orlando Orthopaedic Center  
Orlando, FL

**Surgeon:**

Michael D. Riggenbach, MD  
Orlando Orthopaedic Center  
Orlando, FL

The 13th Annual Orlando Orthopaedic Center Live Surgery Event offers a unique interactive look into an operating room as Michael D. Riggenbach performs an upper extremity surgery. This surgical procedure will stream live from the Orlando Orthopaedic Outpatient Surgery Center with the help of moderator Lawrence S. Halperin. Dr. Riggenbach specializes in hand and upper extremity surgery, peripheral nerve surgery, microsurgery and pediatric hand surgery. Drs. Riggenbach and Halperin will explain the procedure step-by-step and answer questions from the audience. The goal of the presentation is to provide an in-depth education on upper extremity anatomy, all aspects of the joint that will be impacted by the surgery, and examine how the injury and recovery period affect day-to-day activity, employment restrictions and workers' compensation claims processing.

This educational event is brought to you by the Orlando Orthopaedic Center and the support of the following:

### Live Surgery Prime Sponsors



11:00 – 11:15 am Break (visit the chat room, browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)

### 11:15 – 12:15 pm Multi-State Breakout 2

#### A Multi-State Analysis of Common Compensability Issues Confronting Workers' Compensation Claims Handlers

(Florida, Georgia, Illinois, North Carolina, South Carolina, Tennessee)

**Moderator:**

Caitlin Beyl, Attorney  
McConnaughay, Coonrod, Pope, Weaver & Stern, PA  
Jacksonville, FL/Thomasville, GA/  
Savannah, GA

**Individual State Presenters:**

**Florida:**

Christopher G. McCue, Attorney  
McConnaughay, Coonrod, Pope, Weaver & Stern, PA  
Tallahassee, FL

**Georgia:**

K. Martine Cumbermack, Attorney  
Swift, Currie, McGhee & Hiers, LLP  
Atlanta, GA

**Illinois:**

Rich Lenkov, Attorney  
Bryce Downey & Lenkov, LLC  
Chicago, IL

**North Carolina:**

Jennifer Morris Jones, Attorney  
Cranfill, Sumner & Hartzog, LLP  
Raleigh, NC

**South Carolina:**

Regan A. Cobb, Attorney  
Holder Padgett Littlejohn & Prickett, LLC  
Mount Pleasant, SC

**Tennessee:**

Heather Hardt Douglas, Attorney  
Manier & Herod, PC  
Nashville, TN

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**1:15 – 3:30 pm National Work Comp Review**

**1:15 – 2:15 pm THE NEW AMA Guides®: Achieving Equitable Impairment Ratings via the Latest in Medicine**

**Panel:**  
David Sosnow  
VP-Health Solutions  
American Medical Association  
Chicago, IL

Douglas W. Martin, MD  
Medical Director, Unity Point Health –  
St. Luke's Occupational Medicine  
Sioux City, IA

In 2019, following extensive industry feedback from physicians, state and specialty medical societies, regulators and other industry stakeholders, the American Medical Association (AMA) initiated a program to update and modernize the *AMA Guides*®—the authoritative source for impairment rating information and tools.

In this session, attendees will be among the first to learn about the substantial substantial modernization and simplified utilization of the new and improved *AMA Guides*®, directly from the source. Specifically, panelists will address the implications of COVID-19 on permanent impairment and the *AMA Guides*®, and proposed updates to *AMA Guides*® Chapter 14: Mental and Behavioral Disorders, including DSM-5, assessment tools and more.

**2:15 – 2:30 pm Break (visit the chat room, browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)**

**2:30 – 3:30 pm The Growing National Movement toward Presumption Laws for First Responders: Running toward the Fire?**

**Moderator:**  
Kip Kubin, Attorney  
President of the College of Workers' Compensation Lawyers  
Martin Pringle Attorneys at Law  
Overland Park, KS

**Panel:**  
Neel Shah, MD  
Northwest Cancer Center  
Dyer, IN

Catherine Tanaka Surbeck, Attorney  
Freedman & Lorry, PC  
Philadelphia, PA

Judge Mark Siedlik  
Chief Administrative Law Judge Kansas City/  
St. Joseph Divisions, Missouri Division of  
Workers' Compensation  
Kansas City, MO

Chris Landry, Attorney  
The Monson Law Firm, LLC  
Mandeville, LA

Presumption laws -- embracing more conditions -- now are ubiquitous: is science, or sympathy, leading the charge? Should we legislate liability both without fault, and now in some cases also without (scientific basis for) causation? What about similar risks and exposures for workers not favored by presumptions. Are we approaching an 'equal protection' day of reckoning?

In their analysis of selected state statutes, our panel gives a realistic assessment of whether some states' measures for rebutting presumptions are in practical effect illusory, thus increasing already questionable financial burdens on impacted employers, and whether, in the panelists' views, some states have gotten the mix just right.

Our national panel tackles this often fraught subject from all sides: bench, bar, physician and claims, via thought provoking presentation designed to shed light and facilitate debate for the benefit all interested stakeholders.

# Wednesday, August 19, 2020

(All times Eastern Standard Time.)

**10:00 – 4:30 pm 5-Hour Law and Ethics Update**  
(Adjusters must be present the entire 5-hours. No partial credit.)

**Co-Moderators:**

Scott H. Silver, Attorney  
MKRS Law  
Fort Lauderdale, FL

Mike Bunte, CWC  
Claim Closure Project Manager  
AON  
Tampa, FL

The 5-Hour Law and Ethics Update provides not only the educational requirement for claims professionals in need of CEUs (as now mandated by the State), but has been created for all professionals concurrently associated with a workers' compensation claim (risk managers, employers) whose commitment to excellence has become their self-imposed requirement. While providing this opportunity to procure this accreditation, the panelists will attempt to thread ethical consideration through Florida's constantly evolving business/claims/litigation tapestry.

**10:00 – 11:00 am Disciplinary/Industry Trends:  
Federal Update to Include Medicare**

**Moderator:**

Mike Bunte, CWC  
Claim Closure Project Manager  
AON  
Tampa, FL

**Panel:**

Katya Forbes  
Senior Claims Specialist II  
Helmsman Management Services  
Tampa, FL

Chrystal L. Woodard, ARM, AIC  
Senior Consultant, Claims, US - Casualty  
Claims Consulting, Global Risk Consulting  
Commercial Risk Solutions  
AON  
Tampa, FL

Making ethical decisions in the Florida workers' compensation arena is paramount to how an adjuster does his or her job every day. Think you are just one of thousands of adjusters in the state and won't get caught if you are not acting in good faith? Think again! Learn about the most recent disciplinary decisions and enforcement actions, especially how they may affect you or your company. Learn the proper terminology and how to apply it every day. Also examined are unauthorized products and entities involved in commerce. Lastly, we will provide an update on pertinent Federal Law including Medicare.

**11:00 – 11:15 am Break** (browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)

**11:15 – 12:15 pm Regulatory Awareness: Including a Discussion on the Areas of Jurisdiction, Licensing, Advertising and Recordkeeping**

**Moderator:**

Mike Bunte, CWC  
Claim Closure Project Manager  
AON  
Tampa, FL

**Panel:**

Sarah Welcomer, CPCU  
Senior Claims Auditor  
WC QA  
Liberty Mutual Insurance  
Tampa, FL

Nancy Ameer

Business Technology Analyst Supervisor  
Summit  
Lakeland, FL

How well do you know your jurisdictional duties and responsibilities? Do you know where to go and who to talk to in order to find out? It is your obligation to know both regulatory and licensing requirements inside and out and act in good faith at all times. We will discuss the importance of adjuster obligations to insurers and third party administrators. Your duties to maintain licensing are critical to yourself as well as your organization.

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**1:15 – 2:15 pm Adjuster Ethics: How to Avoid the Pitfalls of the “All about the Fee” Phenomenon**

**Moderator:**

Laura A. Buck, *Attorney*  
*McConnaughay, Coonrod, Pope, Weaver,*  
*& Stern, PA*  
*Gainesville, FL*

**Panel:**

Jill Keene, *CIC, CWC, CWCL*  
*Claim Supervisor – Orlando Branch*  
*Gallagher Bassett*  
*Orlando, FL*

Daphyne Daniels  
*Southeast Regional Claim Manager*  
*PMA Insurance Group*  
*Tampa, FL*

While claims professionals are facing a constant evolution as to how COVID-19 challenges are affecting their handling obligations, there is a concurrent evolution as to “creative” discovery and litigation tactics which need to be acknowledged and understood. Aggressive litigation tactics are getting more prevalent. As this panel of experts addresses an adjuster’s ethical obligations, they will concurrently walk the “path of fee resistance” in exhibiting how ethical compliance can support employer/carrier’s denial of attorney fee entitlement, while ethically providing a complete investigation and provision of benefits potentially due.

**2:15 – 2:30 pm Break (browse the GKTW virtual auction at [www.wci360.com/give-back](http://www.wci360.com/give-back), or take a minute to stretch your legs)**

**2:30 – 4:30 pm CSI: Case Law Evaluation and Update**

**Moderator:**

Thomas H. McDonald, *Attorney*  
*Law Offices of Jack D. Evans*  
*Orlando, FL*

**Panel:**

Michael Laseter  
*Technical Claims Specialist - WC*  
*Helmsman Management Services*  
*Tampa, FL*

Patsy Lamastus  
*Senior Claims Examiner*  
*Michigan Commercial Insurance Mutual*  
*Sarasota, FL*

Tayler Yost  
*Claims Examiner*  
*Sedgwick CMS*  
*Lake Mary, FL*

This panel of experts will review the most relevant and controversial cases recently adjudicated and will put a “CSI” twist on the case evaluation (i.e. performing a case autopsy). The focus of attention will be on what could have prevented litigation at the claim onset and/or been vetted earlier or differently as to the facts and law on point, in a fashion that will keep the audience from tripping over the same obstacles on their pending/future claims.