



2016 CWCDA SUMMER CONFERENCE AGENDA

2016 CWCDA ANNUAL SUMMER CONFERENCE
THE RITZ-CARLTON, LAKE TAHOE
TRUCKEE, CA
MAY 19-22, 2016

WORKING AGENDA

Session titles, times, presenters, descriptions and MCLE are subject to change.

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THURSDAY, MAY 19, 2016

NOON **CWCDA BOARD MEETING**
Location: Will be emailed to Board Members
Note: The Board Meeting is by invitation only

2:00-5:00 PM **REGISTRATION**
Location: TBD

3:00 - 5:30 PM **PENETRATE PSYCH REPORTS**
Location: General Session Room
MCLE: 1.5 hours of MCLE credit
Presented by: [Dr. Ron Heredia](#)
Session Handout: [Download Session 1 Handouts](#)

Session Description: Psych claims have the potential to become quite costly. Often, psych doctors who write treatment and evaluation reports do not provide substantial evidence to support their diagnoses or conclusions. Claims examiners and defense attorneys can learn to nullify bad psych reports. Dr. Heredia will provide an in-depth understanding about Apricots™ and how an Apricot™ can assist an attorney in taking a psych doctor's testimony or filing briefs with the court.

Key Learning Objectives

1. Learn helpful techniques about how to determine whether or not the doctor's data warrants their conclusions
2. Understand some of the major flaws often found in the psych reports
3. Apply practical strategies for effectively cross-examining a psych doctor
4. Identify a line of very specific and direct questioning that can be used to cross examine the doctor that is designed to expose each and every flaw in their report

FRIDAY, MAY 20, 2016

7:30 AM **REGISTRATION**
Location: TBD

7:30-8:30 AM **CONTINENTAL BREAKFAST**
Location: Exhibit Hall

8:30-8:45 AM **PRESIDENT'S WELCOME**
Location: General Session Room
MCLE: No handouts or MCLE credit for this session

8:45-10:00 AM **VIEW FROM THE SIDELINES**
Location: General Session Room
MCLE: 1.25 hours of MCLE credit
Presented by: Former WCAB Chairwoman Ronnie Caplane, 2011 & 2017 CWCDA President [Martin Guzman](#), and 2016 President [Roberto Gonzalez](#).
Session Handout: There will be no handouts for this session

Session Description: "View From the Sidelines" will provide you an update and anticipated industry trends in Workers' Compensation Practice through the eyes of former Chairwoman Ronnie Caplane. Moderated by Martin Guzman and Roberto Gonzalez, Chairwoman Caplane will provide an overview as

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to the recent trends and decisions issued by the WCAB.

10:00-10:30 AM EXHIBITOR NETWORKING BREAK

Location: Exhibit Hall

10:30-11:30 AM INVESTIGATIONS IN THE AGE OF GEOSOCIAL DATA

Location: General Session Room

MCLE: 1 hour of MCLE credit

Presented by: [Garrett McGinn](#)

Session Handout: [Download Session 3 Handouts](#)

Session Description: The current explosion in geosocial data will change the face of risk management and investigations. Learn what geosocial data is, and how this type of information is used to investigate insurance claims of nearly all types. Understand how to gain piercing insight into accidents, site security, workplace harassment, and high-exposure incidents by locating social media photographs, videos and posts at specific locations and times anywhere in the world. The session utilizes real-life case examples to demonstrate the impact of these new technologies in the realm of risk management, law and insurance, and shows how evidence can be uncovered and leveraged in a variety of scenarios. Privacy and legal issues, as well as preserving, authenticating and presenting this of type cyber evidence in court will also be discussed.

Key Learning Objectives

1. Understand what geosocial data is and how it works from a technological standpoint
2. Identify the specific instances and red flags which determine when and where geosocial data can further an investigation
3. Understand the legal and privacy implications of leveraging geosocial data in claims investigations
4. Learn how to properly preserve, authenticate and present social media and geosocial evidence in court
5. Experience difference case examples to gain knowledge as to what geosocial data has accomplished in the past

11:30-11:45 PM CWCDA UPDATES & ELECTION INFORMATION

Location: General Session Room

MCLE: No MCLE credit for this session

Presented by: CWCDA Executive Committee

Session Handout: There will be no handouts for this session

Session Description: Hear about our upcoming conferences, membership benefits, volunteer opportunities and our new Election Process. This is scheduled for 30 min to give time for Q&A but shouldn't run this long and will be followed immediately by lunch.

11:45-1:00 PM LUNCH

Location: TBD

1:00-2:00 PM THE AME/PQME PROCESS

Location: General Session Room

MCLE: 1 hour of MCLE credit

Presented by: Nikki Mehrpoo Jacobson and Shep Jacobson

Session Handout: [Download Session 5 Handouts](#)

Session Description: How to Prepare for Each Evaluation to Obtain the Best Possible Results for Your Client. A Discussion of Strategies and Procedural Rules Regulating the Medical-Legal Process, from both the Defense and Applicant Perspective

2:00 - 3:30 PM CASE LAW UPDATE

Location: General Session Room

MCLE: 1.5 hours of MCLE credit

Presented by: James Pettibone and [Barry Lesch](#)

Session Handout: [Download Session 6 Handouts](#)

Session Description: Update of current cases relevant to the Workers' Compensation Attorney.

3:30 - 4:00 PM EXHIBITOR NETWORKING BREAK

Location: Exhibit Hall

4:00 - 5:00 PM HOME HEALTH CARE

Location: General Session Room

MCLE: 1 hour of MCLE credit

Presented by: [Alison Howell](#) and [Janice Haris](#), Moderated by [John Parente](#)

Session Handout: [Download Session 7 Handouts](#)

Session Description: This presentation is aimed to provide the attorney with practical tips and litigation strategies for dealing with home healthcare treatment issues.

SATURDAY, MAY 21, 2016

- 7:00 AM** **FREE MORNING**
- 7:00 AM** **GOLF TOURNAMENT**
 Due to the late winter and front concerns, the golf courses in the area are only booking groups with start times of 9:30 AM or later so that they can make sure there's no front on the course. For this reason we will not be an orginized golf tournament this year. If you are interested golfing while you are in Tahoe, there is a very good change that the course will open earlier for golfers, they just wont confirm far enough out for a group. The two courses we suggest are the Jack Nicklaus designed [Old Greenwood](#) and [Shaffer's Mill](#).
- 12:30 PM** **REGISTRATION**
Location: TBD
- 1:00-2:00 PM** **ELECTRONIC BILLING AND AUDITS**
Location: General Session Room
MCLE: 1 hour of MCLE credit
Presented by: Erwin Nepomuceno
Session Handout: [Download Session 8 Handouts](#)
- Session Description:** The practice of workers' compensation law can be challenging and difficult at times. Yet, for most attorneys, the work doesn't stop there. Your time must be accounted for and properly billed to your clients. From keeping time on sheets to electronic timing software, the way an attorney bills has evolved to a practice no longer exclusively the domain of the accountants and billers in your office. In this session, we will discuss the pros and cons in electronic billing and audits to allow attorneys to understand the processes and behind the scenes work that goes into getting your services paid for.
- 2:00-3:00 PM** **BUSTED! LABOR CODE 5813 SECTIONS: HOW TO GET THEM AND HOW TO AVOID THEM**
Location: General Session Room
MCLE: 1 hour of Ethics MCLE credit
Presented by: [Scott Davenport](#)
Session Handout: [Download Session 9 Handouts](#)
- Session Description:** The specter of monetary sanctions has the ability to affect litigation. This presentation will examine the statutory and case authority to help assist you in learning when they are appropriate against your opposing counsel and what you can do to keep from running afoul of both the WCAB and the State Bar.
- 3:00-3:30 PM** **EXHIBITOR NETWORKING BREAK**
Location: Exhibit Hall
- 3:30-4:30 PM** **PSYCHIATRIC ANALYSIS OF THE FORENSIC EXAMINER'S REPORT**
Location: General Session Room
MCLE: 1 hour of MCLE credit
Presented by: [Vlad Bokarius](#)
Session Handout: [Download Session 10 Handouts](#)
- Session Description:** This session will review mandatory requirements for psychiatric medical reporting and provide detailed practice points to understanding the content of the report, psychiatric testing, and explore strategies in representing your client.
- Key Learning Objectives**
1. Learn to recognize deficiencies in a psychiatric report
 2. Identify and stratify areas of focus for your cross examination to achieve the best outcome
 3. Implement a deposition agenda designed to expose all the deficiencies in the report
 4. Learn to pick your battles and not make it personal when challenging the doctor's report
- 4:30-5:30 PM** **DEATH CLAIMS AND BENEFITS 101**
Location: General Session Room
MCLE: 1 hour of MCLE credit
Presented by: [Neil Schwartz](#)
Session Handout: [Download Session 11 Handouts](#)
- Session Description:** This session will help navigate the practitioner through the choppy waters of Workers' Compensation death claims. Pertinent case law and statutes will be discussed in conjunction with practice tips and an overview of some of the most recent significant cases.

SUNDAY, MAY 22, 2016

- 8:00-9:00 AM** **CONTINENTAL BREAKFAST**
Location: Exhibit Hall
- 9:00-10:00 AM** **DENIALS AND AFFIRMATIVE DEFENSES**
Location: General Session Room
MCLE: 1 hour of MCLE credit
Presented by: [JoAnna Nardulli](#) & [Vicki Lindquist](#)

Session Handout: [Download Session 12 Handouts](#)

Session Description: Not all injuries that occur in the workplace are compensable under the Labor Code. This session will address affirmative defenses such as post-termination, intoxication, and the initial physical aggressor, along with how to avoid the presumption of compensability. We will discuss the components of each defense and identify the necessary information to be obtained at the beginning of a claim in order to determine whether a denial is appropriate.

10:00-10:15 AM NETWORKING BREAK

Location: Exhibit Hall

10:15-11:15 AM PSYCHIATRIC INJURIES - PAST, PRESENT AND FUTURE

Location: General Session Room

MCLE: 1 hour of MCLE credit

Presented by: [Joseph Patrico](#)

Session Handout: [Download Session 13 Handouts](#)

Session Description: This sessions will discuss psychiatric claims historically, their current status, recent legislation, their future role in workers' compensation and strategies being used for these claims.

11:15-12:15 PM SUBSTANCE ABUSE IN THE LEGAL PROFESSION: PREVENTION, DETECTION, AND TREATMENT

Location: General Session Room

MCLE: 1 hour of MCLE credit - Substance Abuse

Presented by: [David Mann](#), The Other Bar

Session Handout: [Download Session 14 Handouts](#)

Session Description: In this presentation, Mr. Mann provides a review of the brain chemistry of addiction and alcoholism, as well as a discussion of the behavioral and health consequences of the disease. Insights are offered into the personality traits of attorneys and the qualities of the legal profession that combine to make lawyers significantly more susceptible to addiction, and more difficult to treat, than the general population. The presentation includes a case study of an addict attorney, as well as a self-diagnosis exercise for attorneys to utilize if they are concerned that they may have a problem which needs to be addressed. Concluding remarks are directed towards both systemic and individual solutions to the problem, with references to specific strategies and resources available to attorneys. Mr. Mann approaches this very serious topic in a manner that incorporates humor and irony and invites attorneys to engage in a bit of sometimes much-needed self reflection.

CWCDAA

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**QUICK LINKS**

EVENTS
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