

AUGUST 15-16, 2018 • TAN-TAR-A RESORT • OSAGE BEACH, MO



24<sup>th</sup> Annual Missouri Division of

# WORKERS' COMPENSATION EDUCATIONAL SEMINAR

8.4 Continuing Legal Education Credits will be granted by the Missouri Bar for attorneys.  
Pre-approved for Continuing Education Unit requirement by the Missouri Workers' Safety Program.

**TUESDAY • AUGUST 14, 2018**

**4 - 6 p.m. Early Check-In**

Tan-Tar-A Resort

**WEDNESDAY • AUGUST 15, 2018**

**7:30 a.m. - 1 p.m. Golf Tournament to Benefit Kids' Chance of Missouri**

7:30 a.m. Tournament Registration and Breakfast

The Oaks at Tan-Tar-A

8 a.m. Four-Person Scramble

1 p.m. Winners Announced and Prizes Awarded

**7:30 a.m. Conference Registration**

**7:45 - 8:45 a.m. Breakfast**

Salon C

**9 - 9:45 a.m. Introduction**

Salon A

Colleen Joern Vetter, *Director, Division of Workers' Compensation*

Brief overview of the Division of Workers' Compensation's programs, processes and services. Update on plans to modernize the Division's online accessibilities and capabilities.

**10 - 10:50 a.m. Breakout Sessions**

**ATTENDEE'S CHOICE**

**"Occupational Cartilage and Meniscal Injuries of the Knee: Latest Developments"** Rooms 62/63/64

Dr. Lyndon Gross, *The Orthopedic Center of St. Louis*

A discussion of cartilage and meniscal injuries of the knee, including how to delineate between acute and chronic injuries. Dr. Gross discusses non-operative and operative treatment options.

### **“The Basis of HIPAA Compliance”**

Dannae Delano, *Attorney, Wagner Law Group*

Understanding how HIPAA applies to you and your organization, and builds a necessary foundation for compliance.

Salon B

### **“Aligning Workers’ Compensation with Safety”**

Matthew Cowell, *Director, Division of Labor Standards*

Learn how workers’ compensation data can be used to improve a safety and health program.

Salon A

### **“Introduction to Missouri Vocational Rehabilitation”**

Dr. Karri Wilson, *Missouri Vocational Rehabilitation*; Kathy Hart, *ALJ*; and Joseph Keaveny, *ALJ*

This session covers how to make a referral, who is eligible and what services are available through vocational rehabilitation.

Redbud

## **11 a.m. - Noon Lunch for Exhibitors**

Windgate Hall

## **11 - 11:50 a.m. Breakout Sessions**

**ATTENDEE’S CHOICE**

### **“Opioid Crisis: Shifting from Shock to Solutions”**

Leslie L. Porth, *PhD, Missouri Hospital Association*

The opioid crisis touches every community in Missouri and has a devastating impact on families, neighborhoods and the workforce. Gaining insight into the epidemic and evidence-based treatments helps employers better understand their employees’ needs and guide them to the right care at the right time.

Salon A

### **“Discovery Uses and Abuses”**

Randy Alberhasky, *Attorney, The Alberhasky Law Firm* and Rob Bullock, *Attorney, Haden, Cowherd & Bullock, LLP*

A discussion of the discovery tools available in workers’ compensation and the methods of discovery that may lead to legal or ethical problems.

Salon B

### **“Missouri On-Site Safety and Health Consultation Program and OSHA Update”**

Daniel Stark, *Assistant Director, Division of Labor Standards*

This presentation walks through the many benefits of the Missouri On-Site Safety and Health Consultation Program to employers, and discusses OSHA updates, such as new silica standards and electronic submissions of injury and illness records.

Redbud

### **“Future Medical Care Following MMI - Flip of a Coin or Research-based Decision Making?”**

Dr. Ted A. Lennard, *Springfield Neurological & Spine Institute*

A discussion of long-term consequences following work-related orthopedic and spine injuries. Findings within the medical literature regarding adjacent segment disease, post-traumatic arthritis, orthopedic hardware removal and medication management will be presented.

Rooms 62/63/64

## **11:50 a.m. - 1:15 p.m. Lunch for Attendees**

Salon C

### **“Working Better Together”**

Anna S. Hui, *Director, Missouri Department of Labor and Industrial Relations*

Learn how the Missouri Department of Labor is improving work environments, processes and relationships to promote economic vitality, safety and fairness for Missouri businesses and workers.

## **Noon Exhibit Hall Opens**

Windgate Hall

## **1:15 - 2:30 p.m. Judges Panel**

Salon A

### **“An Overview of Workers’ Compensation Current Procedural Developments”**

Mark Siedlik, *CALJ*; Victorine Mahon, *CALJ*; Ed Kohner, *CALJ*; Robert Miner, *ALJ*; and Hannelore Fischer, *CALJ, Division of Workers’ Compensation*

## **2:30 - 3:15 p.m. Break/Visit Exhibitors**

Windgate Hall

**SAVE THE DATE FOR 2019 • MAY 2-3 • TAN-TAR-A RESORT**

## 3:15 - 4:05 p.m. Breakout Sessions

ATTENDEE'S CHOICE

### "The Recipe for Safety: Add a Dash of Aggressiveness"

Rooms 62/63/64

Mark Woodward, Sr., *Safety and Risk Trainer, Missouri Employers Mutual*

This presentation motivates participants to be proactive when making safety efforts versus reactive. It includes a discussion on the importance of quality safety meetings, workplace inspections, documentation, and how safety and HR managers can avoid culture pitfalls.

### "Hand Injuries in the Workplace"

Redbud

Dr. Joyce Wilson, *Jefferson City Medical Group Orthopedic Center*

Dr. Wilson discusses common hand and wrist injuries in the workplace as well as various treatment options.

### "Post-accident Drug Testing: The Importance of Drug-free Workplaces and Employees"

Salon B

Terri Sweeten, *Missouri Employers Mutual* and Dr. Janet Elliott, *SSM Health*

Employers gain an understanding of the steps to maintain a workplace free of drug and alcohol use, and policies to maintain a safe workplace.

### "Missouri Division of Workers' Compensation Unit Overview"

Salon A

Nasreen Esmail, Kate Lange, Paul Rockers and Cindy Struempf, *Division of Workers' Compensation*

Division leaders give an overview on the units within the Division of Workers' Compensation: Insurance, Customer Service, Case Administration Review and Evaluation, and Second Injury Fund.

## 4:15 - 5:15 p.m. Reception

Windgate Hall

# THURSDAY • AUGUST 16, 2018

## 7:30 - 9 a.m. Breakfast/Visit Exhibitors

Windgate Hall

## 9:10 - 10 a.m. Breakout Sessions

ATTENDEE'S CHOICE

### "Workers' Compensation: A View From the Bench"

Salon A

John Ottenad, *ALJ*; Carl Strange, *ALJ*; Lee Schaefer, *ALJ*; Emily Fowler, *ALJ*; Nasreen Esmail, *Deputy Director, Division of Workers' Compensation*

Topics of discussion include: the Second Injury Fund, vocational rehabilitation, medical fee disputes (billing and collection), early dispute resolution and if laws in surrounding states affect Missouri claims.

### "It Never Hurt Before! Understanding the Relationship Between Shoulder Injuries and Pre-existing Conditions"

Rooms 62/63/64

Dr. Anthony Frisella, *MD, MA, FAAOS, Advanced Bone & Joint*

Pre-existing shoulder conditions, such as rotator cuff tendon degeneration, are often painless and go undiagnosed until a work injury prompts an MRI. This session reviews the relevant studies and discusses strategies.

### "How to Avoid Holdups at Settlement"

Salon B

Mike Moroni, *Attorney* and Kevin Johnson, *Attorney, Wallace Saunders*

Focuses on common and not-so-common obstacles that can delay or derail settlement negotiations, as well as how to avoid and resolve these conflicts.

### "So... Did You 'Just Do It'? (Set Up a Return to Work Program, That Is)"

Redbud

Jim Akers, *Safety Specialist, Parkway School District*

This presentation discusses how to implement a restricted duty return to work program from scratch or by updating an existing program.

## 10 - 10:30 a.m. Break/Last Chance to Visit with Exhibitors

Windgate Hall

## 10:35 - 11:15 a.m. Breakout Sessions

ATTENDEE'S CHOICE

### "Understanding Terms of Prevailing Factor and Pre-existing, and How They Should Be Evaluated In Compensability"

Salon B

Steve McManus, *Attorney, McAnany, Van Cleave & Phillips* and Tim Wilson, *Attorney, Allen, Nelson & Wilson*

Review of recent case law on the courts' analysis of prevailing factor. The speakers give both the claimant and the defense perspective.

## **“Missouri Property and Casualty Insurance Guaranty Association: The Safety Net for the Safety Net”**

Redbud

Jim Oetting, *MO Insurance Guaranty Association*

Provides an overview of the Guaranty Association system, which provides coverage and protection to injured workers and employers when an insurer becomes insolvent.

## **“WC 101 Newbies”**

Salon A

Ken Cain, *ALJ, Division of Workers’ Compensation*

Provides an overview for those new to the Missouri Workers’ Compensation system.

## **“Workers’ Compensation and Social Security Benefits”**

Rooms 62/63/64

Matt Haeffner, *Social Security Administration*

Mr. Haeffner discusses the effect workers’ compensation payments can have on Social Security benefits.

## **11:15 a.m. - 12:30 p.m. Lunch**

Salon C

### **“Bring Your ‘A’ Game... To Every Aspect of Your Life”**

Brenda Clark Hamilton, *Brenda Clark Hamilton, Inc.*

Join us in taking the “Are You In a Rut?” test and in learning practical strategies for shaking things up and bringing you’re A-Game to your relationships and to every aspect of your life.

## **12:30 - 1:20 p.m. Breakout Sessions**

**ATTENDEE’S CHOICE**

### **“Workers’ Compensation Fraud and Noncompliance: We All Play a Role”**

Salon A

Mark Moses, *Investigator, Division of Workers’ Compensation*; Edward Pfund, *Fraud and Noncompliance Unit, Division of Workers’ Compensation*; Eric Lowe, *Missouri Attorney General’s Office*; and Maggie Ahrenbach, *Missouri Attorney General’s Office*

This session focuses on the criminal provisions of RSMo Chapter 287, how businesses and individuals can ensure compliance and why compliance with the statute is important for all parties.

### **“Telemedicine”**

Redbud

Lynn Rogers, *RN, CCM, Broadspire*

Telemedicine seeks to improve a patient’s health by permitting two-way, real-time interactive communication between the patient and the practitioner at a distant site. Telemedicine is a cost effective alternative to the more traditional face to face way of providing medical care.

### **“Regulatory and Legislative Trends in Workers’ Compensation”**

Rooms 62/63/64

Carla Townsend and Susan Schulte, *NCCI*

This presentation focuses on state and country-wide trends impacting the workers compensation industry.

### **“Occupational Exposure Claims: A Collaborative Approach”**

Salon B

Scott Hall, *Attorney* and Anne Kearse, *Attorney, Motley Rice, LLC*

Discussion about toxic exposures in the workplace.

## **1:25 - 2:15 p.m. “Annual Case Law Review 2017-2018”**

Salon A

Chris Archer, *Archer and Lassa, LLC* and Mike Korte, *The Korte Law Firm, LLC*

Annual review of Missouri Courts of Appeals, Supreme Court and Missouri Labor and Industrial Relations Commission decisions from employers’ and claimants’ counsel, with commentary reflecting their respective points of view.

## **2:15 - 2:45 p.m. Closing**

Salon A

Colleen Joern Vetter, *Director, Division of Workers’ Compensation*

Thank You for Attending the 24th Annual Division of Workers’ Compensation Educational Seminar.