

MAY 1-3, 2019 • TAN-TAR-A RESORT • OSAGE BEACH, MO



25th Annual Missouri Division of
WORKERS' COMPENSATION
EDUCATIONAL SEMINAR

9 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.
Presentations are available online at www.labor.mo.gov/DWC-Conference/materials.

WEDNESDAY • MAY 1, 2019

11:30 am - 12:30 pm Golf Tournament to Benefit Kids' Chance of Missouri

11:30 am Tournament Registration and Lunch

12:30 pm Four-Person Scramble

The Oaks at Tan-Tar-A

3 - 5:15 pm Early Check-In

Tan-Tar-A Resort

5:30 - 6:30 pm Meet & Greet with Administrative Law Judges & Division Staff

Nautical Wheeler

THURSDAY • MAY 2, 2019

7:30 am Conference Registration

Tan-Tar-A Resort

7:30 - 8:30 am Breakfast

Paradise C

8 am - 2 pm Where's the Hazard?

Leeward 75/76/77

Bill Doan, *OHST, CSP, MO On-Site Safety and Consultation Program*

Whether you are new to workplace audits or a seasoned professional, walk through our safety and health lab and attend the corresponding workshop to identify common hazards.

8:45 - 9:35 am Introduction

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

Paradise A

Welcome and update.

9:40 - 10:30 am Breakout Sessions

ATTENDEE'S CHOICE

“Changing Work, Changing Coverage”

Paradise A

Jennifer Wolf, *Executive Director, IAIABC*

This presentation will explore how occupational safety and workers' compensation may change in a world without employees. Learn about emerging models, both private and public, to understand the possible changes to come for the industry.

“Basics You Need to Know to File Workers' Compensation Claims”

Paradise B

Victorine Mahon, *ALJ*, and Lee Schaefer, *ALJ, Missouri Division of Workers' Compensation*

What and how information should be listed on a claim for compensation.

“Ankle Arthrodesis vs. Arthroplasty”

Windgate 62/63/64

Dr. Greg Horton, *MD, Orthopedic Surgery and Sports Medicine, University of Kansas*

This session will cover traumatic ankle work injuries. Hear about case studies and decision making strategies for the best outcome in ankle function post trauma.

10:30 - 11 am Exhibit Hall Opens

Windgate Hall

11 - 11:50 am Breakout Sessions

ATTENDEE'S CHOICE

“The Basis of HIPAA Compliance”

Paradise A

Dannae Delano, *Atty, Wagner Law Group*

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

“Ensuring Maximum Claim Outcomes: Effective Incident/Injury Management”

Paradise B

Steve Summers, *Missouri Employers Mutual*

A review of the available Best Practices every employer should include in their overall incident management program.

“What You Need to Know About Missouri Workers' Compensation Law”

Windgate 62/63/64

Kurt Mueller, *Chief Administrator, Fraud Unit, Missouri Division of Workers' Compensation*

The Fraud and Noncompliance Unit will present information to help educate citizens on how to have a safe, supportive, fair and equitable work environment by complying with the Missouri Workers' Compensation law.

11:15 am - 12 pm Lunch for Exhibitors

Windgate Hall

11:50 am - 12:50 pm Lunch for Attendees

Paradise C

1 - 1:50 pm Breakout Sessions

ATTENDEE'S CHOICE

“Practice Before the Labor and Industrial Relations Commission”

Paradise A

Robert Cornejo, *Chairman*

A discussion of recent case law changes and general practice before the LIRC.

“Understanding the New Division of Labor Standards' Web Portal”

Paradise B

Taylor Burks, *Director, Division of Labor Standards* and Amanda Bestgen, *Program Manager, Division of Labor Standards*

An overview of Missouri workers' compensation injury trends and how we can learn from the data to promote workplace safety and health.

“Investigations in the Age of Geosocial Data”

Windgate 62/63/64

Michael Teti, *DigiStream Investigations*

This session utilizes real life case examples to demonstrate the impact of this technology in the realm of risk management, law and insurance.

Presentations are available online at www.labor.mo.gov/DWC-Conference/materials.

2 - 2:50 pm Breakout Sessions

ATTENDEE'S CHOICE

"Navigating Medicare Secondary Payer Act Issues"

Paradise A

Kendra Oakes, *Attorney, McAnany, Van Cleave & Phillips*

Discuss compliance with the Medicare Secondary Payer Act (MSPA) with particular focus on conditional payments and Medicare Set Aside Agreements.

"Neurogenic Thoracic Outlet, It's a Peripheral Nerve Problem"

Paradise B

Dr. Robert R. Hagen, *MD, Neuropax Clinic*

What is peripheral nerve? What is neurogenic thoracic outlet syndrome (nTOS)? The importance of peripheral nerve in evaluating the upper extremity and thoracic outlet syndrome.

"Missouri Efforts in Addressing the Opioid Abuse Epidemic"

Windgate 62/63/64

Michael Boeger, *Administrator, Missouri Bureau of Narcotics and Dangerous Drugs*

Statistics on opioid overdoses and deaths; How we got here. Review of new projects and efforts Missouri departments have implemented. New legislation enacted on prescribing; prescription monitoring program.

"Where's the Hazard?"

Leeward 74

Bill Doan, *OHST, CSP, MO On-Site Safety and Consultation Program*

Specific OSHA Standards, corrective actions and standard interpretations will be discussed in the classroom session.

2:50 - 3:20 pm Refreshment Break/Visit Exhibitors

Windgate Hall

3:25 - 4:15 pm Breakout Sessions

"The Accelerated Healing Properties of Aquatic Therapy"

Paradise A

Greg Hankins, *CEO, Synergy Therapies, LLC*

Rehabilitative movements in physical therapy are enhanced and patient healing accelerated in warm water and multiple depth therapy environments.

"Missouri Self-Insurance"

Paradise B

Lloyd E. Johnson, *Manager, Insurance Unit, Missouri Division of Workers' Compensation*

Understanding self-insurance in the state of Missouri. An introduction to Missouri self-insurance regulations, compliance and reporting guidelines.

"What Laws Are Important to Understand in Handling Missouri Workers' Compensation Claims including ADA, FMLA, Missouri Human Rights Act and Wrongful Termination/Retaliatory Discharge?"

Windgate 62/63/64

Ryan Murphy, *Atty, REM Law Firm* and Scott Wilson, *Atty, Hines Law Firm*

This panel of both defense and claimant's lawyers will discuss the frequent overlap and interplay of other laws which come into play in work injuries, to help navigate the various laws and prevent inadvertently violating another law when dealing with a work injury.

4:15 - 5:15 pm Reception

Windgate Hall

FRIDAY • MAY 3, 2019

7:30 - 8:40 am Breakfast/Visit Exhibitors

Windgate Hall

8:45 - 9:35 am Breakout Sessions

ATTENDEE'S CHOICE

"Regulatory Trends in Workers' Compensation"

Paradise A

Carla Townsend, *State Relations Executive, National Council on Compensation Insurance (NCCI)*

A focus on countrywide and state specific regulatory trends in workers' compensation including; proposed/enacted state and federal legislation, state system cost drivers and NCCI research and publications.

"Case Law Review and Recent Updates on Handling Toxic Exposure Claims"

Paradise B

Dan Mizell, *Atty, Deputy and Mizell*, Matt Murphy, *Atty, Vessell, Bridges, Murphy Law Offices*, and Melodie Powell, *ALJ, Missouri Division of Workers' Compensation*

An update of important appellate decisions and recent updates on handling toxic exposure claims.

“Early Dispute Resolution”

Windgate 62/63/64

Dan McCulley, *Legal Counsel*, Kate Lange, *Supervisor, Customer Service Unit* and Nasreen Esmail, *Chief Legal Counsel, Missouri Division of Workers’ Compensation*

Learn if and how the Dispute Management Unit can help to resolve disputes between the injured worker and the employer/insurer (parties to the case) prior to a case proceeding to formal litigation.

9:40 - 10:10 am Last Chance to Visit with Exhibitors

Windgate Hall

10:15 - 11:05 am Breakout Sessions

ATTENDEE’S CHOICE

“OSHA Overview”

Bill McDonald, *CSP, Area Director, OSHA - St. Louis Area Office*

Paradise A

An overview of OSHA’s most frequently cited standards, recent enforcement activities, current OSHA initiatives in specific industries, OSHA Outreach Campaigns and reiterate compliance assistance resources available to Missouri employers.

“Toxic Exposure: Recent Developments in Prosecution and Defense of Toxic Exposure Claims Including Mesothelioma ”

Paradise B

Steve McManus, *Atty, McAnanay, Van Cleave & Phillips, P.C.*, Thomas L. Stewart, *Atty, O’Brien Law*, and Joseph Keaveny, *ALJ, Missouri Division of Workers’ Compensation*.

This presentation examines recent cases in mesothelioma and other toxic exposure claims. It also discusses issues that have not been addressed by statute or case law.

“Worker’s Compensation Insurance: Regulation of Rates, Companies, and the Missouri Market”

Windgate 62/63/64

John Conrace, *Legal Counsel*, Angela Nelson, *Market Regulation Division Director*, and Gina Clark, *Property & Casualty Manager, Missouri Department of Insurance*

A discussion of the basics of the Department of Insurance’s regulatory authority over the Workers’ Compensation market and insurance industry. Including an overview of how rates are made and applied to employers, and how employers can appeal classifications, and the general regulation of insurance products offered in the Missouri market.

11:10 am - 12 pm Breakout Sessions

“Chump Change Can Save Lives”

Paradise A

Terri Sweeten, *Field Service Manager*, and Mark Woodward, *Senior Safety and Risk Trainer, Missouri Employers Mutual*

This presentation will include real life examples of how a small investment can save lives and money.

“Taking the Mystery Out of Compounds - An Alternative to Opioids”

Paradise B

Paige Bowling, *Corporate Pharmacy*

This presentation discusses the myths and truths of compounds over traditional tablets and capsules especially if the drug is an opioid.

“Employers’ Exposure to Penalties, the Assessment of Penalties Against Employees for Drug and Alcohol Usage, and How Marijuana Legalization Will Impact Drug Testing”

Windgate 62/63/64

J. Bradley Young, *Atty, Harris Dowell Fisher and Young L.C.*

Penalties against both Employers and Employees are becoming more and more frequent. This presentation will explore how and when employers and employees are hit with penalties and strategies to consider for averting such circumstances.

12 - 12:55 pm Lunch

Paradise C

1 - 1:50 pm Mock Trial

Paradise A

Chris Archer, *Atty, Archer and Lassa* and Mike Korte, *Atty, The Korte Law*

A presentation of how a worker’s compensation hearing proceeds before an administrative law judge