

**32<sup>nd</sup> Annual**

# **National Workers' Compensation and Occupational Medicine Conference**

*Your Roadmap to Cost Saving Solutions*

**SEE PAGE 3 FOR EXHIBITING INFORMATION**

## **PRECONFERENCES**

**SEAK Advanced Orthopedics for Workers' Compensation and  
Occupational Health Professionals**

**Using the 6th Edition of the AMA Guides: Essential Training**

**Take Your Return To Work Program Up A Notch: Building A Roadmap For Action**

**Managing Persistent Pain and Disability: Best Practices**

**ADA, FMLA, and Workers' Compensation: In Depth**

**Causation of Occupational Injuries: Fact & Fiction**

**[www.seak.com](http://www.seak.com)**

## Cape Cod, July 2012 Registration Form

**MAIL to:** SEAK, Inc., P.O. Box 729,  
Falmouth, MA 02541  
**FAX to:** 508.540.8304 or  
**CALL:** 508.457.1111 or  
**REGISTER ONLINE:** [www.seak.com](http://www.seak.com)

### Please register me for the following **preconference:**

- SEAK Advanced Orthopedics for Workers' Compensation and Occupational Health Professionals (\$395) July 16, 2012**
- Using the 6th Edition of the AMA Guides: Essential Training (\$395) July 16, 2012**
- Take Your Return To Work Program Up A Notch: Building A Roadmap For Action (\$395) July 16, 2012**
- Managing Persistent Pain and Disability: Best Practices (\$395) July 16, 2012**
- ADA, FMLA, and Workers' Compensation: In Depth (\$395) July 16, 2012**
- Causation of Occupational Injuries: Fact & Fiction (\$395) July 16, 2012**

### Please register me for the **main conference:**

- 32<sup>nd</sup> Annual National Workers' Compensation and Occupational Medicine Conference (\$975) July 17-19, 2012**

Please print or type all items to assure accuracy.

All confirmations will be sent to the individual indicated.

Priority Code: JULY2012

<input type="checkbox"/> Check here if you require special accommodations to fully participate.		
First Name (as it will appear on name badge):		
Last Name:		
Title:	Degree(s):	
Company/Organization:		
Mailing Address:		
City:	State:	Zip:
Phone:	Fax:	
E-Mail: (Please print neatly - confirmations and other information will be sent via e-mail)		
<input type="checkbox"/> I've enclosed a check payable to: <b>SEAK, Inc.</b>		
<b>OR</b> I'm Paying by Credit Card (please circle card type) MC / Visa / Amex / DISC		
Card Number:	Exp. Date:	
Name as it appears on the card:	Security Code:	
Signature:		

## Executive Summary

**Medical Director:** Stephen Freifeld, MD, FACS **Nursing Director:** Terri Arthur, RN, BS, MS  
**Seminar Leader:** Steven Babitsky, Esq.

In this widely acclaimed program, the nation's leading workers' compensation professionals, occupational physicians, occupational nurses, and attorneys will join together to discuss cutting edge issues. Frank discussions and lively question and answer sessions will complement each presentation. Conference registrants will be able to meet their colleagues and leaders in their fields from across the United States and Canada, at the reception, luncheons, and breakfasts, in the exhibit hall and at Wednesday night's social event to network and discuss areas of mutual concern. This conference is currently the largest and longest-running national workers' compensation and occupational medicine conference of its kind in the United States.

## Exhibiting/Sponsorship Information

We expect over 400 conference attendees and have a limited number of exhibiting booths available. To reserve your booth or for sponsorship opportunities please contact Alex Babitsky at (508) 457-5150 or via email at Alex@seak.com

## Registration Information

**Hotel Accommodations:** A limited block of rooms has been reserved at convention rates (\$210 + tax) at the site hotel (The Resort and Conference Center at Hyannis). These rooms will be assigned on a first request basis. To reserve your room, please call (866) 828-9111 and mention the SEAK/Workers' Compensation Conference.

**Note: The conference was sold out the last several years. Early registration is highly recommended.**

**Registration Information:** Tuition for the *32nd Annual National Workers' Compensation and Occupational Medicine Conference* is \$975. This includes handout materials to be distributed at the door, coffee breaks, reception, three continental breakfasts, a social event on Wednesday night, and two conference luncheons. **A 20% discount is available for two or more individuals registering together prior to May 15, 2012.** Tuition for each preconference is \$395.

**Continuing Education Credit:** Please see pages 4, 20, 22, 24, 26, 28 and 30 for continuing education information.

**Cancellations:** Conference cancellations received in writing before July 1, 2012 will receive a full refund. Persons canceling after July 1, 2012 will not receive a refund, but will be provided with the course materials.



## Main Conference Continuing Education Credit Information:

**Attorneys:** Please request CLE credits when mailing in your registration form. Credit hours vary by state, usually in the range of 16.5 - 20.5 credit hours.

**Case Managers:** 18 contact hours of continuing education for Case Managers have been applied for from the Commission for Case Manager Certification, St. Paul, Minnesota.

**Disability Specialists:** 18 contact hours of continuing education for Disability Specialists have been applied for from the Commission for Disability Management Specialists, Schaumburg, Illinois.

**Human Resource Professionals:** SEAK has applied for recertification credit hours toward PHR, SPHR and GPHR through the Human Resource Certification Institute (HRCI).

**Nurses:** To successfully complete a program and receive contact hours you must: 1) register in, 2) be present for the period of time you are awarded contact hours, 3) complete and hand in the evaluation.

**Occupational Health Nurses:** 18 60-minute contact hours for continuing education in nursing have been applied for through the American Association of Occupational Health Nurses, Inc. (AAOHN). AAOHN is an accredited approver of continuing education by the American Nurses Credentialing Center's Commission on Accreditation.

**Physical Therapists:** Continuing Physical Therapy credits vary by state, and will only be applied for if requested in writing on the conference registration form.

**Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 16.75 *AMA PRA Category 1 Credit(s)*.™ Physicians should claim only the credit commensurate with the extent of their participation in the activity.

**Rehabilitation Counselors:** 18 contact hours of continuing education hours for Rehabilitation Counselors have been applied for from the Commission on Rehabilitation Counselor Certification, Schaumburg, Illinois.

**Rehabilitation Nurses:** This program will be accepted for 18 60-minute hours of continuing education for ARN Certification. Submit certificate.

**Note:** Any and all commercial products or services displayed or advertised at the 2012 SEAK Conference are neither endorsed by the American Nurses Credentialing Center's Commission on Accreditation nor SEAK, Inc.

**Preconferences:** Continuing education credit information for the preconferences is found on pages 20, 22, 24, 26, 28 and 30.



## Hotel and Travel Information

### Site Hotel - The Resort and Conference Center at Hyannis

A limited block of rooms has been reserved at convention rates (\$210 + tax) at the site hotel (**The Resort and Conference Center at Hyannis**). These rooms will be assigned on a first request basis. To reserve your room, please call 866-828-9111 and mention the SEAK/Workers' Compensation Conference. The resort is surrounded by 52 totally private acres of beautifully landscaped grounds and offers an 18-hole par 54 golf course, a private patio or balcony for the 232 guest rooms, a complete fitness center, indoor and outdoor pools, a whirlpool, a complete spa, a free beach shuttle and free parking. The Resort and Conference Center at Hyannis is conveniently located within walking distance of Main Street with its many shops and restaurants. Public beaches and the ferries to Martha's Vineyard and Nantucket are minutes from the hotel.

### Alternative Lodging

As a tourist destination, the Hyannis area has numerous alternative lodging options for different tastes and budgets. We have reserved a block of overflow rooms at **The Holiday Inn Hyannis** at a discounted rate (\$189 single/double). To make your reservations, please call (508) 775-1153 and identify yourselves as being with SEAK, Inc. or book online at [www.holidayinn.com/hyannisma](http://www.holidayinn.com/hyannisma) and Enter Group Code: SEA. **During the conference, SEAK, Inc. will provide free regularly scheduled shuttle bus service between The Holiday Inn Hyannis and The Resort and Conference Center at Hyannis.** The Holiday Inn Hyannis is approximately 3 miles from The Resort and Conference Center at Hyannis and is located nearby the Cape Cod Mall and several restaurants. The Holiday Inn Hyannis was recently renovated and features an indoor pool, restaurant, modern gym and free hi-speed internet access. If you prefer a hotel on the harbor and within walking distance of downtown/waterfront restaurants, we suggest the **Anchor In** ([www.anchorin.com](http://www.anchorin.com)), which is 2 miles from The Resort and Conference Center at Hyannis. For a good value, we suggest the **Sea Coast Inn** ([www.seacoastcapecod.com](http://www.seacoastcapecod.com)) which is within healthy walking distance of the site hotel and easy walking distance of main street and the Hyannis docks. For a small motel directly across from Craigville Beach, we suggest the **Ocean View on Craigville Beach** ([www.capecodoceanviewmotel.com](http://www.capecodoceanviewmotel.com)) If you are coming with your family or colleagues and prefer a suite or townhouse with kitchenette, we suggest the **Red Jacket Green Harbor Resort**, which is located directly on Lewis Bay, 3 miles from The Resort and Conference Center at Hyannis. If you would like to stay at an oceanfront beach resort with a private beach, jet ski rentals, etc., we suggest the **Red Jacket Beach Resort** ([www.redjacketresorts.com](http://www.redjacketresorts.com)). The Red Jacket Beach Resort is 6 miles from The Resort and Conference Center at Hyannis, but please note that traffic can be heavy in the afternoons coming back from The Resort and Conference Center at Hyannis.

### Getting to Hyannis

The two major airports closest to Cape Cod are Logan International Airport in Boston, MA (70 miles) and T.F. Green Airport in Warwick, Rhode Island (80 miles). Barnstable Airport is a five minute drive from The Resort and Conference Center at Hyannis, but this is a commuter airport that has smaller planes and fewer flights. T.F. Green is preferred over Logan (if you are able to get a direct flight) as it is usually less congested. Rental cars, taxis and car service are available at all three airports. If you are on a tight budget or prefer not to drive, Plymouth & Brockton runs bus service between Logan Airport and Hyannis ([www.p-b.com](http://www.p-b.com)).

### Cape Cod

Cape Cod is a true destination spot that features beautiful beaches, warm water, great restaurants, historic towns, sightseeing, kayaking, whale watching, museums, numerous bike trails, shopping, nightlife, championship golf, and world famous boating. Cape Cod is also gateway to the islands of Martha's Vineyard and Nantucket. For more information on what to do on Cape Cod, please visit [www.capecod.com](http://www.capecod.com).

## Comments From Past Attendees

*"I find this conference my one-stop education experience each year!"*

*"Excellent-appreciate the high quality of speakers you've used."*

*"Very excellent speakers. Very efficiently managed."*

*"Quite Good. Diverse selection of topics & speakers."*

*"Excellent as usual."*

*"Extremely high quality. Great, timely topics, taught clearly & concisely by highly qualified faculty."*

*"One of the top I have attended on national level."*

*"Excellent! The expertise of your speakers was exceptional!"*

*"Wonderful cross-section of subjects, disciplines, & topics."*

*"One of the best conferences I have attended."*

*"Great conference! Looking forward to next year."*

# 2012 SEAK Workers' Compensation and Occupational Medicine Conference

## PRECONFERENCES Monday, July 16, 2012

### SEAK Advanced Orthopedics for Workers' Compensation and Occupational Health Professionals

*Seminar Leaders:*

Eric Phillip Carkner, MD



Alan S. Curtis, MD



Andrew Jawa, MD



Paul Weitzel, MD



### Using the 6th Edition of the AMA Guides: Essential Training

*Seminar Leader:*

Marjorie Eskay-Auerbach MD, JD



### Take Your Return To Work Program Up A Notch: Building A Roadmap For Action

*Seminar Leader:*

Jennifer Christian, MD, MPH



### Managing Persistent Pain and Disability: Best Practices

*Seminar Leader:*

Michael Sullivan, Ph.D.



### ADA, FMLA, and Workers' Compensation: In Depth

*Seminar Leaders:*

Adam P. Forman, Esq.

John D. Doran Esq.



### Causation of Occupational Injuries: Fact & Fiction

*Seminar Leader:*

J. Mark Melhorn, MD, FAAOS,  
FAADER, FACS



## Main Conference: Day 1 Tuesday, July 17, 2012

8:00-8:50 **Registration, Continental Breakfast and Exhibits**

8:50-9:00 **Introductory Remarks, Announcements**

9:00-9:50 **Making a Positive Impact**  
Hugh Conlon IV  
*Wounded Warrior Project*



9:50-10:00 **EXHIBITS & NETWORKING OPPORTUNITY**

10:00-10:50 **Workplace Wellness: The Value of Health and the Power of Prevention**  
Ron Loeppke, MD, MPH, FACOEM, FACPM  
*US Preventive Medicine*  
(Brentwood, TN)



10:50-11:00 **EXHIBITS & NETWORKING OPPORTUNITY**

11:00-12:00 **Cost Savings in the Litigated Case: What Works**  
The Honorable LuAnn Haley  
*Industrial Commission of AZ*  
(Tucson, AZ)



12:00-1:30 **LUNCH (PROVIDED WITH FACULTY) & EXHIBITS**

1:30-2:30 **BREAKOUT SESSIONS, CHOOSE ONE**

**A. Best Practices for Avoiding and Defending ADA Claims**  
Ellen E. McLaughlin Esq.  
*Seyfarth Shaw LLP*  
(Chicago, IL)



**B. Proactively Managing Long-Term Complex Workers' Compensation Claims**  
Kevin T. Glennon RN, BSN, CDMS, QRP  
*Total Medical Solutions*  
(Lake Mary, FL)



**C. Negotiating Return-to-Work with the Treating Physician**  
Douglas W. Martin MD, FAAFP, FACOEM, FAADER, CIME, CEDIR  
*St. Luke's Center for Occupational Health Excellence*  
(Sioux City, IA)



2:30-2:40 **EXHIBITS & NETWORKING OPPORTUNITY**

2:40-3:40 **BREAKOUT SESSIONS, CHOOSE ONE**

**A. Occupational Shoulder Injuries: Diagnosis Treatment and Return to Work**  
David M. Sheps MD, MSc, FRCSC  
*University of Alberta*  
(Edmonton, Alberta)



**B. Defending the Workers' Comp Claim: How to Win**  
Kevin M. Gillis Esq.  
*Norman Hanson DeTroy*  
(Portland, ME)



**C. Evidence-Based Health Coaching: A Fresh, NEW Approach for Improving Health Outcomes and Reducing Costs in Occupational Health**  
Melinda Huffman, BSN, MSN, CCNS, CHC  
*Miller & Huffman Outcome Architects*  
(Winchester, TN)



3:40-3:50 **EXHIBITS & NETWORKING OPPORTUNITY**

3:50-4:50 **BREAKOUT SESSIONS, CHOOSE ONE**

**A. Motivating Employees to Return-to-Work: What Does and Does not Work**  
Jason A. Parker, BHK  
*CentriX Disability Management Services*  
(New Westminster, BC)



**B. Total Worker Health: Reducing the Incidence and Severity of Workers' Comp Claims**  
Robert K. McLellan MD, MPH  
*Dartmouth Hitchcock Medical Center*  
(Lebanon, NH)



**C. How Employers, Insurers, and Self Insurers Can Save Money**  
Lora Northern Esq.  
*Capehart Scatchard*  
(Mount Laurel, NJ)



5:00-6:00 **Welcome Reception**

## Main Conference: Day 2 Wednesday, July 18, 2012

- 7:00-8:00 **Continental Breakfast and Exhibits**
- 8:00-8:50 **Symptom Magnification, Malingering, and Fraud: What You Can Do About It**  
  
 Jason J. Molnar, Esq.  
*Manning & Kass, Ellrod, Ramirez, Trester*  
 (San Diego, CA)
- 8:50-9:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 9:00-9:50 **Early Risk Prediction: Interventions That Work**  
 Glenn Pransky MD  
*Liberty Center for Disability Research*  
 (Hopkinton, MA)
- 9:50-10:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 10:00-10:50 **Providing the Right Rehabilitation at the Right Time**  
  
 Douglas P. Gross Ph.D.  
*University of Alberta*  
 (Edmonton, Alberta)
- 10:50-11:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 11:00-12:00 **Best Practices in Successful Workers' Compensation Evidence Based Claims Management**  
  
 Karen Caterino, MBA, ARM-P, CPM®, CGBA  
*State of Nevada*  
 (Carson City, NV)
- 12:00-1:30 **LUNCH (PROVIDED WITH FACULTY) & EXHIBITS**
- 1:30-2:30 **BREAKOUT SESSIONS, CHOOSE ONE**
- A. Use and Abuse of Medications in Workers' Compensation Cases: Improving Outcomes**  
 William Nemeth MD  
*Texas Physicians Health Program*  
 (Austin, TX)
- B. Why Injured Workers Hire Lawyers**  
 Leonard T. Jernigan Jr., Esq.  
*The Jernigan Law Firm*  
 (Raleigh, NC)
- C. Ergonomics on a Shoestring: What Companies Can Do At a Time of Austerity**  
 Terry Snyder  
*P.S. Associates*  
 (Sudbury, MA)
- 2:30-2:40 **EXHIBITS & NETWORKING OPPORTUNITY**
- 2:40-3:40 **BREAKOUT SESSIONS, CHOOSE ONE**
- A. OSHA: Latest Developments**  
 David E. Jones Esq.  
*Ogletree, Deakins, Nash, Smoak & Stewart*  
 (Atlanta, GA)
- B. The New Frontier in Occupational Health: What Employers Want and Need and How to Deliver It**  
  
 Michael McGrail MD, MPH  
*HealthPartners*  
 (Bloomington, MN)
- C. Onsite Health Care for Occupational Injuries: What Works**  
  
 Peggy Manuszak MS, RN, COHN-S/CM, FAOHN  
*PPP Business Services*  
 (Salisbury, MD)
- 8:00-9:30 **Social Mixer**

## Main Conference: Day 3 Thursday, July 19, 2012

- 7:00-8:00 **Continental Breakfast and Exhibits**
- 8:00-8:50 **Managing Chronic Pain Patients: With and Without Opioids**  
  
 Paul Arnstein RN, Ph.D., FAAN  
*Mass. General Hospital*  
 (Boston, MA)
- 8:50-9:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 9:00-9:50 **The Debate: Two Opposing Attorneys Go Head to Head on Hot Workers' Compensation Issues**  
  
 Rich Lenkov, Esq. and Matt Belcher, Esq.  
  
 Bryce Downey & Lenkov, Belcher Law Office  
 (Chicago, IL)
- 9:50-10:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 10:00-10:50 **Depression in the Workplace: Reducing Productivity Loss**  
  
 Debra Lerner MS, Ph.D.  
*Tufts Medical Center*  
 (Boston, MA)
- 10:50-11:00 **EXHIBITS & NETWORKING OPPORTUNITY**
- 11:00-12:00 **Innovating Health Care Delivery in WC: Integrating Care to Prevent Long Term Disability**  
  
 Gary M. Franklin MD, MPH  
*University of Washington*  
 (Seattle, WA)
- 12:00-1:30 **LUNCH (ON YOUR OWN) & EXHIBITS**
- 1:30-2:30 **BREAKOUT SESSIONS, CHOOSE ONE**
- A. Symptom Magnification and Malingering in Occupational Health and Workers' Compensation**  
 Anthony J. Dorto, MD, FAAPMR, FAADEP  
*Disability Assessment Center, PA*  
 (Miami, FL)
- B. Successful Communications for Occupational Health Professionals: How to Get Results**  
 Denise Zoe Gillen-Algire, MBA, RN, COHN-S/CM, FAOHN  
*Risk Navigation Group*  
 (Albuquerque, NM)
- C. Medical Management of Injured Workers: The Future of Workers' Compensation and Occupational Medicine**  
  
 James W. Heslep Esq.  
*Steptoe & Johnson*  
 (Bridgeport, WV)
- 2:30-2:40 **EXHIBITS & NETWORKING OPPORTUNITY**
- 2:40-3:40 **BREAKOUT SESSIONS, CHOOSE ONE**
- A. FMLA: Latest Development**  
  
 Robert M. Hale Esq.  
*Goodwin Procter*  
 (Boston, MA)
- B. DOT Certification and Examination Update: The Latest Developments**  
  
 Kimberly Olszewski, MSN, CRNP, COHN-S/CM  
*Mid State Occupational Health Services*  
 (Lewisburg, PA)
- C. Foot and Ankle Injuries. Diagnosis, Treatment and Return to Work**  
  
 Judith Baumhauer MD, MPH  
*University of Rochester*  
 (Rochester, NY)

## Conference Program: Tuesday, July 17, 2012

**8:00–8:50**      **Registration, Continental Breakfast and Exhibits**

**8:50–9:00**      **Introductory Remarks, Announcements**

**9:00–9:50**      **Making a Positive Impact**  
*Hugh Conlon IV*

Sergeant first class Hugh Conlon IV (ret.) will share his inspirational story of 350 combat missions in which he provided, coordinated, and directed medical support in hazardous urban environment without a single US military loss of life. His message for all attendees will be making a positive impact.



**Sergeant First Class Hugh Conlon IV** joined the Army in May 1987 and deployed to Baghdad in 2006 in support of Operation Iraqi Freedom. It wasn't the first taste of war for this Brigade Medical Advisor to the Iraqi National Police. He had seen action in Honduras (1988), Panama (1989), and Desert Shield/Desert Storm (1990). In addition, throughout his career, Hugh trained more than 150,000 US Army Reserve and National Guard soldiers at various bases, during the months leading up to and during 2003-2005 resulting in improved unit readiness ratings. Hugh retired from the Army in June 2007 and subsequently received seven separate orthopedic diagnoses, nine body system diagnoses, a special compensation diagnosis and one mental health diagnosis during his VA claims exams. He currently commutes 45 miles to the nearest VA facility for primary care needs, and, when necessary, from Charlotte to Durham, NC, for specialty clinic appointments. Hugh has needed to utilize 911 for emergency treatment at a non-VA facility for a procedure that saved his life in October 2010. Hugh pursued a degree in Political Science from Augusta State University, and in 2008 he served as a liaison for injured soldiers and their families for the US Army Wounded Warrior Program (AW2).

**9:50–10:00**      **EXHIBITS & NETWORKING OPPORTUNITY**

**10:00–10:50**      **Workplace Wellness: The Value of Health and the Power of Prevention**  
*Ron Loeppke, MD, MPH, FACOEM, FACPM*

Dr. Loeppke will utilize research and case studies to present the converging trends that are advancing the value of health and the power of prevention in workplace wellness and health and productivity management initiatives. He will discuss the solid business reasons why employers should invest in wellness, health, productivity, and prevention strategies. Dr. Loeppke will present the key elements of a successful integrated workplace health and productivity program. He will offer practical cost-effective suggestions to help employers achieve workplace wellness.



**Ron Loeppke, MD, MPH, FACOEM, FACPM** is Vice-Chairman of U.S. Preventive Medicine and serves as co-chair of the company's International Advisory Board. Dr. Loeppke has over 30 years of clinical and physician executive experience in the Occupational Health, Preventive Medicine and Medical Management arenas. He has provided over 200 presentations nationally and internationally as well as authored numerous articles and book chapters relating to research studies and initiatives in preventive medicine, employer health and productivity, workplace wellness, occupational health, managed care, quality care improvement, adoption of evidence based medicine, consumer driven

healthcare and innovative models of healthcare delivery. He is Board Certified in Preventive Medicine; Fellowship trained in Occupational Medicine and is a Fellow of both the American College of Occupational and Environmental Medicine (ACOEM) and the American College of Preventive Medicine, (ACPM).

**10:50–11:00**      **EXHIBITS & NETWORKING OPPORTUNITY**

**11:00–12:00**      **Cost Savings in the Litigated Case: What Works**  
*The Honorable LuAnn Haley*

Judge Haley will present an overview of what drives costs in the litigation of contested workers' comp claims. She will discuss medical causation issues, cost considerations when developing medical evidence such as IMEs, diagnostic tests and records, and surveillance and whether it is worth the expense. Judge Haley will discuss the unique problems associated with attempts to reduce medication costs, reasonable and necessary medical expenses and from the payment of non-compensable expenses during litigation. Judge Haley will offer practical suggestions for litigated cases involving issues of return to work, mediation, collateral benefits, and final settlements.

## Conference Program: Tuesday, July 17, 2012



**The Honorable LuAnn Haley** is an administrative law judge for the Industrial Commission of Arizona. Judge Haley received her BA from Indiana University of Pennsylvania and her JD from Dickinson School of Law. Prior to her appointment, Judge Haley litigated workers' compensation claims representing employers and carriers for more than 16 years. Judge Haley has written and lectured extensively on workers' compensation issues. She was a reviewer for the AMA Guides 5th and 6th Editions as well as the transition supplements for both editions.

**12:00-1:30 LUNCH (PROVIDED WITH FACULTY) & EXHIBITS**

**1:30-2:30 BREAKOUT SESSIONS, CHOOSE ONE**

### **A. Best Practices for Avoiding and Defending ADA Claims**

***Ellen E. McLaughlin Esq.***

Attorney McLaughlin will discuss the latest ADA developments in leaves of absence, reasonable accommodation, medical certifications, and return to work certifications. She will explain the significance of the recent amendments to the ADA and the EEOC's recent enforcement agenda relating to the reasonable accommodation process, leaves and attendance programs and the intersection with workers' compensation. Atty. McLaughlin will offer practical suggestions and best practices for occupational health professionals for avoiding and defending ADA claims.



**Attorney McLaughlin** is a partner in the Chicago office of Seyfarth Shaw LLP and former past national Chair of the Labor & Employment Law Department. Ms. McLaughlin is a frequent lecturer on a wide variety of employment and labor law topics. Ms. McLaughlin has served as a guest lecturer for the American Bar Association, National Employment Law Institute, Society for Human Resource Management, Corporate Counsel Institute, American Arbitration Association, American Hospital Association, Illinois State Chamber of Commerce, Illinois State Bar Association, Retail Industry Leaders Association, American Hospitality & Lodging Association, and Metropolitan Chicago Health

Care Council. She has written extensively on employment issues and co-authored "A Client's Guide to the ADA, FMLA and Workers' Compensation." She also co-authored the "The Family and Medical Leave Act" and "Employee Selection Procedures" chapters in Federal Employment Laws and Regulations and Employment Discrimination – How to Comply, both R.A. Aplant publications. She also authored "Physicians and the ADA: Examining Current Policies," "Medical Staff Leader," and "Status of Staff Physicians Uncertain under the ADA". She co-authored comments to the EEOC's proposed regulations for the ADA as well as the ADA Amendments Act, and comments to the DOL's proposed regulations for the FMLA on behalf of national employer coalitions. In June 2011, she was one of two management attorneys in the country invited by the EEOC to testify at a public hearing on the issue of leave as a reasonable accommodation. She speaks on a national basis on leave issues and is widely recognized as one of the nation's foremost ADA and FMLA experts.

### **B. Proactively Managing Long-Term Complex Workers' Compensation Claims**

***Kevin T. Glennon RN, BSN, CDMS, QRP***

Mr. Glennon will discuss legacy claims and the types of factors that can trigger a medical crisis/incident requiring costly interventions. He will review the impact of the aging process, medications, wounds and fractures, and other factors that can result in a legacy claim "blowing up". Mr. Glennon will offer practical cost-effective suggestions for the use of education, new technologies, and proactive assessments to prevent the costly complications of long-term claims.



**Kevin T. Glennon RN, BSN, CDMS, QRP** brings to bear almost 30 years of healthcare experience in ongoing educational training for on-site educational programs for adjusters and nurse case managers worldwide. Kevin has authored over 30 educational programs approved for ongoing adjuster and nursing continuing education and has been published in the National Underwriter, the Voice Newspaper, and various other rehabilitation newsletters. Kevin has presented at numerous local, state, and national conferences for organizations such as FSARN, FWCI, WCCP, CMSA, and IARP. In

addition, his articles have been published in industry outlets, such as The Self Insurer. Kevin is a past president of the Central Florida Association of Rehabilitation Nurses.

### **C. Negotiating Return-to-Work with the Treating Physician**

***Douglas W. Martin MD, FAAFP, FACOEM, FAADP, CIME, CEDIR***

Dr. Martin will review the role of the treating physician in return to work and will explain why many of the physicians are reluctant to address the issue. He will discuss the importance of early and appropriate RTW and the advocacy role many treating physicians are called upon to play. Dr. Martin will explain the necessity for transitional duty programs and a team approach to return to work. Dr. Martin will offer practical suggestions for effective personal interaction with the treating physician to help negotiate an early and appropriate return to work.

## Conference Program: Tuesday, July 17, 2012



**Douglas W. Martin MD, FAFP, FAGOEM, FFADEP, CIME, CEDIR** serves as the Medical Director for St. Luke's Center for Occupational Health Excellence in Sioux City, Iowa, a hospital-affiliated occupational medicine provider in the Siouxland area. The majority of his practice is related to musculoskeletal medicine. Dr. Martin has authored several articles for the MRO Update newsletter. He most recently authored book chapters for both the AMA's Guides to the Evaluation of Disease and Injury Causation and Guides to the Evaluation of Work Ability and Return to Work. Dr. Martin is a Diplomat of the American Board of Family Medicine, Fellow of the American College of Occupational & Environmental Medicine, Fellow of the American Academy of Family Physicians, Fellow of the American Academy of Disability Evaluating Physicians, and a Certified Independent Medical Examiner.

**2:30-2:40**

### **EXHIBITS & NETWORKING OPPORTUNITY**

**2:40-3:40**

### **BREAKOUT SESSIONS, CHOOSE ONE**

#### **A. Occupational Shoulder Injuries: Diagnosis Treatment and Return to Work**

##### ***David M. Sheps MD, MSc, FRCSC***

Dr. Sheps will describe the shoulder and controversies in shoulder anatomy and the relationship to occupational shoulder injuries. He will discuss evidence based treatment of the rotator cuff including: history, incidence and prevalence, causation, diagnosis, treatment, and return to work. Dr. Sheps will offer practical suggestions for early diagnosis, expedited treatment, and return to work for individuals with occupational shoulder disorders.



**David M. Sheps MD, MSc, FRCSC** is assistant clinical professor, orthopedics, department of surgery at University of Alberta and director of the shoulder program for WCB, Alberta. Dr. Sheps has researched, written, and lectured extensively on shoulder injuries and his clinical practice includes the treatment of disorders of the shoulder. He is a member of the Joint Orthopaedic Initiative for National Trials of the Shoulder and the Upper Extremity Research Group of Edmonton.

#### **B. Defending the Workers' Comp Claim: How to Win**

##### ***Kevin M. Gillis Esq.***

Attorney Gillis will review the investigation, evaluation, preparation, settlement, and trial of the workers' compensation case for the defense. He will discuss: immediate causality assessment, gathering of records, including civil, criminal, pharmacy, hospital, HR and department records, pre-existing conditions, and site inspection. Attorney Gillis will explain best practices for aggressive and generous early treatment, active listening and communication with the injured worker, use of ADR, early settlements, and achieving credibility before the workers' compensation commission. Atty. Gillis will offer practical suggestions on how occupational health professionals can use staff, synergy, and creativity effectively in contested workers' compensation cases.



**Kevin Gillis Esq.** is a trial lawyer at the Portland, Maine law firm of Norman, Hanson & DeTroy. Kevin has been representing employers, insurers, third-party administrators and self-insurance groups in the areas of workers' compensation, employment law, and insurance regulation for more than 30 years. His experience includes the resolution of literally thousands of workers' compensation matters at the hearing level, and several appeals before the Maine Supreme Court. He has a great deal of experience in litigating workers' compensation matters not only before the Maine Workers' Compensation Board, but also before the U.S Department of Labor under the U.S. Longshore and Harbor Workers Compensation Act. Kevin has also defended employers against claims of employment discrimination under the Maine Human Rights Act and under federal discrimination laws. His experience includes the handling of jury and non-jury trials in the Maine Superior Court. He has also argued several appeals to the US Court of Appeals for the First Circuit, and is one of the few lawyers in Maine to have argued before the US Supreme Court. A frequent lecturer at industry meetings, Kevin is co-author of Maine Employers' Guide: Workers' Compensation. Kevin has been recognized for legal excellence by his peers by being selected in the 2008 through 2010 versions of Best Lawyers in America.

#### **C. Evidence-Based Health Coaching: A Fresh, NEW Approach for Improving Health Outcomes and Reducing Costs in Occupational Health**

##### ***Melinda Huffman, BSN, MSN, CCNS, CHC***

This session describes the clinical model for Evidence-based health coaching (EBHC) and its timely application to occupational health, as well as outcomes measurement, aggregation, and trending. The discussion includes motivational interviewing as a scientific basis for EBHC, what it is, how it works, why it's so successful, and why traditional methods of health teaching have fallen short. Practical cost-effective suggestions for integrating EBHC in the occupational health and workers' compensation settings are explored.

## Conference Program: Tuesday, July 17, 2012



**Melinda Huffman, BSN, MSN, CCNS, CHC**, Principal of Miller & Huffman Outcome Architects, LLC is a nationally known author, writer and speaker. She's a Certified Health Coach and a Co-Founder of the National Society of Health Coaches. Melinda has thirty years' experience in hospital and home care administration, clinical supervision, quality management and staff development, with fifteen years devoted to healthcare outcomes management. She is a former Director of Disease Management for Amedisys, Inc. and Director of Nursing Education, Motlow College in Lynchburg, TN. Melinda is the author of the homecare best seller: *Implementing Outcome-Based Homecare: A Workbook of OBQI, Care Pathways and Disease Management*. She's a member of the National Technical Expert Panel and contributor for Quality Insights' Care Transitions Best Practice Interventions Packages. She writes regularly for nationally known peer-reviewed journals, like AAOHN, and newsletters on health coaching, evidence-based practice for chronic condition management and healthcare outcomes. She received her BSN from the University of Alabama, Birmingham and a MSN in Cardiovascular Clinical Specialization from the Catholic University of America, Washington, DC.

### 3:40-3:50 EXHIBITS & NETWORKING OPPORTUNITY

### 3:50-4:50 BREAKOUT SESSIONS, CHOOSE ONE

#### A. **Motivating Employees to Return-to-Work: What Does and Does not Work** **Jason A. Parker, BHK**

Mr. Parker will present a set of evidenced based skills and strategies specific to assessing Return-to-Work motivation and determining risks and predictive factors of prolonged duration. He will identify the factors that predict returning-to-work and how to develop a plan that includes and manages them and explain why engaging the worker in the returning to work process is a fundamental piece that is often overlooked. Mr. Parker will offer practical, cost-effective suggestions for motivating employees to return-to-work.



**Jason Parker, BHK** is the President and Senior Disability Management Consultant of CentriX Disability Management Services, Inc. CentriX provides Disability Management services focused on recovery and return to work to employers and insurers. Jason is the creator of the Return to Work Toolkit, which is the only strategic behavioural risk management tool of its kind. The Return to Work Toolkit has been delivered internationally to over 1600 participants and is recognized as advanced training in Disability Management. Jason has extensive experience in Disability Management and Stay-at-Work/Return to Work program with over 14 years of experience covering almost every employer group. Jason holds a Bachelor of Human Kinetics from the University of British Columbia. Jason oversees the leadership of CentriX as well as continues to work in providing direct consulting to organizations while maintaining his hand in case management.

#### B. **Total Worker Health: Reducing the Incidence and Severity of Workers' Comp Claims**

##### **Robert K. McLellan MD, MPH**

Dr. McLellan will present the evidence for integrating health promotion with the occupational safety approach to improving total worker health. He will discuss the relationship between work environment factors and modifiable personal health factors and their association with increased incidence and severity of claims. Dr. McLellan will offer a case example and practical suggestions for reducing costs by building a whole life approach to health and safety.



**Robert K. McLellan MD, MPH** is Chief, Section of Occupational and Environmental Medicine, And Medical Director of Live Well/Work Well at Dartmouth-Hitchcock Medical Center in Lebanon, New Hampshire. Dr. McLellan received his BA from Yale University and his MD and MPH from Yale School of Medicine. Dr. McLellan has written and lectured extensively both nationally and internationally on occupational medicine and workplace health protection and promotion. He is an Associate Professor of Medicine, Community and Family Medicine at The Dartmouth Institute at Dartmouth Medical School.

#### C. **How Employers, Insurers, and Self Insurers Can Save Money** **Lora Northen Esq.**

Attorney Northen will explain how to judge the potential compensability of workers' compensation claims and decide which ones to accept or defend. She will discuss how to expect and demand accountability from defense counsel and reduce overall costs on litigated workers' compensation claims. Atty. Northen will offer practical suggestions for deciding how and when to settle claims and resolve difficult, expensive legacy claims.

## Conference Program: Tuesday, July 17, 2012



**Lora Northen Esq.** is an attorney and co-chair of the workers' compensation department at the law firm of Capehart Scatchard. She has written and lectured extensively on numerous areas of workers' compensation law and practice, is certified by the supreme court of New Jersey as a workers' compensation law attorney, and is a fellow of the College of Worker's Compensation Attorneys. Attorney Northen received her BA from the State University of New York at Buffalo and her JD from Rutgers State University of New Jersey School of Law. She focuses her practice on the representation of employers, self-insureds, and carriers in workers' compensation defense matters.

**5:00-6:00**      **Welcome Reception**

## Conference Program: Wednesday, July 18, 2012

**7:00-8:00**      **Continental Breakfast and Exhibits**

**8:00-8:50**      **Symptom Magnification, Malingering, and Fraud: What You Can Do About It**  
**Jason J. Molnar, Esq.**

Attorney Molnar will discuss symptom magnification and malingering: what they are, who does it, why it occurs, and methods to detect it. He will discuss symptom magnification and malingering in orthopedic and psychological cases, the use of objective findings, and the difficulties of proof. Atty. Molnar will discuss fraud, grand theft and perjury in orthopedic and psychological workers' compensation claims, and will offer practical cost-effective suggestions on how to detect and deal with symptom magnification, malingering, and fraud.



At Manning & Kass, Ellrod, Ramirez, Trester LLP in San Diego, **Mr. Molnar** is a member of the firm's Employment Law Team, where he defends cases that involve allegations of Serious and Willful Misconduct and Fraud, as well as claims against employers who allege discrimination against injured workers. Additionally, his previous experience in criminal law gives him the ability to detect fraudulent acts by applicants, and work up files for criminal prosecution. After law school, Mr. Molnar practiced for four years as a criminal defense attorney with the Franklin County Public Defender's Office in Columbus, Ohio. While there, he tried many cases to verdict and proved himself to be a skillful negotiator. He has tried numerous cases at the Workers' Compensation Appeals Board, where he has obtained verdicts in which the opposing side has "Taken Nothing." A noteworthy Take Nothing resulted from his successful defense against an applicant's claim that her job stress caused a paralyzing stroke. The trial victory saved his client several million dollars in potential liability.

**8:50-9:00**      **EXHIBITS & NETWORKING OPPORTUNITY**

**9:00-9:50**      **Early Risk Prediction: Interventions That Work**  
**Glenn Pransky MD**

Dr. Pransky will discuss the use of validated tools to identify cases at high risk of prolonged work disability early on. He will explain the early risk factors which include physical function, workplace issues, and being overwhelmed by problems. Dr. Pransky will offer practical, cost-effective suggestions for resolving these early risk factors by implementing strategies that assist injured workers.



**Dr. Glenn Pransky** is Director of the Center for Disability Research at the Liberty Mutual Research Institute in Hopkinton, MA. The Center is dedicated to scientific research on safe and sustained return to work, has over a dozen active studies, and has produced over 110 scientific publications in the past 10 years. He also has directed a large NIOSH - funded prospective cohort study of outcomes in work-related injuries and illnesses in older workers, and several other studies of disability prevention and rehabilitation effectiveness in work-related musculoskeletal disorders. He is the author of numerous scientific articles on disability, measures of work-related outcomes in occupational injuries and illnesses, treatment interventions, and screening for occupational disease. In 2008, he received the American College of Occupational Medicine Kehoe Award for his scientific contributions, and the NIOSH NORA Innovative Research Award. He is board-certified in both occupational medicine and internal medicine, and holds faculty appointments as an Associate Professor in the Department of Family Medicine and Community Health at the University of Massachusetts Medical School, in Worcester, Mass, and at the Harvard School of Public Health in Boston. Dr. Pransky received his M.D. from the Tufts University School of Medicine, a master's degree in occupational health from the Harvard School of Public Health, and completed a research fellowship at the Agency for Health Care Policy and Research.

# Conference Program: Wednesday, July 18, 2012

**9:50-10:00 EXHIBITS & NETWORKING OPPORTUNITY**

**10:00-10:50 Providing the Right Rehabilitation at the Right Time**

***Douglas P. Gross Ph.D.***

Dr. Gross will explain the many factors that act as barriers to return to work and the rehabilitation interventions available. He will discuss a successful triage decision making model which includes: no rehabilitation, provider based rehabilitation, worksite based rehabilitation, and complex multidisciplinary rehabilitation. Dr. Gross will present the excellent return to work rates and dramatic cost savings achieved using the triage decision making rehabilitation model.



**Douglas P. Gross Ph.D.** is an associate professor at the department of physical therapy at the University of Alberta. Dr. Gross received his Ph.D. in rehabilitation science at the University of Alberta. He has written, conducted research, and lectured internationally on rehabilitation and work disability prevention. Dr. Gross is the principal investigator for a number of funded projects including, "Development of a Triage Decision-Making Model for the Rehabilitation of Injured Workers".

**10:50-11:00 EXHIBITS & NETWORKING OPPORTUNITY**

**11:00-12:00 Best Practices in Successful Workers' Compensation Evidence Based Claims Management**

***Karen Caterino, MBA, ARM-P, CPM®, CGBA***

Ms. Caterino will discuss the unbiased approach to claims management including benchmarking your data and utilizing EBM for treatment and utilization review. She will explain how to decrease workers' compensation costs by increasing provider pay and the importance of the return to work program on the bottom line. Ms. Caterino will offer practical suggestions for the use of subsequent injury funds to recoup costs, re-evaluating the use of imaging, and invasive practices and the first 90 days after injury.



**Karen Caterino, MBA, ARM-P, CPM®, CGBA** is the Administrator of the Risk Management Division for the State of Nevada. She has spent the last 8 years in the public sector overseeing Workers' Compensation, Benefits and Property & Casualty Programs. Prior to that Ms. Caterino worked in the private sector for a hospital-run health plan with a focus on wellness and benefits. Under Karen's leadership, the Risk Management Division has privatized its program by utilizing a network of insurance brokers, loss prevention and control consultants in addition to a third party administrator to help manage statewide risk exposures. Karen restructured the worker's compensation program in 2010 including the introduction of a URAQ-accredited managed care organization. The MCO utilizes a select panel of credentialed, statewide providers that are mandated to follow evidence based medicine while adhering to ACOEM guidelines. She has been a past presenter on workers' compensation at many national conferences. Ms. Caterino received the LexisNexis 2010 Most Notable Persons in Workers' Compensation, Risk Manager Award and her workers' compensation program was a 2011 finalist for the Theodore Roosevelt Workers' Compensation and Disability Management award.

**12:00-1:30 LUNCH (PROVIDED WITH FACULTY) & EXHIBITS**

**1:30-2:30 BREAKOUT SESSIONS, CHOOSE ONE**

**A. Use and Abuse of Medications in Workers' Compensation Cases:**

**Improving Outcomes**

***William Nemeth MD***

Dr. Nemeth will explain the rapidly growing use and costs of medications in workers' compensation cases. He will discuss abuse, addiction, dependence, tolerance, opiates, and disability. Dr. Nemeth will offer practical suggestions for controlling costs and improving outcomes by preventing the syndrome of abuse of the "at risk" claim, and effective methods for stopping drugs early and in legacy claims.



**Dr. William Nemeth** is the current Medical and Executive Director of the Texas Physicians Health Program which focuses on supporting physicians with mental health and substance use disorders. He continues as Medical Director for Restore Fx, an interdisciplinary pain management practice in Austin Texas, focusing on the rehabilitation of patients with pain and substance dependence disorders. He is the past Medical Advisor for the Division of Workers Compensation at the Texas Department of Insurance. He is a board certified orthopaedic surgeon and is also board certified by the American Society of Addiction Medicine. He is a Fellow of the American Academy of Orthopaedic Surgeons, a

## Conference Program: Wednesday, July 18, 2012

Fellow of the American Academy of Disability Evaluating Physicians, and a Diplomat of the American College of Physician Executives. He is an active member of the American Pain Society and the American Society for Addiction Medicine. He has had over 40 years of clinical and administrative experience and has had a major role in the Texas workers' compensation system in policy reform over the last 15 years. Current interests include the management of substance related disability, medical quality improvement initiatives, and the prevention and improved management of chronic pain related disorder. His research interests focus on the unique interface between chronic pain and substance dependence. He is a Chapter Editor for the 6th Edition of the AMA Guides to the Evaluation of Permanent Impairment.

### B. Why Injured Workers Hire Lawyers

#### **Leonard T. Jernigan Jr., Esq.**

Attorney Jernigan will review the myriad of reasons why injured workers retain lawyers including: poor communication by the employer/insurer, slow payment/denial of benefits/dealing with the bureaucracy, workers' comp reform efforts, and uncertainties regarding medical care and re-employment. He will explain why lawyers are needed in complex and contested cases. Attorney Jernigan will discuss how the way the employee is treated by the employer, counsel, and the system impacts their desire and ability to return to work successfully. Attorney Jernigan will offer practical suggestions on how employers and insurers can improve the way injured workers are treated to facilitate their return to productive employment.



**Leonard T. Jernigan Jr., Esq.** is a workers' compensation claimant's attorney in Raleigh, North Carolina. Attorney Jernigan is the author of *North Carolina Workers' Compensation Law and Practice*, first published in 1988 and now in its 4th Edition; past Chairman of the Workers' Compensation and Workplace Injury Section of the American Association of Justice; past President of Workers Injury Law and Advocacy Group (WILG), a national non-profit association of workers' compensation attorneys; plaintiffs' liaison to the N.C. Industrial Commission's Advisory Council; past Chairman of the N.C. Bar Association's Workers' Compensation Section. He is also an adjunct professor at North Carolina

Central University School of Law, teaching workers' compensation law; member of the Workers' Compensation Panel of Attorneys for the National Football League Players' Association and the Professional Hockey Players' Association and listed in *Best Lawyers in America* and *Super Lawyers*; *Martindale-Hubbell Law Directory*.

### C. Ergonomics on a Shoestring: What Companies Can Do At a Time of Austerity

#### **Terry Snyder**

Ms. Snyder will present the steps to create an effective and sustainable ergonomics program. She will explain the importance of a participatory approach for the success of the program. Ms. Snyder will discuss how to justify the investment of time and capital to management. She will review the use of standardization of equipment & furniture and educational resources available. She will use case studies to illustrate practical, low cost solutions that have been successful.



**Terry Snyder** has been an ergonomics consultant for more than 20 years. Ms. Snyder has degrees in electrical and biomedical engineering from Case Western Reserve University, and an MBA from Simmons Graduate School of Management. She founded P.S. Associates to create sustainable participatory ergonomics programs to reduce risk of injury, and increase worker comfort and productivity. Ms. Snyder has addressed ergonomic issues in a wide variety of workplace environments including office, patient care, laboratory, and manufacturing settings. She completed a Green Belt in Lean/Six Sigma, and provides ergonomic consulting for process improvement teams. Ms.

Snyder's scientific publications focus on organizational issues related to successful implementation of ergonomic interventions. They include: *Business Analysis in Occupational Health and Safety Consultation*, *Journal of Occupational Medicine*; *The Organizational Response - Influence on CTDs in the Workplace* – a chapter in *Beyond Biomechanics*, and *Under-Reporting of Work-Related Upper Extremity Disorders*, *Ergonomics*.

**2:30-2:40 EXHIBITS & NETWORKING OPPORTUNITY**

**2:40-3:40 BREAKOUT SESSIONS, CHOOSE ONE**

### A. OSHA: Latest Developments

#### **David E. Jones Esq.**

Attorney Jones will discuss the new cadre of leaders at OSHA, the agency's recent enforcement crackdown, and what occupational health professionals need to know about other significant changes at OSHA. He will discuss what prompts an OSHA inspection, and how to handle an inspection and defend against OSHA citations. Attorney Jones will offer a practical, lively, discussion and suggestions for occupational health professionals on how to effectively deal with the new OSHA.

## Conference Program: Wednesday, July 18, 2012



**Attorney David Jones** formerly served as a presidential appointee, holding the post of Legal Counsel and Special Advisor to the Chairman at the Occupational Safety and Health Review Commission in Washington, D.C. He is the immediate past Employer Co-Chair of the American Bar Association OSH Law Committee. At the Atlanta office of Ogletree Deakins, Mr. Jones heads the firm's Workplace Safety Practice Group. He engages in a nationwide practice representing corporate employers on OSHA-related matters, including the litigation of significant OSHA cases and serving as a senior strategic advisor to clients on workplace fatalities, catastrophic accidents, and OSHA inspections.

Often, his interventions have resulted in an early resolution of the controversy, the effective management of related employee and public relations concerns, and a path forward that reduces the potential for recurrent complications.

### B. The New Frontier in Occupational Health: What Employers Want and Need and How to Deliver It

#### **Michael McGrail MD, MPH**

Dr. McGrail will discuss the most critical issues in occupational health that face employers in 2012. He will outline the greatest leverage opportunities for the occupational health professional to reduce risks and optimize employee health and worksite performance. Dr. McGrail will discuss the potential for worksite and community synergy to amplify positive impact, and offer practical cost-effective suggestions for success in the new occupational health frontier.



**Michael McGrail MD, MPH** currently serves as Vice President and Medical Director of Health Solutions, HealthPartners, Minneapolis, MN. A graduate of the University of Minnesota Medical School and the University of Minnesota School of Public Health, he completed a family medicine residency at Malcolm Grow USAF Medical Center, Andrews Air Force Base and a fellowship in Occupational Medicine at Johns Hopkins Hospital. He holds specialty board certifications in Family Medicine, Occupational Medicine, and Medical Toxicology. Dr. McGrail has a specific interest in employee health, wellness, and disability prevention, and served as the Director and Principal

Investigator of the Robert Wood funded Minnesota Health Partnership Coordinated Healthcare and Disability Prevention Project. He also is an author of numerous peer reviewed journal articles in the fields of clinical care improvement processes, disability prevention, and environmental toxicology. Dr. McGrail was also recognized as one of the Twin Cities "Top Docs" in Occupational Medicine by the Twin Cities Magazine for 2006, 2007, and 2008.

### C. Onsite Health Care for Occupational Injuries: What Works

#### **Peggy Manuszak MS, RN, COHN-S/CM, FFAOHN**

Ms. Manuszak will discuss how onsite health and wellness care helps achieve decreased lost time, costs, and helps increase productivity. She will explain the distinct advantages of management of occupational and non-occupational illnesses and injuries at the worksite. The medical management by the occupational health nurse is extended to the local physicians, nurse practitioners, and physician's assistants who work at these onsite clinics. Ms. Manuszak will demonstrate with case examples how a health improvement program can win the support of senior management and favorably impact workers' compensation results and turnover rates.



**Peggy Manuszak MS, RN, COHN-S/CM, FFAOHN** is a corporate nurse manager at Perdue Inc. and is responsible for management of 100 nursing staff at 17 locations in 10 states. Ms. Manuszak received her BS in health care and MS in health administration from St. Johns University in Springfield, LA. She has written and lectured extensively on occupational health issues and is an active member of the American Association of Occupational Health Nurses (AAOHN) and the American Board for Occupational Health Nurses, Inc. (ABOHN.) She has lectured on onsite healthcare and healthcare improvement.

**8:00-9:30pm Social Mixer**

## Conference Program: Thursday, July 19, 2012

**7:00-8:00 Continental Breakfast and Exhibits**

**8:00-8:50 Managing Chronic Pain Patients: With and Without Opioids**

#### **Paul Arnstein RN, Ph.D., FAAN**

Dr. Arnstein will explain the new understanding of how acute pain becomes chronic and the prediction and control of chronic pain. Dr. Arnstein will explain the contribution of psychosocial factors to disability and depression in those

## Conference Program: Thursday, July 19, 2012

with chronic pain, whether opioids prevent or contribute to the development of chronic pain and related disability, distinguishing good from bad candidates for chronic opioid analgesic therapy (COAT), screening/monitoring COAT with treatment agreements and urine drug testing, and determining if COAT is part of helping or hurting the injured worker. Dr. Arnstein will offer practical suggestion for the use of COAT as part of multimodal therapy and strategies for tapering and discontinuing COAT.



**Paul Arnstein RN, Ph.D., FAAN** is the Clinical Nurse Specialist for Pain Relief at Massachusetts General Hospital and adjunct Associate Professor at the MGH Institute for Health Professionals in Boston. He earned his BSN at St. Louis University, MSN at the University of Utah, PhD at Boston College; and is a certified Family Nurse Practitioner, Clinical Nurse Specialist and Pain Management Nurse. For over 30 years he has helped thousands of patients in pain. Dr. Arnstein's research supports the value of nurse-led interventions that reduce pain, depression and disability when medical therapies have failed. His research, referenced in the popular media, also shows that volunteering helps chronic pain patients think, feel and do better.

**8:50-9:00**

### EXHIBITS & NETWORKING OPPORTUNITY

**9:00-9:50**

### The Debate: Two Opposing Attorneys Go Head to Head on Hot Workers' Compensation Issues *Rich Lenkov, Esq. and Matt Belcher, Esq.*

Watch two veteran workers' compensation attorneys square off on opposite sides of some of the hottest issues facing our industry, including treating vs. IME opinions, use of surveillance, negotiation strategies, post-traumatic stress disorder, and permanent total disability. You will leave this lively debate with practical, real-world takeaways to use in your practice.



**Rich Lenkov, Esq.** is an equity member of Bryce Downey & Lenkov, a Chicago law firm specializing in representing employers in workers' compensation claims. Rich is a 15-year veteran of workers' compensation law, having successfully litigated hundreds of cases. Rich heads up an aggressive team of 12 workers' compensation lawyers representing dozens of Fortune 500 corporations. Rich also serves as president of the National Workers' Compensation Coalition.



**Matt Belcher, Esq.** is a Chicago attorney and advocate for insured workers. Matt is the son of a union carpenter and Vice President, Co-Chair of Membership, member of the Executive Committee and on the Board of Directors for the national Workers Injury Law & Advocacy Group in Washington DC. Matt was announced as a winner of the 2011 WILG Rising Star Award.

**9:50-10:00**

### EXHIBITS & NETWORKING OPPORTUNITY

**10:00-10:50**

### Depression in the Workplace: Reducing Productivity Loss *Debra Lerner MS, Ph.D.*

Dr. Lerner will discuss a new program aimed at helping employees with depression function more effectively while reducing employer productivity loss. She will explain the importance of focusing on depression, depression's work impact, and methods for measuring health-related work productivity, which is important to determining return on investment (ROI).



**Debra Lerner, MS, PhD** is a Senior Scientist within the Tufts Medical Center Institute for Clinical Research and Health Policy Studies (ICRHPS), where she directs the Program on Health, Work and Productivity. She is also a Professor within the Departments of Medicine and Psychiatry within the Tufts University School of Medicine and the Sackler School of Biomedical Sciences. Dr. Lerner is a leader in research concerning the work and productivity impact of health problems. Under her leadership, Dr. Lerner and her colleagues developed the Work Limitations Questionnaire (WLQ). The WLQ is used throughout the world and has become a standard of measurement. Dr. Lerner's program is involved in health and productivity improvement projects with employers and other high profile organizations such as Aetna, Mayo Clinic, Health Care Solutions, Ortho-McNeil Janssen and many health and wellness firms.

## Conference Program: Thursday, July 19, 2012

### 10:50-11:00 EXHIBITS & NETWORKING OPPORTUNITY

#### 11:00-12:00 **Innovating Health Care Delivery in WC: Integrating Care to Prevent Long Term Disability**

**Gary M. Franklin MD, MPH**

Dr. Franklin will discuss the largest public health and cost issue in WC: the development of long term disability. He will review the relationship between disability and chronic pain and offer suggestions for reorganizing care to improve care integration and disability prevention. Dr. Franklin will offer practical advice and cost-effective suggestions for occupational health best practices including financial and non-financial incentives, and will discuss historic legislation in Washington related to establishing a statewide network based on quality.



**Gary M. Franklin MD, MPH** is a research professor in the Departments of Environmental and Occupational Health Sciences, Neurology, and Health Services at the University of Washington. Dr. Franklin is a board certified neurologist and medical director of the Washington State Department of Labor and Industries. Dr. Franklin is conducting ground breaking research on the outcome of medical treatment modalities for occupational musculoskeletal disease, abuse of prescription medication, predictors of disability and the impact of integrated care delivery systems on cost, outcome and satisfaction in WC.

### 12:00-1:30 LUNCH (ON YOUR OWN) & EXHIBITS

### 1:30-2:30 BREAKOUT SESSIONS, CHOOSE ONE

#### **A. Symptom Magnification and Malingering in Occupational Health and Workers' Compensation**

**Anthony J. Dorto, MD, FAAPMR, FAADEP**

Dr. Dorto will explain how to recognize and document malingering and symptom magnification. He will discuss the use of an intake questionnaire, baseline examinations, review of records, and how to objectively identify and confirm malingering and/or symptom magnification. Dr. Dorto will demonstrate Waddell's signs and other tests for simulated complaints and will offer practical advice on how to best deal with symptom magnification and/or malingering in the workplace.



**Anthony J. Dorto, MD, FAAPMR, FAADEP** is the Medical Director of the Disability Assessment Center, P.A. in Miami, Florida. He received his MD degrees from Centro De Estudios Universitarios Xochicalco (CEUX), and from the Board of Regents of the University of New York. He did one year of general surgery at Brookdale Hospital Medical Center, Brooklyn, N.Y. and did his three (3) year residency in Physical Medicine and Rehabilitation at Mount Sinai Hospital Medical Center, NY, NY. He is board certified in Physical Medicine & Rehabilitation, and is a "Credentialed Pain Practitioner." He is the past president of the American Academy of Disability Evaluating Physicians (AADEP), and is certified

by the American Board of Independent Medical Examiners (ABIME) and is Certified in Evaluation of Disability and Impairment Rating by AADEP. Dr. Dorto has lectured on the local, state, and national levels regarding disability assessment, impairment rating, psychiatry, rehabilitation, and symptom magnification and malingering. He was a contributor to the *AMA Guides, 5th Edition*, (Musculoskeletal Committee). He has contributed to the *AMA Guides, 5th Edition* "Impairment Calculator" software program. Dr. Dorto has authored numerous articles dealing with issues of disability, impairment rating, and quality of life.

#### **B. Successful Communications for Occupational Health Professionals: How to Get Results**

**Denise Zoe Gillen-Algire, MBA, RN, COHN-S/CM, FAAOHN**

Ms. Algire will explain how to use timely, proactive, engagement and communication with relevant parties to achieve results. She will discuss how to use active listening, flexibility, and engagement strategies. Ms. Algire will provide specific examples, techniques, and strategies for using effective communication to engage treating physicians and other stakeholders, and facilitate stay at work, return to work (with or without restrictions), and reducing costs associated with work-related injuries, and illnesses.

## Conference Program: Thursday, July 19, 2012



**Ms. Denise Zoe Gillen-Algire MBA, RN, COHN-S/CM, FAOHN** is the practice leader for the Integrated Health and Productivity Management Practice of Risk Navigation Group, LLC, an independent risk management consultancy. She has exceptional technical expertise in both the insurance and practice management industries. Ms. Algire previously served as chief executive officer of Spine, Orthopaedic & Rehabilitation Center; and as executive director/chief operating officer for New Mexico Orthopaedics and New Mexico Spine, a thirty member orthopaedic specialty practice.

She has served as Director of Medical Management and Loss Prevention for a subsidiary of the American Hospital Association. Ms. Algire is a registered nurse, board certified in occupational and environmental health, a board certified case manager, and a fellow of the American Association of Occupational and Environmental Health Nurses. She received her Bachelor of Science degree in nursing from the University of New Mexico and her master's in business administration from the University of Texas.

### **C. Medical Management of Injured Workers: The Future of Workers' Compensation and Occupational Medicine**

**James W. Heslep Esq.**

Attorney Heslep will explain the rapidly spreading national trend of regulated medical care in workers' compensation. He will discuss how rising medical costs has driven an increasing number of states to cap medical costs with the use of treatment guides. Attorney Heslep will provide examples of more rigid guidelines authorizing/denying medical care and how they consist of advisory board guidelines mixed with treatises. Atty. Heslep will offer practical suggestions on how occupational health professionals can use and prepare for the regulated medical care in workers' compensation and occupational medicine.



**Atty. James W. Heslep** is a member of the national law firm of Steptoe & Johnson. He focuses his practice in the defense of workplace injuries and illnesses and allegations of workplace safety violations. He has represented employers in more than 1,000 protests before the West Virginia Workers' Compensation Office of Judges. He has extensive experience in appellate practice of workers' compensation matters before both the West Virginia Workers' Compensation Board of Review and the West Virginia Supreme Court of Appeals. Mr. Heslep is also experienced in the defense of civil actions arising under the West Virginia Workers' Compensation Act. He is a regular presenter at

regional and national seminars on workers' compensation issues and serves as an Adjunct Faculty Member to the Business Department of Fairmont State University, where he teaches Employment Law.

**2:30-2:40 EXHIBITS & NETWORKING OPPORTUNITY**

**2:40-3:40 BREAKOUT SESSIONS, CHOOSE ONE**

### **A. FMLA: Latest Development**

**Robert M. Hale Esq.**

Attorney Hale will review the latest FMLA regulations and the most recent judicial interpretations of these regulations. He will discuss FMLA eligibility, designating FMLA leave, compliance with and the use of FMLA certification, how frequently employers can request recertification of serious health conditions, and the proper handling of intermittent leave, and requests for light duty. Atty. Hale will offer practical suggestions for dealing with the interplay of FMLA, workers' compensation, and disability plans.



**Attorney Robert M. Hale** is a partner in the law firm of Goodwin Procter's Labor & Employment Practice and represents employers across a broad spectrum of employment matters. Atty. Hale is co-editor-in-chief of the comprehensive and leading treatise entitled *The Family and Medical Leave Act*, and a chapter editor of *The Fair Labor Standards Act* – both published jointly by the American Bar Association and the Bureau of National Affairs. His practice involves representation of clients in employment litigation, including noncompetition, discrimination, wrongful discharge, FLSA and ERISA litigation. He has obtained successful results for employers at all stages of litigation, including in

preliminary injunction proceedings, at summary judgment, at trial and on appeal. Mr. Hale is experienced in successfully representing employers before administrative agencies and in labor arbitrations.

### **B. DOT Certification and Examination Update: The Latest Developments**

**Kimberly Olszewski, MSN, CRNP, COHN-S/CM**

Ms. Olszewski will review the latest developments in the certification of commercial drivers, as well as updates on the U.S. Dept. of Transportation Federal Motor Carrier Safety Administration's proposed National Registry for Medi-

## Conference Program: Thursday, July 19, 2012

cal Examiners. She will discuss medical qualifications and disqualifications, latest regulations on return to work, and specific medical conditions such as hypertension, diabetes, and obstructive sleep apnea guidelines. Ms. Olszewski will offer practical suggestions for employers, and occupational health professionals for preparing for the national registry and examination protocols.



**Kimberly A. Olszewski, MSN, CRNP, COHN-S/CM, FAOHN** is Vice President and an adult nurse practitioner at Mid State Occupational Health Services, Inc. in Lewisburg, Pennsylvania. She received her BSN from Lycoming College, her MSN and adult nurse practitioner certificate from Bloomsburg University, and will complete her Doctorate in Nursing Practice in August 2012 from Chatham University. Ms. Olszewski is an ANCC board certified adult nurse practitioner, and is a Certified Occupational Health Nurse Specialist and Case Manager from the American Board of Occupational Health Nurses. In 2007, she achieved her Fellow distinction from the American Association of Occupational Health Nurses. Ms. Olszewski performs over 1,000 DOT certification examinations per year, and was selected as one of the only two adult nurse practitioners nationwide to serve on the Federal Motor Carrier Safety Administration Research Team, which is gathering data for the upcoming certification requirements for medical examiners. Ms. Olszewski is President of the Northeast Association of Occupational Health Nurses and is a Director on the American Association of Occupational Health Nurses Inc. board. She has recently co-authored "Comprehensive Review of the Healthy People 2020 Occupational Safety and Health Objectives: Tools for the Occupational Health Nurse in Goal Attainment". She is a certified occupational health nurse specialist. Ms. Ferreira has twenty two years of occupational health experience and has written and lectured widely on occupational health.

### C. Foot and Ankle Injuries. Diagnosis, Treatment and Return to Work **Judith Baumhauer MD, MPH**

Dr. Baumhauer MD, MPH will discuss the most common foot and ankle injuries (overuse and trauma) seen in a large, high volume orthopaedic foot and ankle practice. The non-operative and operative options for treatment will be linked to evidence based outcomes. The role of OTC and custom durable medical goods (orthotics and bracewear) and physical therapy in the treatment and recovery of each problem will be discussed. Dr. Baumhauer will offer practical suggestions on the recovery time and factors to consider in returning a patient to the work force with these difficult injuries.



**Judith F. Baumhauer MD, MPH**, Rochester, New York, serves as Associate Chair of Academic Affairs and Professor, Division of Foot and Ankle Surgery, Department of Orthopaedics at the University of Rochester. Dr. Baumhauer earned her medical degree from the University of Vermont College of Medicine. She completed orthopaedic residency at the Medical Center Hospital of Vermont and a fellowship in Foot and Ankle Surgery at the Medical College of Wisconsin. She received her Masters in Public Health from the University of Rochester. Dr. Baumhauer is the current President of the American Orthopaedic Foot and Ankle Society (AOFAS); President-Elect of the American Board of Orthopaedic Surgery and Past President of the Eastern Orthopaedic Association. She has been a national and international speaker on foot and ankle topics and is an avid researcher in biomechanics and outcomes research. Dr. Baumhauer is a reviewer for Foot & Ankle International and the American Journal of Bone and Joint Surgery.

*"Hands down, this is the best WC Conference out there. I have been doing OH/WC for 26 years. Speaker expertise was exceptional."*

*"Perfect! Good topics. I gained knowledge."*

*"This is the third time I have attended the SEAK National Conference. The quality of the speakers and the variety of topics makes this an enticing conference. It is well organized and the handouts are well developed. I certainly recommend this."*

*"A great job covering WC issues and trends."*

*"Great source of information. Thank you!"*

*"Excellent conference. Great content."*

*"Another amazing conference"*

*"As usual very professional & great learning experience"*

## SEAK Advanced Orthopedics for Workers' Compensation and Occupational Health Professionals

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

**NEW!**

**Executive Summary:** Each year a large portion of workers' compensation indemnity and medical costs are spent on claimants with orthopedic injuries, conditions, and treatment. This course will allow attendees to make informed decisions about: claims, causation development of treatment plans, best practices, management, health promotion, rehabilitation, disability impairment, and return to work. The latest developments in Orthopedics for Workers' Compensation and Occupational Health Professionals will be provided.

### This conference will teach attendees:

- The anatomy and physiology of orthopedic injuries and conditions
- What to demand in orthopedic examinations, diagnostic testing, and medical reports
- The significance of the results of diagnostic testing
- Effective surgical and non-surgical treatment
- Effective rehabilitation
- The impact of minimally invasive surgery
- Use of cutting edge technology, treatment, and devices
- How to evaluate pre-existing/degenerative orthopedic conditions
- What to look for in investigating these claims
- How to effectively manage treatment and rehabilitation
- How to utilize expected recovery milestones, benchmarks, and duration guidelines
- How to help optimize recovery of function and return to work
- Appropriate use of opioids and other medications for orthopedic injuries and conditions
- Causation of orthopedic injuries, conditions, treatment, impairment, and disability

**Registration Information:** The \$395 tuition includes a continental breakfast, lunch with faculty, a workshop manual, and a dynamic learning experience. To register, please use the form on page 2, or visit [www.seak.com](http://www.seak.com).

### Distinguished Faculty



**Eric Phillip Carkner, MD** received his BS in Mechanical Engineering from the University of New Hampshire in 1992, and obtained his medical degree from the Tufts University School of Medicine. Dr. Carkner completed his general surgical internship and orthopaedic residency at the University of Massachusetts Medical Center, before moving on to an adult reconstructive spine fellowship at the New England Baptist Hospital. He joined NEOSS in 2005 and serves as a clinical instructor for the Tufts University School of Medicine.



**Alan S. Curtis, MD** is an orthopedic surgeon at the Boston Sports & Shoulder center and limits his practice to the arthroscopic treatment of shoulder injuries. Dr. Curtis is committed to education. He is an Assistant Clinical Professor at Tufts University School of Medicine and is the Director of the Bioskills Learning Center at New England Baptist Hospital. He is also Chair of the AANA Orthopedic Learning Center Committee in Chicago, IL. He is also the Director of the Annual Boston Shoulder and Sports Symposium which is entering its 16th year.



**Andrew Jawa, MD** is an Assistant Professor of orthopedic surgery at Boston University Medical Center and a member of the Boston Sports and Shoulder Center affiliated with the New England Baptist Hospital. Dr. Jawa received his BA from Williams College and his MD from the University of Pennsylvania School of Medicine. He completed his orthopedic residency at the Harvard Combined Orthopedics Program and fellowships in Hand/Microvascular Surgery and Shoulder/Elbow Surgery at Massachusetts General Hospital. Dr. Jawa is both clinically and academically active with more than 25 clinical journal articles and book chapters and numerous regional and national presentations on hand, elbow and shoulder orthopedic conditions.



**Paul Weitzel, MD** is the attending orthopedic surgeon and managing partner at Boston Sports and Shoulder Center. Dr. Weitzel is also an assistant clinical professor at Tufts University School of Medicine with a primary emphasis on minimally invasive arthroscopy of the shoulder and knee. He is head team physician for Tufts University and Wellesley High School. Dr. Weitzel received his BA from Yale University and MD from the University of Pennsylvania School of Medicine. He is fellowship trained in sports medicine from Tufts Medical Center.

### Continuing Education Credits

**Attorneys:** Please request CLE credits when mailing in your registration form. **Human Resource Professionals:** SEAK has applied for recertification credit hours toward PHR, SPHR and GPHR through the Human Resource Certification Institute (HRCI). **Physical Therapists:** Continuing Physical Therapy credits vary by state, and will only be applied for if requested in writing on the conference registration form. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 6.75 *AMA PRA Category 1 Credit(s)*.™ Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Occupational Health Nurses:** 7.0 60-minute contact hours for continuing education in nursing have been applied for through the American Association of Occupational Health Nurses, Inc. (AAOHN). AAOHN is an accredited approver of continuing education by the American Nurses Credentialing Center's Commission on Accreditation. **Disability Specialists:** 7.0 contact hours of continuing education for Disability Specialists have been applied for from the Commission for Disability Management Specialists, Schaumburg, Illinois. **Rehabilitation Counselors:** 7.0 contact hours of continuing education hours for Rehabilitation Counselors have been applied for from the Commission on Rehabilitation Counselor Certification, Schaumburg, Illinois. **Case Managers:** 7.0 contact hours of continuing education for Case Managers have been applied for from the Commission for Case Manager Certification, St. Paul, Minnesota. **Rehabilitation Nurses:** This program will be accepted for 7.0 60-minute hours of continuing education for ARN Certification. Submit certificate.

**SEAK Advanced Orthopedics for Workers'****Compensation and Occupational Health Professionals**

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts

Monday, July 16, 2012

**NEW!****7:00-8:00**     **Registration, Continental Breakfast & Exhibits****8:00-8:15**     **Introduction**

Faculty will explain why an understanding of orthopedics is crucial for all those involved in the workers' compensation and occupational health field.

**8:15-10:00**     **Occupational Hand & Arm Conditions: Diagnosis, Treatment and Prognosis**

Dr. Jawa will discuss common workplace related injuries and diagnoses of the hand, wrist and elbow. The anatomy, clinical examination and pathogenesis of these injuries will be explained and demonstrated with images and videos. There will be a focus on carpal and cubital tunnel syndrome, traumatic fingertip injuries, scapho-lunate instability and repetitive stress injuries. The role of both non-operative and operative treatments, the importance of occupational therapy, and the expected recovery markers and return to work duration will be discussed. **Questions & Answers.**

**10:00-10:15**     **Break, Exhibits & Networking Opportunity****10:15-12:00**     **Occupational Knee Injuries**

Dr. Weitzel will review the common occupational knee injuries and focused diagnoses. He will present a video overview of common knee procedures, new technologies in knee treatment and the common pitfalls in treatment and recovery. Dr. Weitzel will explain the common reasons for delayed return to work, RTW expectations and therapy pearls. **Questions & Answers.**

**12:00-1:00**     **Lunch provided with faculty****1:00-2:30**     **Lumbar Spine Injuries in the Worker**

Dr. Carkner will discuss, present and explain appropriate initial evaluation and management, and the appropriate use of non-operative treatment including injections and physical therapy. When is surgery necessary? What are the more common procedures that these injured workers are likely to experience? What is the expected time out of work that can be expected after the various procedures? **Questions & Answers.**

**2:30-2:45**     **Break, Exhibits & Networking Opportunity****2:45-4:15**     **Occupational Shoulder Pain from A-Z in 2012**

Dr. Curtis will discuss the differential diagnosis of the most common shoulder injuries in the workplace. He will explain the symptoms, work-up and treatment of impingement of the shoulder and the indications of surgery when conservative options fail. Dr. Curtis will review the most common causes of failure of shoulder surgery and the options for treating the painful post-op shoulder. He will offer practical suggestions for the successful rehabilitation and work restriction progression and return to work after shoulder surgery. **Questions & Answers.**

**4:15**     **Concluding Remarks and Final Questions and Answers Session**

## Using the 6th Edition of the AMA Guides: Essential Training

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

**NEW!**

**Executive Summary:** At this training session attendees will be provided with an in-depth learning experience teaching them the proper use of the AMA Guides to the Evaluation of Permanent Impairment 6th Edition. Attendees will take away practical training in the nuts and bolts of using the 6th Edition to rate permanent impairments.

### Learning Objectives

At the conclusion of this training session you will be able to:

- Understand the basic tenants of the Guides to the Evaluation of Permanent Impairment 6th Edition
- Develop an understanding of the importance of the philosophical changes made in the 6th edition and how it impacts calculating impairment ratings
- Perform proper impairment ratings in the musculoskeletal systems including back pain, upper and lower extremity condition, and pain
- Practice performing impairment calculations based on provided case information

**Registration Information:** The \$395 tuition includes a continental breakfast, lunch with faculty, a workshop manual, and a dynamic learning experience. To register, please use the form on page 2, or visit [www.seak.com](http://www.seak.com).



### Distinguished Faculty:

**Marjorie Eskay-Auerbach MD, JD** is a Board Certified Orthopedic Surgeon and fellowship trained Spine Surgeon. Dr. Eskay-Auerbach practiced spine surgery in Phoenix, Arizona for over 10 years, and has provided both operative and non-operative care to patients with a range of spine and orthopedic conditions for more than 25 years. She completed law school at the University of Arizona College of Law and was admitted to the State Bar of Arizona in May 2000.

Dr. Eskay-Auerbach received her BS and MD from the University of Michigan six-year medical program, and completed an orthopedic surgery residency at the University of Pittsburgh, and a fellowship in spine surgery with Dr. Leon Wiltse in Long Beach, CA. She is a recent member of the board of directors of the North American Spine Society and a fellow of the American Academy of Orthopedic Surgeons and the American Academy of Disability Evaluating Physicians. She was a contributing editor to the AMA Guides 6th Edition, and co-authored a companion text for that edition. She has contributed to a number of other AMA publications. She is a CLE educator and frequent speaker, and has received an award for excellence in providing continuing education to lawyers and insurance professionals.

### Continuing Education Credits

**Attorneys:** Please request CLE credits when mailing in your registration form. **Human Resource Professionals:** SEAK has applied for recertification credit hours toward PHR, SPHR and GPHR through the Human Resource Certification Institute (HRCI). **Physical Therapists:** Continuing Physical Therapy credits vary by state, and will only be applied for if requested in writing on the conference registration form. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of *7.25 AMA PRA Category 1 Credit(s)*.™ Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Occupational Health Nurses:** 7.25 60-minute contact hours for continuing education in nursing have been applied for through the American Association of Occupational Health Nurses, Inc. (AAOHN). AAOHN is an accredited approver of continuing education by the American Nurses Credentialing Center's Commission on Accreditation. **Disability Specialists:** 7.25 contact hours of continuing education for disability specialists have been applied for from the Commission for Disability Management Specialists, Schaumburg, Illinois. **Rehabilitation Counselors:** 7.25 contact hours of continuing education hours for Rehabilitation Counselors have been applied for from the Commission on Rehabilitation Counselor Certification, Schaumburg, Illinois. **Case Managers:** 7.25 contact hours of continuing education for Case Managers have been applied for from the Commission for Case Manager Certification, St. Paul, Minnesota. **Rehabilitation Nurses:** This program will be accepted for 7.25 60-minute hours of continuing education for ARN Certification. Submit certificate.



## Using the 6th Edition of the AMA Guides: Essential Training

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

**NEW!**

- 7:00–8:00**      **Registration, Continental Breakfast & Exhibits**
- 8:00–9:00**      **Introduction and Background**  
Attendees will learn what the guides do measure: impairment, and what they do not measure, disability, and the significance of the difference between the two. **Questions and Answers.**
- 9:00–10:00**      **Basic Tenants of the Guides 6th Edition**  
The faculty will present the principles that have been consistent throughout the Guides and the philosophical changes adopted by the 6th Edition. Adaptation of some of the principles will be explained. **Questions and Answers.**
- 10:00–10:15**      **Break, Exhibits & Networking Opportunity**
- 10:15–11:00**      **Overview of Calculating Impairment**  
Attendees will learn the mechanics of calculating ratings using the new methodology in the Guides 6th Edition. Case exercises will be used to develop familiarity with the 6th Edition. **Questions and Answers.**
- 11:00–12:00**      **Impairment Ratings for Common Spine Conditions**  
The faculty will present and explain common spinal conditions that require rating including axial neck and low back pain, cervical and lumbar disc herniations, cervical and lumbar fusion, spondylolisthesis, spinal stenosis and fractures. The basic anatomy and clinical presentation of each condition will be reviewed briefly, followed by calculations for the most common lumbar conditions. **Questions and Answers.**
- 12:00–1:00**      **Lunch (Provided with Faculty)**
- 1:00–2:00**      **Impairment Ratings for Common Spine Conditions (Continued)**  
Attendees will be encouraged to practice, with case examples, their spinal rating skills. **Questions and Answers.**
- 2:00–3:00**      **Impairment Ratings for Common Upper Extremities**  
Faculty will present common upper extremity conditions and carpal tunnel syndrome, as well as CRPS (also known as RSD) and rating techniques will be addressed. **Questions and Answers.**
- 3:00–3:15**      **Break, Exhibits & Networking Opportunity**
- 3:15–4:00**      **Impairment Ratings for Lower Extremity Conditions**  
Common lower extremity conditions, including anterior cruciate ligament tears, meniscal injuries, and arthritis will be discussed and rating techniques will be addressed. Attendees will practice their rating skills with case examples. **Questions and Answers.**
- 4:00–4:45**      **Your Cases**  
Attendees are encouraged to bring their difficult cases for group discussion, review, and ratings using the approaches learned.

**Registration is limited. Register Today!**  
To register, please see page 2.

## Take Your Return To Work Program Up A Notch: Building a Roadmap for Action

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

**Executive Summary:** The purpose of this one-day workshop is to give you an opportunity to build a roadmap using new ideas and evidence-based best practices to increase the effectiveness of your return to work efforts – and improve outcomes. You will be able to use this customized roadmap when you get back to your office. If you are already delivering services or have a program in place and are looking for ways to make it even better, this workshop is designed for you.

**Learning Objectives:** *At the completion of this seminar you will be able to:*

- Identify the core concepts of an effective return to work program
- Assess your current situation
- Build organizational commitment to a successful return to work program
- Develop your action plan
- Select the best tools, procedures, methods, and resources to build an effective return to work program, and
- Identify the qualities of outstanding SAW/RTW staff

Dr. Jennifer Christian will be leading the workshop, which will leave you inspired and re-energized by day's end. She is an internationally-known expert with a passion for preventing and reducing needless work disability, and a board-certified occupational medicine physician. She is a popular and straight-spoken speaker/teacher for a wide range of audiences. This fast-paced day will begin with an overview of the new work disability prevention model, with its fresh ideas and best practices for improving the stay-at-work and return-to-work process. The model is evidence-based and is already producing better results in the real world for those who employ it.

Next, you will complete an assessment that will highlight the implications of the new model for your own operation. You will spot opportunities for improvement and start putting together your roadmap. The rest of the workshop will help you identify the particular places in your organization where something specific is missing today that, if added, would really move things forward. A unique feature of this workshop is its range: we will move from the realm of ideas and words (world views, human behavior, persuasive communications, and relationship-building) to the concrete realm of tools and methods (training, everyday processes, resources, technology, and data) – and how to make the best use of all of them. In addition to your interactions with Dr. Christian, you will have opportunities to share your challenges, hear others' experiences, and offer each other ideas in several small group discussions and Q&A sessions. You will leave with your own roadmap for improvement: a list of opportunities and specific plans for filling the gaps and strengthening the weak spots in your program – so you can take it “up a notch.”

**Registration Information:** The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, a workshop manual not available elsewhere, and a dynamic learning experience. To register, please use the form on page 2, or visit [www.seak.com](http://www.seak.com).



**Distinguished Faculty:** Dr. Jennifer Christian is co-founder, president and chief medical officer of *Weblity Corporation*, as well as founder and chair of the non-profit *60 Summits Project*. She also founded and moderates the *Work Fitness and Disability Roundtable*, a free multidisciplinary email discussion group. She is a physician, and is board-certified in occupational medicine. Dr. Christian has both an MD and a Masters Degree in Public Health from the University of Washington in Seattle. A leader in the American College of Occupational & Environmental Medicine, Dr. Christian chaired the group that developed the guideline entitled “*Preventing Needless Work Disability by Helping People Stay Employed*”, as well as the group that wrote a consensus opinion entitled “*The Personal Physician's Role in Helping Patients with Medical Conditions Stay at Work or Return to Work*”. She has served as chair of the Work Fitness and Disability Section of the American College of Occupational and Environmental Medicine (ACOEM) since 2001. She previously chaired the Stay-at-Work / Return-to-Work Process Improvement Committee and the Workers' Compensation Committee for ACOEM.

### Continuing Education Credits

**Attorneys:** Please request CLE credits when mailing in your registration form. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 7.25 AMA PRA Category 1 Credit(s).™ Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Case Managers:** 7.0 contact hours of continuing education for Case Managers have been applied for from the Commission for Case Manager Certification, St. Paul Minnesota. **Disability Specialists:** 7.0 contact hours of continuing education for Disability Specialists have been applied for from the Commission for Disability Management Specialists Commission, Schaumburg, Illinois. **Human Resource Professionals:** SEAK has applied for recertification credit hours toward PHR, SPHR and GPHR through the Human Resource Certification Institute (HRCI). **Nurses:** To successfully complete a program and receive contact hours you must: 1) register in, 2) be present for the period of time you are awarded contact hours, 3) complete the evaluation. **Occupational Health Nurses:** 7.25 60-minute contact hours of continuing education in nursing have been approved by the American Association of Occupational Health Nurses, Inc (AAOHN). AAOHN is an accredited approver of continuing education by the American Nurses Credentialing Center's Commission on Accreditation. (ANCC is the educational department under the ANA.) **Physical Therapists:** Continuing Physical Therapy credits vary by state, and will only be applied for if requested in writing on the conference registration form. **Rehabilitation Counselors:** 7.0 contact hours of continuing education hours for Rehabilitation Counselors have been applied for from the Commission on Rehabilitation Counselor Certification, Schaumburg, Illinois. **Rehabilitation Nurses:** This program will be accepted for 7.25 contact hours of credit for ARN certification. Submit certificate.

# Take Your Return To Work Program Up A Notch: Building a Roadmap for Action

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

- 7:30–8:30**      **Registration, Continental Breakfast & Exhibits**
- 8:30–9:00**      **Introductions/Plan for the day**
- 9:00–10:15**      **Essential features of an initiative to increase effectiveness of the stay-at-work/return-to-work process: core concepts.**  
The differences between the traditional claims processing model and the new work disability prevention model; what should happen Day 1 and Week 1; need to acknowledge and meet normal human reactions of both worker and supervisor; investigate and deal with social and workplace factors; “de-corrupt” a program; create a multi-stakeholder team; implement an evidence-based and problem-solving approach; identify work capacity and appropriate work adjustments; clarify boundary between transitional return-to-work program and “reasonable accommodation” efforts; deal with poor copers, bad actors, and problem claims; focus on consistent achievement of worker-employer customer satisfaction and win-win outcomes. **Questions & Answers.**
- 10:15–10:30**      **Break, Exhibits & Networking Opportunity**
- 10:30–11:15**      **Assessing your current situation: Where is your organization today in the shift from the traditional model to the new one?**  
You will be able to pinpoint where your program or services lie today in the transition between the claims processing model and the work disability prevention model. **Questions & Answers.**
- 11:15–12:00**      **Discussion: What did you discover in doing the assessment?**  
Any obvious opportunities or next steps? You will use your findings to lay out the general route and destination of your customized roadmap for improvement. **Questions & Answers.**
- 12:00–1:00**      **Lunch provided with faculty**
- 1:00–1:45**      **Building organizational commitment: Opportunity, intentions, spoken & written communication, politics and policies, goals.**  
Ideas, words, and relationships are very important because they can build unity and the will to achieve within a group – or not. Typically, communications programs are an afterthought. You play a key role in managing the message and keeping everyone on the same page. **Questions & Answers.**
- 1:45–2:15**      **Small group discussions and Q&A: Develop your plan to build commitment.**
- 2:15–3:00**      **Tools of the trade: Procedures, methods, resources.**  
How to find, select and make best use of disability duration guidelines, evidence-based medical treatment guidelines, functional capacity evaluations, job analysis, independent medical evaluations, physician advisors, return to work and other outsourced services, program management software, and other resources. **Questions & Answers.**
- 3:00–3:15**      **Break, Exhibits & Networking Opportunity**
- 3:15–4:00**      **Tools of the trade: Staffing, training, conducting daily actions & events, data and analysis.**  
Identify the qualities of outstanding SAW/RTW staff members. Explore schedules that produce good results. Discuss the kind of data you need in order to evaluate effectiveness. **Questions & Answers.**
- 4:00–4:30**      **Development and execution challenges, operational program management, and skill requirements for leaders of effectiveness improvement initiatives.**  
In order to make things happen, many people must pay attention to issues outside their original professional boundaries. In a facilitated group discussion, you will offer each other tips and share best practices on how to work within a culture, win and keep support from the top and your peers, lead a team, overcome a variety of obstacles, and keep driving things forward so you deliver on time and within budget. **Questions & Answers.**
- 4:30–5:00**      **Wrap-up Session. Exercise: Finish your roadmap for improvement.**  
Put the finishing touches on your roadmap: agenda, action plan, timeline, and plan for getting your own needs met. Discuss it with others. **Questions & Answers.**
- 5:00–5:15**      **Summary, questions and evaluation**  
Concluding remarks and final question and answer session.

## Managing Persistent Pain and Disability: Best Practices

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

**Executive Summary:** This unique preconference is for attendees who deal with claimants with persistent pain and disability. This pre-conference combines research, video, and the world class presenter Michael J. Sullivan, Ph.D.

**At the completion of the workshop you will learn about:**

- The practice implications of biopsychosocial conceptualizations of pain
- Psychosocial risk factors and how to minimize their negative impact on health outcomes
- The mental health problems most commonly associated with persistent pain
- How to effectively screen for mental health problems associated with pain
- Effective intervention techniques to manage psychosocial risk factors, persistent pain, and disability

**Registration Information:** The \$395 tuition includes a continental breakfast, breaks, lunch with faculty, a workshop manual not available elsewhere, and a dynamic learning experience. To register, please use the form on page 2, or visit [www.seak.com](http://www.seak.com).



**Distinguished Faculty:**

Dr. Michael Sullivan is currently Professor of Psychology and Medicine at McGill University, and Scientific Director of the Centre for Research on Pain, Disability and Social Integration. He has lectured nationally and internationally on the social and behavioral determinants of pain-related disability. He is known primarily for his research on the relation between catastrophic thinking and pain experience, and for the development of community-based approaches to the management of pain-related disability. Dr. Sullivan developed the Pain Catastrophizing Scale (PCS) in 1995. The PCS has been used in more than 200 scientific studies, it is translated into 12 languages and is currently the most widely used measure of catastrophic thinking related to pain.

Dr. Sullivan also developed the Pain-Disability Prevention (PDP) Program and the Progressive Goal Attainment Program (PGAP); the first two community-based intervention programs designed specifically to target psychosocial risk factors for pain-related disability. Dr. Sullivan has published over 100 scientific papers, 12 chapters, and 4 books. He currently holds a Canada Research Chair in Behavioral Health. Dr. Sullivan obtained his undergraduate training at McGill University and his graduate training at Concordia University in Montreal. A CD release in 1999 led to a nomination for best Country Artist at the East Coast Music Awards.

**Continuing Education Credits**

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“New viewpoints”

“Outstanding seminar”

“Should be mandatory for all providers and WCB systems staff”

“Very applicable, relevant information on pain and disability”

“Loved it”

**Managing Persistent Pain and Disability: Best Practices**

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts  
Monday, July 16, 2012

- 7:00–8:00**      **Registration, Continental Breakfast & Exhibits**
- 8:00–8:15**      **Introduction**  
Faculty will explain why an in-depth understanding of the issues of pain, psychosocial predictors of problematic health outcomes, risk factors, and screening and intervention are crucial for reducing the severity of symptoms and disability. **Questions and Answers.**
- 8:15–9:30**      **Psychology of Pain**  
The biopsychosocial models that have evolved to explain the diversity of outcomes following injury or illness will be presented. The faculty will describe the different biopsychosocial conceptualization of pain that have appeared in the literature. Discussion will address the varying degrees of scientific support that these models have garnered over the years and their practical use and implications. **Questions and Answers.**
- 9:30–10:15**      **Psychosocial Predictors of Problematic Health Outcomes**  
This session will focus on the clinical implications of psychological factors that adversely influence the effectiveness of medical treatment, recovery, and effectiveness of medication. **Questions and Answers.**
- 10:15–10:30**      **Break, Exhibits & Networking Opportunity**
- 10:30–11:30**      **Psychosocial Risk Factors**  
The faculty will review and explain what is known about the relationship between psychosocial risk factors and problematic health outcomes, including pain catastrophizing, pain-related fears, negative expectancies, and perceived injustice. Faculty will connect the research data and its use for the attendees. **Questions and Answers.**
- 11:30–12:00**      **Mental Health Problems Associated with Pain**  
The faculty will, in this section, review what is currently known about the relation between mental health problems including depression, post-traumatic stress, and pain related health outcomes. The practical and useful implications of this information will be offered to the attendees. **Questions and Answers.**
- 12:00–1:00**      **Lunch (Provided with Faculty)**
- 1:00–2:00**      **Detection of Psychosocial Risk Factors for Persistent Pain and Disability**  
Dr. Sullivan will address the administration, scoring, and interpretation of different assessment instruments. In addition, informal methods of assessing psychosocial risk will be reviewed. Video records of client interviews will be presented to show how elements of psychosocial risk factors emerge through a client's language and behavior, and what can and should be done with this type of information. **Questions and Answers.**
- 2:00–3:00**      **Screening for Mental Health Problems Associated with Pain and Disability**  
Instruments have been developed to screen for the presence of mental health problems such as depression and post-traumatic stress disorder associated consequent to injury or illness. The advantages and disadvantages of different instruments will be discussed. The administration, scoring, and interpretation of different measures of depression and post-traumatic stress disorder will be addressed. The use of these objective tests will be presented. **Questions and Answers.**
- 3:00–3:15**      **Break, Exhibits & Networking Opportunity**
- 3:15–4:30**      **Intervention Approaches for the Management of Psychological Risk Factors for Persistent Pain and Disability**  
This session will describe brief intervention techniques that can be used to minimize the negative impact of psychosocial risk factors on recovery outcomes. Faculty will also review what is currently known about the treatment of depression and post-traumatic stress disorder associated with pain-related conditions. Discussion will address the distinction between treating the symptoms of mental health conditions and treating the disability associated with mental health. Faculty will offer practical suggestions for clinicians, employers, and insurers for intervention best practices. **Questions and Answers.**
- 4:30–4:45**      **Wrap up**  
Concluding remarks and final question and answer session.

## ADA, FMLA, and Workers' Compensation: In Depth

### The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts

#### Monday, July 16, 2012

**Executive Summary:** At this unique preconference, you will be provided with an in-depth learning experience covering the legal topics that all occupational health professionals must deal with on a daily basis. Attendees will participate in frank discussions and problem solving exercises. You will take away practical, valuable advice which you can use immediately. The learning methodology features interactive lectures and hands-on case studies and exercises.

**Learning Objectives: At the completion of this seminar you will be able to:**

- Understand when and how an employee's situation is covered by the ADA, the FMLA, and state workers' compensation statutes,
- Understand the employer's obligations under the ADA, the FMLA and state workers' compensation statutes,
- Develop and use an understanding of how those laws interact and impact an employer's decision-making process when dealing with employees,
- Identify and diagnose ADA, FMLA, and WC issues,
- Work through complex cases including multiple employment-related legal issues, and
- Develop cost-effective, defensive best practices.

**Registration Information:** The \$395 tuition includes a continental breakfast, lunch with faculty, a workshop manual not available elsewhere, and a dynamic learning experience. To register, please use the form on page 2, or visit [www.seak.com](http://www.seak.com).



**Distinguished Faculty: Adam P. Forman, Esq.** is a shareholder in the Boston office of Littler Mendelson. He represents management in discrimination and wrongful discharge litigation, non-competition agreements litigation, traditional labor work and the development of employee relations system. Mr.

Forman speaks on matters relating to labor and employment law and has written for a variety of publications, including *CCM*, *The American Lawyer's Corporate Counsel Magazine*, *Outside Counsel* and the *Boston Business Journal*. He is a member of the American Bar Association, the Boston Bar

Association and the Massachusetts Bar Association. Mr. Forman received his law degree, *cum laude*, from Georgetown University Law Center in 1987 and his bachelor's degree, with high distinction, from Pennsylvania State University in 1984 as a member of Phi Beta Kappa. Mr. Forman was admitted to the Pennsylvania Bar (1987); the Massachusetts Bar (1992); the U.S. District Court, Eastern District of Pennsylvania (1987); the U.S. District Court, District of Massachusetts (1992); the U.S. Court of Appeals, Third Circuit (1990) and the U.S. Court of Appeals, First Circuit (1994).



**John D. Doran Esq.** is a shareholder in the Providence office of Littler Mendelson. His practice focuses exclusively on representing management in labor and employment matters. Working predominately with clients in the healthcare industry, he appears in federal and state courts in Rhode Island and Massachusetts and before the Equal Employment Opportunity Commission, the Rhode Island Commission for Human Rights, and other state human rights agencies. He also defends employers against discrimination claims based on race, sex, age, religion, national origin and disability and handles

matters related to the Family and Medical Leave Act and the Americans with Disabilities Act. Attorney Doran received his BS from Boston College and his JD from Suffolk University.

#### Continuing Education Credits

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*"Interesting & quite beneficial to my practice"*

*"Very informative, knowledgeable presenters"*

*"Very Good"*

*"Job well done"*

*"Excellent"*

# ADA, FMLA, and Workers' Compensation: In Depth

## The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts

### Monday, July 16, 2012

- 7:00–8:00**      **Registration, Continental Breakfast & Exhibits**
- 8:00–8:15**      **Introduction**  
Why we need an in depth understanding of these issues: Workplace morale, employee retention, defensive employee relations, management, cost control, and other important considerations.  
**Questions and Answers**
- 8:15–9:30**      **The FMLA: An overview and hot topics**  
Attendees will learn about the following issues: eligibility, intermittent leave, designation of leave as FMLA covered, denial of leave, medical certification of leave, and employee notice of health care condition. In addition, FMLA leave will be distinguished from Workers' Compensation leave, and the relationship between the two will be discussed. **Questions and Answers**
- 9:30–10:45**      **The ADA: An overview of the law**  
Attendees will learn how to determine if an employee has a disability (Does the employee have an impairment? Does it affect a major life activity? Is the major life activity substantially limited?) and what conditions have been determined not to be disabilities. This session will also include an explanation of the issue of employees being "regarded as" or having a "record of being" disabled. This session will also consist of an explanation of whether an employee with a disability is qualified for the job in question, and how to determine what functions (attendance, mental stability, walking, travel, lifting, staying awake, etc.) of a job are essential. **Questions and Answers**
- 10:45–11:00**      **Break and Networking Opportunity**
- 11:00–12:00**      **The ADA Continued: Making reasonable accommodations**  
What is reasonable? How much can a "reasonable" accommodation cost? Is an employer required to place employees on leave or on part-time schedules as part of a reasonable accommodation? Finally, ADA concerns will be distinguished from Workers' Compensation issues, and the relationship between the two will be discussed. **Questions and Answers**
- 12:00–1:00**      **Lunch (Provided With Faculty)**
- 1:00–2:00**      **The Interrelationship between the ADA, FMLA, and Workers' Compensation: How do you know which law(s) you are dealing with?**  
Can an employee's request for a leave be covered by more than one law? When can you request additional information or a second opinion? **Questions and Answers**
- 2:00–3:00**      **Part One of Interactive group activity**  
Review of hypothetical scenarios involving the ADA, FMLA, and Workers' Compensation. Topics include: Injury or disability? What is the proper response to an employee's request for leave? Can this disabled/injured/ill employee's employment be terminated? How much does the employer need to spend on an accommodation? **Questions and Answers**
- 3:00–3:15**      **Break and Networking Opportunity**
- 3:15–4:15**      **Part Two of Interactive group activity**  
Responding to the complex challenges of the workplace: analysis of tough hypotheticals to navigate treacherous ADA, FMLA, and Workers' Compensation waters. **Questions and Answers**
- 4:15–4:30**      **Wrap-up**  
Concluding remarks and final question and answer session.

## Causation of Occupational Injuries: Fact or Fiction

### The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts

#### Monday, July 16, 2012

**Executive Summary:** This unique preconference is for anyone who is involved with workers' compensation and occupational health. Every new workers' compensation case involves the determination of causation. The evidence based science of causation has been difficult to assemble. This course will bring together the science of causation, the law, and the daily application of both. This course is based on the AMA Press book entitled "*Guides to the Evaluation of Disease and Injury Causation*" edited by Melhorn and Ackerman.

**Learning Objectives:** Attendees will understand the basis for causation and the key legal issues; review specific diagnoses; and work with case examples. The learning approach is interactive and the attendees will be provided with checklists and participate in hands-on exercises.

#### At the completion of this workshop you will learn:

- Work-relatedness.
- Definitions for causation: medical and legal.
- How to review the physical examination.
- Understand apportionment.
- Be able to prepare the written report.
- Be able to evaluate the written report.
- Understand specific diagnoses.



**Faculty: J. Mark Melhorn, MD, FAAOS, FAADER, FACS**, is an occupational orthopaedic physician that specializes in the hands and upper extremities. He received his BS from McPherson College and his MD from the University of Kansas. Dr. Melhorn is board certified in orthopedic surgery with added qualifications in surgery of the hand. In addition to his practice of orthopaedics at The Hand Center in Wichita, Kansas, Dr. Melhorn is a Clinical Assistant Professor, Section of Orthopaedics, Department of Surgery, University of Kansas School of Medicine - Wichita. He has authored over 350 articles, chapters, and publications about his research of workplace injuries and illnesses; return to work options; impairment and disability; and prevention of musculoskeletal pain in the workplace. He has lectured extensively to physicians, employers, insurers, administrators, and legislators on industrial musculoskeletal, upper extremity disorders, and prevention of musculoskeletal pain (MSDs) in the workplace.

He is currently the program director for the American Academy of Orthopaedic Surgeons continuing education course on "Occupational Orthopaedics and Workers' Compensation: A Multidisciplinary Perspective" and for the American Academy of Disability Evaluating Physicians on "Annual Scientific Meeting," serves on the Board of Directors for the American Academy of Disability Evaluating Physicians, the Committee for Occupational Health for the American Academy of Orthopaedic Surgeons, Industrial Injuries and Prevention Committee for the American Society for Surgery of the Hand, Return to Work Committee and the Evidence Based Practice Committee for the American College of Occupational and Environmental Medicine, lead contributor section of Upper Extremities for the American Medical Association's 6th Edition of Guides to the Evaluation of Permanent Impairment and 5th edition chapter reviewer, co-section editor for musculoskeletal area of the Medical Advisory Board for *Medical Disability Advisor - Disability Duration Guidelines* and the *Official Disabilities Guidelines* (ODG) of the Work Loss Data Institute, Editorial Board of *APG Insights Newsletter* (designed as supplement, interpretation and application of the ACOEM Clinical Practice Guidelines), previous member of the Ergonomic Committee for the American College of Occupational and Environmental Medicine, past president of the Kansas Orthopedic Society, Continuing Medical Education committee for AAOS, a Musculoskeletal Chapter Reviewer for the American Medical Association's 5th Edition of Guides to the Evaluation of Permanent Impairment, and previous faculty for continuing education courses by SEAK and American Board of Independent Medical Examiners. Dr. Melhorn is the co-editor of the text "A Physicians' Guide to Return to Work" AMA Press (2005), *Guides to the Evaluation of Disease and Injury Causation* AMA Press (2007) and is the lead author for the Upper Extremity Chapter in the 6th Edition of the AMA Guides to Impairment.

#### Continuing Education Credits

**Attorneys:** Please request CLE credits when mailing in your registration form. **Physicians:** SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 7.00 AMA PRA Category 1 Credit(s).™ Physicians should claim only the credit commensurate with the extent of their participation in the activity. **Case Managers:** 7.0 contact hours of continuing education for Case Managers have been applied for from the Commission for Case Manager Certification, St. Paul Minnesota. **Disability Specialists:** 7.0 contact hours of continuing education for Disability Specialists have been applied for from the Commission for Disability Management Specialists Commission, Schaumburg, Illinois. **Human Resource Professionals:** SEAK has applied for recertification credit hours toward PHR, SPHR and GPHR through the Human Resource Certification Institute (HRCI). **Nurses:** To successfully complete a program and receive contact hours you must: 1) register in, 2) be present for the period of time you are awarded contact hours, 3) complete the evaluation. **Occupational Health Nurses:** 7.25 60-minute contact hours of continuing education in nursing have been approved by the American Association of Occupational Health Nurses, Inc (AAOHN). AAOHN is an accredited approver of continuing education by the American Nurses Credentialing Center's Commission on Accreditation. (ANCC is the educational department under the ANA). **Physical Therapists:** Continuing Physical Therapy credits vary by state, and will only be applied for if requested in writing on the conference registration form. **Rehabilitation Counselors:** 7.0 contact hours of continuing education hours for Rehabilitation Counselors have been applied for from the Commission on Rehabilitation Counselor Certification, Schaumburg, Illinois. **Rehabilitation Nurses:** This program will be accepted for 7.25 contact hours of credit for ARN certification. Submit certificate.

# Causation of Occupational Injuries: Fact or Fiction

The Resort and Conference Center at Hyannis, Hyannis, Cape Cod, Massachusetts

Monday, July 16, 2012

- 7:00–8:00**      **Registration, Continental Breakfast & Exhibits**
- 8:00–9:00**      **Introduction and Background**  
Attendees will learn how to determine work-relatedness based on medical and legal definitions. The science of causation associations will be discussed. **Questions & Answers.**
- 9:00–10:00**      **Methodology, Apportionment, History, Physical Examination, and Record Review**  
The medical record will be reviewed for what should be included to allow for a determination of causation in a specific case. In other words, how you take the history, objective findings, job description, and science to then apply the information to a specific individual. **Questions & Answers.**
- 10:00–10:15**      **Break, Exhibits & Networking Opportunity**
- 10:15–11:00**      **Writing the Report**  
Expanding on the previous hour, the medical record should now reflect a clear statement regarding causation and appropriate treatments. **Questions & Answers.**
- 11:00–12:00**      **Spine Examples**  
Specific cases will be discussed. **Questions & Answers.**
- 12:00–1:00**      **Lunch provided with faculty**
- 1:00–2:00**      **Lower Limb Examples**  
Specific cases will be discussed. **Questions & Answers.**
- 2:00–3:00**      **Upper Limb Examples**  
Specific cases will be discussed. **Questions & Answers.**
- 3:00–3:15**      **Break, Exhibits & Networking Opportunity**
- 3:15–4:00**      **Cardiac and Pulmonary Case Examples**  
Specific cases will be discussed. **Questions & Answers.**
- 4:00–4:30**      **Your cases**  
Attendees are encouraged to bring their difficult cases for group discussion and review using the approaches discussed in “How to Approach Causation Issues.” **Questions & Answers.**
- 4:30–4:45**      **Summary, questions and evaluation**

“Great job! Enjoyed it!”

“Outstanding”

“Great course”

“Excellent”

“Great preconference”

“Great speaker”

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