



46th Annual Worker's Compensation Update

Program dates start September 16. Register today!

**7 CLE
1 EPR**

46th Annual Worker's Compensation Update

All in a day's work

From a behind-the-scenes look into the independent medical examination process to a panel examining real-life ethical conundrums, the **46th Annual Worker's Compensation Update** offers crucial insight and guidance for worker's compensation practitioners of every experience level.

You'll review the most important precedents from the past year on Medicaid, medical causation, independent contractors, and more. Plus, you'll have the chance to pose your questions directly to officials from the Office of Worker's Compensation Hearings and the Department of Workforce Development. Experienced presenters will fill you in on the latest practical tips and provide tools you can put to use right away.

How you'll benefit:

- Get up to speed on all the latest rulings in less than an hour with our annual case law update
- Hear updates from the Office of Worker's Compensation Hearings (OWCH) and the Department of Workforce Development (DWD)
- Learn how to have independent medical examinations and vocational assessments done right
- Overcome common real-world ethical quagmires with help from our popular ethics panel

Who should attend:

- Worker's compensation lawyers
- Labor and employment lawyers
- Insurance lawyers
- General practitioners

The *46th Annual Worker's Compensation Update* will keep you apprised of the latest developments and practice tips you need to achieve successful outcomes for injured workers or their employers. **Register now!**

Faculty

Program Chair

Joshua B. Czuta
AF Group, New Berlin

Presenters

Tracy Aiello
Director, Bureau of Claims Management, Wisconsin Department of Workforce Development, Madison

Susan V. Barranco
Hennessy & Roach, P.C., Milwaukee

Kristin S. Bruess
Kasdorf, Lewis & Swietlik, S.C., Milwaukee

Roland C. Cafaro
Cafaro Law Offices, S.C., Milwaukee

David Crawford
Crawford Evaluation Group, Waukesha

Joseph P. Danas, Jr.
Borgelt, Powell, Peterson & Frauen, S.C., Milwaukee

Charles F. Domer
Domer Law, S.C., Milwaukee

Hamdy A. Ezalarab
Director, Office of Worker's Compensation Hearings, Wisconsin Department of Administration, Division of Hearings & Appeals, Madison

Robert J. Janssen
Janssen Law LLC, Green Bay

Aviva Meridian Kaiser
State Bar of Wisconsin, Madison

Cathy A. Lake
ALJ, Deputy Bureau Director – Legal Services, Wisconsin Department of Workforce Development, Madison

Barbara K. Lemke, MS, CRC, LPC
Lemke Vocational Services, LLC, Waukesha

Jason R. Oldenburg
Injury and Disability Law Office of Wisconsin LLC, Glendale

Bruce R. Schuyler, MS, CRC, LPC
Schuyler Vocational Consulting, Inc., Milwaukee

Chelsie D. Springstead
Lindner & Marsack, S.C., Milwaukee

Joshua M. Turim
Hickey & Turim, S.C., Milwaukee

Karl A. VanDeHey
Borgelt, Powell, Peterson & Frauen, S.C., Milwaukee

Scott E. Wade
von Briesen & Roper, S.C., Waukesha

Schedule

8:30 AM Registration

8:30 AM Case Law Update

- Settlements and Medicaid
- Analysis of medical causation
- Medical bills and bankruptcy
- Employment relationship and independent contractors
- Clarification of “misconduct” definition
- Permanent and total disability standards
- April 10, 2022 amendments to Ch 102 regarding average weekly wage and PPD
Joseph P. Danas, Jr.

9:20 AM OWCH Update

- DHA-OWCH jurisdiction under the Act and HA 4
- Worker’s Compensation Division jurisdiction and timelines
- Status of an application for hearing upon the approval of compromise agreements
- OWCH plan to resolve the hearings backlog
Hamdy A. Ezalarab

10:05 AM Break

10:20 AM Pulling Back the Curtain on Independent Medical Examinations

- What makes an IME objective or subjective?
- Two examination approaches to IMEs
- Service associated with the medical expert – scheduling, medical record review, quality review
- Obtaining honest, reasonable and defensible opinions – regardless of the referral source
- Objectivity – medical experts who represent defense or applicants
Kristin S. Bruess, Roland C. Cafaro, David Crawford, Charles F. Domer

11:20 AM What is CMS Saying Now? A Medicare Update

- Overview of Medicare Secondary Payer Act and work comp review thresholds
- Trends in ways to address Medicare’s interests during settlement

- Factors to consider when considering Medicare’s interests
- Updates to CMS reference guide
Chelsie D. Springstead

12:10 PM Lunch (on your own)

1:10 PM DWD Update

- Worker’s compensation applications and caseload – an historical analysis
- Update on the portal
- Health cost dispute process – a brief overview
Tracy Aiello, Cathy Lake

1:55 PM Why Vocational Experts Are Used in Worker’s Compensation Claims

- When to retain a vocational expert
- What a vocational expert needs to properly assess vocational matters
- Case studies and topics of discussion:
 - Loss of earning capacity v. Odd Lot
 - Youthful worker presumption
 - Retirement and loss of earning capacity
 - Loss of earning capacity for death claims
Susan V. Barranco, Barbara K. Lemke, Bruce Schuyler, Joshua M. Turim

2:45 PM Break

3:00 PM Ethical Predicaments and the Worker’s Compensation Attorney

- Disengaging and asserting a lien
- Proactive judges vs. the need to keep some information confidential prior to hearing
- Client communication in a high-volume practice
Robert J. Janssen, Aviva Meridian Kaiser, Jason R. Oldenburg, Karl D. VanDeHey, Scott E. Wade

4:00 PM Program Concludes

Following program start time, schedule will vary slightly from above listed times.

Dates

In-Person Seminar – Madison

Friday, September 16, 2022
State Bar Center
5302 Eastpark Blvd.
Madison, WI
(608) 257-3838

Live Webcast

Friday, September 16, 2022

Webcast Replay

Wednesday, September 28, 2022
Saturday, October 1, 2022
Friday, October 7, 2022
Thursday, October 13, 2022
Wednesday, October 19, 2022
Tuesday, October 25, 2022
Monday, October 31, 2022
Tuesday, November 8, 2022

Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for **7 CLE credits including 1 Ethics and Professional Responsibility credit.**

This program is sponsored by:

**Wisconsin
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Registration

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State Bar CLE/PINNACLE Passbook Registrations: Passbook Certificates must be received by the State Bar at least one business day prior to the event. For in-person seminars, walk-in registrations using Passbook Certificates are also welcome.

Registration Cancellations: Please visit wisbar.org/cancellations for information on PINNACLE registration cancellation policies.

Course materials: Course materials are provided to seminar registrants in PDF format and are downloadable from *myStateBar* on wisbar.org up to two days prior to and 90 days after your seminar.

COVID-19 Safety Information: Attendees are asked to either be vaccinated or have a negative COVID-19 test administered within 48 hours of the event. Complete and current safety guidelines can be found at wisbar.org/covidsafety.

Book Sale!

Worker's Compensation Handbook

SAVE 20% on the *Worker's Compensation Handbook*.* Plus, all seminar attendees receive a free two-week trial of the Books UnBound® version. It's an essential resource for any attorney who represents employees or employers in worker's comp cases – including corporate counsel and practitioners of employment, personal injury, and insurance law.

Use discount code **CA3316** when you order online at wisbar.org/AK0092 or by calling (800) 728-7788.

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Priority Code: S 4 1 4 0 B

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IN-PERSON SEMINAR:

Friday, Sept. 16, 2022 – Madison

LIVE WEBCAST:

Friday, Sept. 16, 2022

WEBCAST REPLAYS:

Wednesday, Sept. 28, 2022 Wednesday, Oct. 19, 2022
 Saturday, Oct. 1, 2022 Tuesday, Oct. 25, 2022
 Friday, Oct. 7, 2022 Monday, Oct. 31, 2022
 Thursday, Oct. 13, 2022 Tuesday, Nov. 8, 2022

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