



STATE BAR OF WISCONSIN

**PINNACLE**

*Your Practice. Our Purpose.*



# 47th Annual Worker's Compensation Update

**Program dates start September 21. Register today!**

**6 CLE  
1 EPR**

# 47th Annual Worker's Compensation Update

## Work through it

When workplace accidents happen, injured workers, employers, and insurers need lawyers who know how to guide them through the complex and often confusing worker's compensation system. The **47th Annual Worker's Compensation Update** offers current, comprehensive instruction on the issues you face in your everyday practice.

Make sense of Medicare Set-Asides, examine the most important court rulings from the past year, and hear directly from officials from the Office of Worker's Compensation Hearings and the Department of Workforce Development.

## How you'll benefit:

- Catch up on the latest case law updates in less than an hour
- Hear creative ways to maximize recovery in claims involving third parties
- Conquer ethical dilemmas unique to worker's comp practitioners
- Establish best practices for claims involving Medicare recipients

## Who should attend:

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

The *47th Annual Worker's Compensation Update* will keep you current on the newest developments and practice tips you need to achieve successful outcomes for your clients.

**Register now!**

## Schedule

**8:30 AM Registration**

**8:30 AM Case Law Update**

- Medical bills and bankruptcy
- Factors in LIRC credibility determinations
- Employment relationship and independent contractors
- Misconduct
- Permanent partial disability benefits and LOEC
- Statute of limitations
- Unreasonable refusal to rehire
- Appeals including standard of review and issue preclusion  
*Karl A. VanDeHey*

**9:20 AM OWCH Update**

*Hamdy A. Ezalarab*

**10:00 AM Break**

**10:15 AM Work Comp MSAs: What, Me Worry?**

**Key Pain Points and Practical, Easy-to-Implement Solutions**

- Understanding the WCMSA process, Medicare's view on non-submission, and why it should not matter how they view your allocation
- What language should (and should not) be included in every settlement agreement
- How defense counsel can better interact with the assigned claim handler, how applicant attorneys can better represent the injured employee, and why everyone should get along
- Opportunities to use the Medicare Set-Aside to resolve cases more effectively  
*Aaron P. Frederickson*

**11:05 AM DWD Update**

*Tracy Aiello, Cathy A. Lake*

**11:45 AM Lunch (on your own)**

**12:45 PM Claims Involving a Third-Party Case**

*Alex E. Eichhorn*

**2:00 PM Ethical Predicaments and the Worker's Compensation Attorney**

- Communication between applicant attorneys and workplace managers and forepersons
- Candor and strategy during negotiations
- Managing your trust account when medical bills are outstanding  
*Caitlin E. Herbert, Robert J. Janssen,  
Jason R. Oldenburg, Scott E. Wade*

**3:00 PM Program Concludes**

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

## Faculty

### Program Chair

**Joshua M. Turim**

Hickey & Turim, S.C., Milwaukee

### Presenters

#### Tracy Aiello

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

#### Alex E. Eichhorn

Tabak Law LLC, Glendale

#### Hamdy A. Ezalarab

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

#### Aaron P. Frederickson

MSA Source, Minneapolis

#### Caitlin E. Herbert

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

#### Robert J. Janssen

Janssen Law LLC, Green Bay

#### Cathy A. Lake

ALJ, Deputy Bureau Director – Legal  
Services, Wisconsin Department of  
Workforce Development, Madison

#### Jason R. Oldenburg

Injury and Disability Law Office of  
Wisconsin LLC, Glendale

#### Karl A. VanDeHey

Borgelt, Powell, Peterson & Frauen, S.C.,  
Milwaukee

#### Scott E. Wade

von Briesen & Roper, S.C., Waukesha

## Dates Location

### In-Person Seminar – Madison

Thursday, September 21, 2023

#### State Bar Center

5302 Eastpark Blvd.

Madison, WI

(608) 257-3838

### Live Webcast

Thursday, September 21, 2023

### Webcast Replay

Wednesday, October 4, 2023

Saturday, October 14, 2023

Friday, October 20, 2023

Thursday, October 26, 2023

Wednesday, November 1, 2023

Tuesday, November 7, 2023

Monday, November 13, 2023

Tuesday, November 28, 2023

Friday, December 8, 2023

## Credits

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

## Registration

**ONLINE:** [wisbar.org/seminars](http://wisbar.org/seminars)

**PHONE:** (800) 728-7788

**FAX:** (608) 257-5502

**MAIL:** State Bar PINNACLE Registrations  
P.O. Box 7158  
Madison, WI 53707-7158

### 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](http://wisbar.org/cancellations) for information on PINNACLE registration cancellation policies.

### Course materials for those attending the seminar:

Course materials are provided in PDF format and are downloadable from *myStateBar* on [wisbar.org](http://wisbar.org) up to two days prior to and 90 days after your seminar.

### COVID-19 safety information:

Complete and current safety guidelines can be found at [wisbar.org/covidsafety](http://wisbar.org/covidsafety).

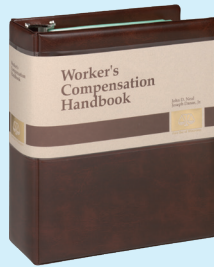
*This program is sponsored by:*



## Book Sale!

### Worker's Compensation Handbook

Seminar attendees **SAVE 15%** on the *Worker's Compensation Handbook*.<sup>\*</sup> Receive a solid grounding in the fundamental aspects of worker's compensation practice so you're ready to advise clients on their rights and responsibilities.



\* Attendees will receive information to access the discount via email after attending the program. Discount applies to both print and digital Books UnBound® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For Books UnBound users, discount may be applied to purchase of individual Books UnBound title only and may not be used on purchase of full library.

## Additional Learning Opportunities

### CLE OnDemand

#### 46th Annual Worker's Compensation Update 2022

Gain insight into the independent medical examination (IME) process from an IME provider and find out what information vocational experts need to properly assess worker injuries. You'll also review Medicare Secondary Payer Act thresholds and analyze settlement trends involving Medicare. **7 CLE**

CLE OnDemand Seminar: #CA3316D; Member: \$269 | Nonmember: \$349

#### Medicare Secondary Payer 2023: Maximizing Its Potential for Your Clients

Better understand Medicare Secondary Compliance issues in worker's compensation claims, pick up best practices for personal injury settlements, and troubleshoot Medicare set-aside issues. You'll be up to speed on the best ways to ensure smooth settlements for clients and mitigate your own risk. **7.5 CLE**

CLE OnDemand Seminar: #CA3447D; Member: \$269 | Nonmember: \$349

### Books | Books UnBound

#### The Law of Damages in Wisconsin

Thousands of attorneys and judges rely on this trusted reference to research, analyze, and evaluate the types of damages available in Wisconsin and the special rules governing them. This comprehensive three volume set features practical, detailed explanations of how to plead damages and meet your evidentiary burdens.

Print Book: #AK0063; 1,616+ pp.; 9th ed. 2022-23 (3 vol.); Member: \$275 | Nonmember: \$343.75  
Books UnBound Subscription: #AE0063\_SUB; Member: \$270 | Nonmember: \$337

## 47th Annual Worker's Compensation Update

Priority Code: S 4 2 5 4 B

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<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$239	<input type="checkbox"/> \$269
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#### IN-PERSON SEMINAR:

Thurs., Sept. 21, 2023 –  
Madison

#### LIVE WEBCAST:

Thurs., Sept. 21, 2023

#### WEBCAST REPLAYS:

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 Fri., Dec. 8, 2023

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**Mail to:** State Bar PINNACLE Registrations  
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