



19th ANNUAL  
Meeting & Workers'  
Compensation Conference  
November 3-5, 2010

Lauberge<sup>SM</sup>  
dulac  
CASINO RESORT  
Lake Charles, LA

## CONFERENCE AGENDA

### Wednesday, November 3

- 9:00—Noon SIF Trustee Workshop (\$100)  
This 3-hr. workshop focuses on the core knowledge essential to SIF Trustees. Hear experts discuss current topics that affect the successful operation of all group funds.
- 10:00 am Ethics MCLE (\$50)
- 11:00am Professionalism MCLE (\$50)
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- 11:00 am **Registration Desk and Exhibit Hall Open**
- 1:15—1:30 pm **President's Welcome** presented by Mike Parr of Harrah's New Orleans, 2010 LASIE President.
- 1:30—2:30 pm **WCRI**
- 2:30—3:00 pm Networking/Refreshment Break
- 3:00—4:00 pm **LOUISIANA JUDICIAL PANEL—PANEL DISCUSSION OF WORKERS' COMPENSATION DECISIONS—*You Don't Want to Sit At the Captain's Table*** Honorable Carey Holiday, Judge, OWC District 1W; Honorable Diane Lundeen, Judge, OWC District 8; Honorable J. Michael McDonald, Judge, First Circuit Court of Appeal; and Honorable Ulysses Gene Thibodeaux, Chief Judge, Third Circuit Court of Appeal will review poor practices of employers and insurers that result in injured workers hiring attorneys unnecessarily. They will discuss poor communication practices with injured workers, claim practices, and return to work practices that lead to bad outcomes. The judges will provide practical suggestions for treating injured claimants with respect, understanding, and empathy to avoid unnecessary and costly litigation and to better navigate the adjudication process. You will receive strategic litigation tips that will give insight into what works before the bench and what does not. You will also learn effective ways to handle medical damages as well as direct and cross examination strategies for medical professionals and experts. Questions will be entertained from the audience. Moderated by Steve Glusman of Glusman, Broyles and Glusman, LLC.
- 4:00—5:00 pm **LEGISLATIVE PANEL—THE LOUISIANA WORKERS' COMPENSATION SYSTEM — *Is There A Lifeguard On Duty?*** Have you ever read a statute and wondered "What were they thinking of when they passed this?" What do members of the legislation look for when deciding bills that come before legislative committees? *Senator Eric Lafleur, Representative Erich Ponti and Senator Gerald Long of the Louisiana Legislature* will discuss their perception of workers' compensation and the importance of workers' compensation laws that give equal regard to employers, insurers and injured workers. Questions will be entertained from the audience.
- 5:00 pm Business Adjourns
- 6:00—7:00 pm **"Island Escape"** - Welcome Reception
- 7:00—9:00 pm **"Luau at Sunset"** - Wednesday Evening Social

# Agenda continued..

## Thursday, November 4

8:15—8:45 am Continental Breakfast in Exhibit Hall

8:45—9:00 am **Conference Welcome & Program Review** presented by Karen Jackson, Office of Risk Management, 2010 LASIE Vice President and Conference Chair.

### Morning Track

9:00—10:00 am **WORKERS' COMPENSATION SUBROGATION—BACK TO THE BASICS—*Plugging the Leaks*** Are you losing money on your third party claims? Who is at fault? What steps should you take when third party liability exists? When to put someone on notice? Should you file an intervention? What are the signs of a third party lawsuit? When to negotiate your lien? How to handle the third party claim with an approved second injury fund claim? Experienced litigators, *Lawrence Frieman of Juge, Napolitano, Guilbeau, Ruli, Frieman & Whiteley and Ed Stauss of Keogh, Cox and Wilson* will show you how to maximize on your third party recovery.

10:00—10:30 am Networking/Refreshment Break

10:30—11:30 am **DRUG UTILIZATION REVIEW/PHARMACY BENEFIT MANAGEMENT—*All Hands on Deck*** Inappropriate use of medication is a major cost-driver in the workers' compensation arena. Pharmacy costs impact the value of not only the workers' compensation claim but also significantly increases the value of MSA's. Partnering with the right PBM and occupational nurse case manager can add value to helping to reduce pharmacy expenditures on a claim. *Phil Walls of myMatrixx and Denise Wrenn of CLECO Corporation* will offer practical suggestions for controlling pharmacy costs while ensuring injured workers receive appropriate care. You will learn practical suggestions on how to deal with the problem prescriber to reduce medication over utilization.

11:30—12:30 pm **MEDICARE SET ASIDES—WORKERS' COMPENSATION ISSUES UPDATE—*Grab Your Life Jacket, You're Going to Need It*** Are you doing everything you can to navigate the shark-infested waters of the Medicare Set Aside process? Find out as *Sally Stalcup, Medicare Secondary Payer Regional Coordinator, CMS* gets you up to date on the latest regulations and the best ways to comply. You will receive practical considerations when settling claims and information on early estimates of the MSA and conditional payments. Information will be provided on the signed authorization, timing, accuracy, approval time, new drug policy, coordinating conditional payments and MSA's, settlement documents, releases and indemnity, and only obtaining the MSA if it is needed. Questions will be entertained from the audience.

12:30—1:30 pm **Conference Lunch**

### Afternoon Program

1:30—2:30 pm **ADEQUATE RESERVING—*Are Your Reserves Enough to Float Your Boat ?*** The state of the economy has impacted every aspect of society. The workers' compensation industry is no different. Drug utilization, settling claims, Medicare Set Asides, and pressures to waive a portion of the subrogation lien all have an impact on the bottom line. Are your reserving practices accurate? *Cecilia LePere of Casualty Actuarial Consultants and Dan Filla of Claims Management, Inc.* will teach you practical steps to making sure your reserves take everything into consideration to conclude the claim and stay afloat.

2:30—3:30 pm **PREDICTING OUTCOMES AND PROMOTING REHABILITATION IN PATIENTS BEING CONSIDERED FOR PROCEDURAL PAIN TREATMENT: WEIGHING THE MEDICAL AND PSYCHOLOGICAL RISK FACTORS—*Avoid the Undercurrent so Your Claim Won't Sink*** The best predictions for surgical outcome are based on a combination of medical and psychological factors. A careful examination of medical criteria can identify patients who stand to benefit most from procedural treatment for pain and those who may be at elevated risk for poor outcome. At the same time, several psychological/psychosocial factors have been demonstrated to accurately predict poor procedure outcome, even in patients with evidence of surgical lesions. *F. Charles Frey, IV, PhD and Kevin McCarthy, MC, orthopedic surgeon,* will present both of their perspectives followed by an opportunity for discussion.

3:30—4:00 pm Networking/Refreshment Break

4:00—5:00 pm **THE SUPREME COURT'S IMPACT ON ECONOMIC DEVELOPMENT AND THE COST OF DOING BUSINESS—*Steering Through Troubled Waters—Dodging the Storms and the Oil Slicks*** *The Honorable Greg Guidry, Louisiana Supreme Court Justice,* will speak about the balance that our Highest Court seeks to strike when deciding cases which affect Louisiana businesses, employers and employees. Justice Guidry will discuss the U.S. Chamber survey of nationwide corporate counsel and perception versus reality in our civil justice and workers' compensation systems. Finally, he will address judicial activism and the role of the courts versus the role of the Legislature. Questions will be entertained from the audience. Moderated by Wayne Fontana of Fontana and Seelman.

5:00 pm Business Adjourns

6:00—7:00 pm **"Party in Paradise"** - A reception followed by dinner on your own

## Friday, November 5

8:00—8:30 am Continental Breakfast in Exhibit Hall

8:30—10:45 am **EVIDENCE-BASED MEDICAL GUIDELINES—TIME TO IMPLEMENT—*The Tides A-Turning!*** The OWCA has instituted new evidence based medical guidelines. What is evidence-based medicine and what does it mean for the way you view medical treatment and documentation? What effect will EBM have on the outcome of the workers' compensation claim? Will EBM get the injured back to pre-injury status or enable him to return to work? Will EBM reduce overall medical costs while ensuring the injured worker has received the best treatment course? How will the OWCA implement EBM? *Lauren Ott of CorVel Corporation and Dr. Larry Ferachi of OWCA and panel* will provide information on what you need to know and what you need to do. Moderated by Troy Prevot of LUBA Workers' Comp.

10:45—11:00 am Mimosa Refreshment Break

11:00—11:30 am CWCP Presentation Ceremony

11:30 am—Noon Annual Membership Meeting and Election of 2011 LASIE Board of Directors immediately followed by LASIE Service Awards Presentation, Exhibitor's Prize Drawings and \$1,000 LASIE Grand Prize Drawing

*Reminder—you must be present to win exhibitor gifts and grand prize.*