17th Annual Spring Workers’ Compensation Seminar

Pain Relief: Taking the Sting Out of Spinal Cases

Thursday, May 3, 2018
1:00 P.M. - 4:30 P.M.
Reception to follow
INTRODUCTORY REMARKS
John P. Connolly of Brady, Connolly & Masuda, P.C.

John P. Connolly will kick off the seminar as well as provide updates about the firm and the BCM team. He will also lead the Q & A portion.

GETTING YOUR SPINAL SURGERY CLAIMANTS BACK TO WORK
James Magiera of Brady, Connolly & Masuda, P.C.

We know that getting an individual back to work following spinal surgery can be challenging. James Magiera will explore expected time frames for a return to work and avenues to assure that your claimant will be allowed to resume a full life.

DRUG TESTING IN ILLINOIS WORKERS’ COMPENSATION
Charles Maring of Brady, Connolly & Masuda, P.C.

This presentation will address the role of urine drug screening in pharmaceutical pain management of the workers’ compensation claimant. Topics to be addressed include identifying providers’ typical billing practices relative to urine testing, allowable charges pursuant to the Workers’ Compensation Act, and accepted national guidelines regarding the use of urine testing in ongoing pain management.

EXCLUSION OF OPIOIDS FROM MEDICARE SET-ASIDE ALLOCATION - A HALLUCINATION OR REALITY?
Surbhi S. Goyal of Brady, Connolly & Masuda, P.C.

Surbhi S. Goyal will explain how Medicare’s interests should be considered while also paring down the exposure for Medicare Set-Aside Allocations involving future prescription drugs and pain management. She will also discuss the unique challenges involved in high exposure future prescriptions, legal strategies to mitigate exposure, and requirements of the Centers for Medicaid and Medicare Services when submitting evidence against the inclusion of prescription drugs and pain treatments.

ATTACKING SPINAL TREATMENT: THE EFFECTIVE USE OF UTILIZATION REVIEWS
Farrah Hagan of Brady, Connolly & Masuda, P.C.

Farrah Hagan will discuss utilization reviews and how to effectively use them in defending workers’ compensation claims involving spinal treatment. She will address the purpose of a utilization review, the procedural process, and URAC requirements. She will also discuss the steps to take once a favorable utilization review is received.
DR. MARTIN HERMAN, M.D., PHD.
Neurosurgeon from Center of Brain and Spine Surgery

Dr. Martin D. Herman, M.D. PhD., a board-certified neurosurgeon, will provide a thorough discussion of the treatment of cervical spine injuries and, in particular, will share his insights regarding the treatment protocol for sprain/strains as well as the more technical details associated with a cervical fusion. He will also address the use of opioids in workers’ compensation related matters both prior and subsequent to surgery as well as its impact in workers’ compensation related issues.

PRIVACY VERSUS INVESTIGATION:
KNOW YOUR RIGHTS & HOW TO ENFORCE THEM
FRANCIS M. BRADY OF BRADY, CONNOLLY & MASUDA, P.C.

Respondents are required to make decisions that carry serious financial consequences. Foremost among them are whether TTD and the cost of medical care are owed the worker. A just answer requires the respondent to access numerous sources of data: treatment providers, (including at times mental health care and drug prescriptions) and financial records to name a few. What happens when these sources won't let a respondent obtain the information arguing, they are confidential? The presentation will examine this problem by identifying privacy interests and which can be overcome and how.

ROADMAP FOR HANDLING WORK-PLACE ACCIDENTS IN ANTICIPATION OF THIRD-PARTY CLAIMS
ANDREW MAKUSKAS & COURTNEY MORSO DRISCOLL OF BRADY, CONNOLLY & MASUDA, P.C.

This panel, comprised of Andy Makauskas and Courtney Driscoll, will discuss the handling of work-place injury claims from the moment of accident to the filing of a lawsuit. They will also discuss potential joint resolution of workers’ compensation claims and third-party claims. The various topics have implications in both workers’ compensation and third-party claims as they involve investigation, preservation of evidence, discovery, and resolution of both matters.
TAKING THE MEASURE OF A CLAIM: AN ARBITRATOR’S PERSPECTIVE

Arbitrator Barbara Flores, J.D. of the Illinois Workers’ Compensation Commission

Arbitrator Barbara Flores, J.D. will discuss her insights and observations on the many elements of a workers' compensation claim in the context of settlements, pre-trials and litigation. She will address the factors she relies upon when weighing evidence, and how she assesses the credibility of witnesses. Based upon her years of experience presiding over claims in both Chicago and downstate venues, she will speak to the valuation of the benefits due under the Workers’ Compensation Act and the impact of the facts and evidence on her decisions.