

19th Annual Workers' Compensation Law Conference 2018

Essential updates, practical tips and insight from D.I.A. Judges

In the ever-evolving legal world, it is essential to keep up-to-date with substantive, procedural, and administrative developments impacting the practice of workers' compensation law. As a result, MCLE is proud to again sponsor its *19th Annual Workers' Compensation Law Conference 2018*. This day-long *Conference* features experienced practitioners in the workers' compensation field who, together with judges from the Department of Industrial Accidents and prominent medical experts, provide you with relevant, comprehensive information on the hottest topics and issues affecting this dynamic practice area.

Practitioners attending this *Conference* not only learn about recent cases and legislation pertaining to workers' compensation law and its practice, but also have the opportunity to choose from a variety of breakout sessions covering topics such as dealing with alternative protocols in pain management treatment, appellate practice before the D.I.A., dealing with the irrational, delusional, or suicidal client, and coordination with other benefits. This year, we are also extremely honored to hear Featured Speaker, Emily Spieler, Professor and Dean Emerita at Northeastern School of Law, share her thoughts on the state of workers' compensation in the United States. Further, this year's featured discussion offers "Sixty Tips in Sixty Minutes", which spotlights five veteran attorneys and judges who share quick answers to sixty tips for practitioners. And as in the past, Senior Judge Omar Hernández provides an update on the state of affairs at the D.I.A.

The breadth of the *Conference's* topics offers something for everyone who practices workers' compensation law. Bring your questions and join the dialogue!

Materials

In addition to a faculty-prepared program book, the materials for this program include MCLE's updated *Massachusetts Workers' Compensation Sourcebook & Citator 2019*, an essential desk reference, packed with both federal and state primary law sources you need close at hand when appearing before the Department of Industrial Accidents. With MCLE's supplementation service, new supplements are mailed automatically with an invoice. If you do not wish to subscribe, please note on order form. Additionally, you will receive a compilation of written transcripts of five select employment programs offered during the past year.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants will receive a link to a written verbatim transcript of the recorded sessions of this program.

Agenda & Faculty

9:00 am–9:15 am	Welcome & Introduction Joseph F. Agnelli, Jr., Esq., <i>Agnelli Law Offices, PC, Worcester</i> ; Chair
9:15 am–10:30 am	Recent Case Law and Legislative Update Monique M. Chiacchia, Esq., <i>Law Offices of Steven B. Stein, Boston</i> ; Susan Perrault McDonald, Esq., <i>Pierce, Pierce & Napolitano, Salem</i>
10:30 am–10:45 am	Networking & Refreshment Break
10:45 am–11:00 am	Update on National Issues of Local Concern Alan S. Pierce, Esq., <i>Pierce, Pierce & Napolitano, Salem</i>

Dates & Locations

BOSTON

Friday, November 16, 2018
9:00 am–5:00 pm

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2190024P01

LIVE WEBCAST

Friday, November 16, 2018
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2190024WBC

RECORDED WEBCAST

Friday, November 30, 2018
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2190024RBC

Tuition *(includes written materials)*

- \$295
- \$265.50 MCLE Sponsor Members
- \$221.25 New Lawyers admitted to law practice after 2015, Pending Admittees, Law Students, and Paralegals

To receive the eBook instead of the print book of the MCLE manual accompanying this program, please register online at www.mcle.org and select your format.

Can't Attend?

View the webcast—live or later, or download the mp3 recording at www.mcle.org

Listen to the Audio CD
Available after Friday, November 30

- \$135
- \$121.50 MCLE Sponsor Members
- \$101.25 New Lawyers admitted after 2015

Earn up to 6.5 CLE credits

11:00 am–11:30 am Featured Address: Looking Through a Broader Lens—The State of Workers' Compensation in the U.S.

Emily Spieler, Esq., *Professor and Dean Emerita, Northeastern University School of Law, Boston*

11:30 am–12:30 pm Featured Discussion: Sixty Tips in Sixty Minutes

Daniel P. Napolitano, Esq., *Pierce, Pierce & Napolitano, Salem*, Moderator; Hon. Omar Hernández, *Senior Administrative Judge, Department of Industrial Accidents, Commonwealth of Massachusetts*, Timekeeper; Hon. Catherine W. Koziol, *Department of Industrial Accidents, Commonwealth of Massachusetts*; Charles R. Casartello, Jr., Esq., *Pellegrini, Seeley, Ryan & Blakesley, PC, Springfield*; Deborah G. Kohl, Esq., *Law Offices of Deborah G. Kohl, Fall River*; Teri A. McHugh, Esq., *Boyle Shaughnessy Law, PC, Boston*; Tamara L. Ricciardone, Esq., *Smith Duggan Buell & Rufo LLP, Lincoln*

12:30 pm–1:30 pm Lunch Break (on your own)

1:30 pm–1:45 pm D.I.A. Update

Hon. Omar Hernández, *Senior Administrative Judge, Department of Industrial Accidents, Commonwealth of Massachusetts*

1:45 pm–3:15 pm Breakout Session I (choose one)

Dealing with Alternative Protocols in Pain Management Treatment

- Alternatives to use of opioids
- Nerve blocks
- Surgical implants
- Acupuncture

Hon. Lauren M. Bergheimer, *Department of Industrial Accidents, Commonwealth of Massachusetts*, Moderator; Joseph F. Agnelli III, Esq., *Agnelli Law Offices, PC, Worcester*; Christopher P. Hummel, D.O., *Norwood Comprehensive Pain Management, Norwood*; Hon. Dennis M. Maher, *Department of Industrial Accidents, Commonwealth of Massachusetts*; Edward M. Moriarty, Jr., Esq., *Moriarty, Shay & Associates, PC, Wakefield*; Michael J. Pringle, MPA, RN, CCM, *Director of Specialty Services, Windham Group, Manchester, NH*

Appellate Practice Before the D.I.A. and Higher Courts

- Protecting/preserving the record
- Submitting proper evidence/medical records
- Briefs
- Preparing for oral arguments
- Judge's perspective

Hon. Bernard W. Fabricant, *Department of Industrial Accidents, Commonwealth of Massachusetts*, Moderator; Hon. Honor K. Segal, *Department of Industrial Accidents, Commonwealth of Massachusetts*; Paul M. Moretti, Esq., *Curtin, Murphy & O'Reilly, PC, Boston*; Bernard J. Mulholland, Esq., *Ford, Mulholland & Moran, PC, Wakefield*

3:15 pm–3:30 pm Networking & Refreshment Break

3:30 pm–5:00 pm Breakout Session II (choose one)

Dealing with the Irrational, Delusional, or Suicidal Client

- Irrational/delusional client
- Suicidal issues
- Dealing with difficult employers
- Ethical concerns
- View from the Bench

Joseph J. Durant, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*, Moderator; Hon. Roger Lewenberg (Ret.), *Department of Industrial Accidents, Commonwealth of Massachusetts*; Hon. Ann M. McNamara, *Department of Industrial Accidents, Commonwealth of Massachusetts*; Mary Ann Calnan, Esq., *CFP Law Group, Boston*; Laurie Parsons, *Claim Director, AIM Mutual Insurance Company, Burlington*; Martin B. Schneider, Esq., *Law Offices of Martin B. Schneider, PC, Salem*; Adam J. Troupe, Esq., *The Troupe Law Office, Peabody*

Coordination with Other Benefits

- SSDI
- ADR—Effects of the Vernava decisions
- LTD/STD benefits
- Union benefits
- Judge's view

Jane Eden, Esq., *Eden Rafferty, PC, Worcester*, Moderator; Hon. Sabina T. Herlihy, *Department of Industrial Accidents, Commonwealth of Massachusetts*; Karen S. Hambleton, Esq., *Keche Law Group, PC, Taunton*; Shelley M. Harvey, Esq., *Tentindo, Kendall, Canniff, & Keefe LLP, Boston*; Nicole Duca Sullivan, Esq., *Law Offices of Nicole D. Sullivan & Associates, PC, Westborough*; Melinda E. Troy, Esq., *State Board of Retirement, Commonwealth of Massachusetts*

5:00 pm–5:30 pm Networking Reception for Faculty & Registrants



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