



Workers' Compensation Update in Texas

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Burns Anderson Jury & Brenner, L.L.P.

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Robert F. Josey

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Tommy W. Lueders II

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John D. Pringle

Pringle & Gallagher, L.L.P.

Ramona St. George

Oregon Health Systems, Inc.

This seminar is designed for human resource professionals, occupational health nurses, safety managers, insurance claims representatives, business managers, benefits professionals, risk managers and rehabilitation specialists.

AUSTIN, TEXAS

MARCH 28, 2008

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Critical Issues on the Agenda

**Hilton Garden Inn • 500 North Interstate Highway 35
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8:30 AM – 9:00 AM **Registration**

9:00 AM – 10:00 AM **Identifying, Defending and Adjusting Occupational Disease and Repetitive Trauma Claims**

— *Michael J. Donovan*

10:00 AM – 10:15 AM **Break**

10:15 AM – 11:15 AM **Overview of the Medical Review Process and the Official Disability Guidelines**

— *Robert F. Josey*

- Fee Disputes
- Necessity Disputes
- ODG

11:15 AM – 12:00 PM **Legislative Update – Bills Passed by Texas Legislature and DWC Rules Implementing the Legislation**

— *John D. Pringle*

- Legislation Enacted by the 80th Texas Legislature
- DWC Adopted Rules
- DWC Proposed Rules

12:00 PM – 1:00 PM **Lunch (On Your Own)**

1:00 PM – 2:00 PM **Networks – How the Employer Should Select the Best Quality Network and the Benefits They Should Bring to Them**

— *Ramona St. George*

2:00 PM – 2:45 PM **The 10 Commandments of Good Faith Claims Handling**

— *Catherine L. Hanna*

- Overview of Bad Faith
 - Evolving Duty of Good Faith and Fair Dealing in Texas
 - Statutory Duties
 - Specific Bad Faith Cases Involving Workers' Compensation Insurance
- Claims Handling Tips
 - Common-Law and Statutory Duties to Insured Employees and Employers
 - Good Faith Claims Investigation
 - Good Faith Claims File Documentation

2:45 PM – 3:00 PM **Break**

3:00 PM – 4:30 PM **Claims, Defenses and Waiver**

— *Tommy W. Lueders II*

- Reporting an Injury
- Failure to File Notice of Injury
- Filing a Claim for Compensation
- Failure to File Claim for Compensation
- Notice of Injury to Carrier
- Waiver

Registration

Workers' Compensation Update Austin, Texas - March 28, 2008



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Employment Law From A to Z – The Top Five Employer FMLA Mistakes; Retaliation Claims: The Litigation Trap and How to Avoid It; Important Texas State Law Claims and How to Prevent Them; The Americans With Disabilities Act; Hidden Employment Law Issues HR Professionals Need to Be Aware of; Ready, Aim, Fire: How to Properly Conduct Workplace Investigations.

Item: 373977 CD and Manual ___@ \$139 Manual ___@ \$69 E-Manual ___@ \$69

Human Resource Fundamentals – Managing the Employee: From Hiring to Termination; The FMLA, ADA, TCHRA, USERRA, TJRA, § 451: Decoding the Alphabet Soup of Employee Leave; Employers' Obligations Under USERRA; Issues Arising From the Use of Contingent Workers; Electronic Issues in the Workplace.

Item: 376833 CD and Manual ___@ \$279 Manual ___@ \$129 E-Manual ___@ \$129

The New Texas Franchise (Margin) Tax – Computing and Reporting the Tax; Cost of Goods Sold Deduction; Compensation Deduction; Combined Reporting Industry Preferences and Examples; Margin Tax Audits and Controversies.

Item: 376202 CD and Manual ___@ \$149 Manual ___@ \$69 E-Manual ___@ \$69

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Shipping & Handling (excludes e-manuals)	\$ _____
(\$7.00 first item, \$1.00 each additional)	
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TOTAL	\$ _____

Our Distinguished Faculty

Michael J. Donovan is a partner in the Austin law firm of Burns Anderson Jury & Brenner, L.L.P., where he practices in the areas of workers' compensation and personal injury. He received his B.A. degree from The University of Texas at Austin and his J.D. degree from Texas Tech University. Mr. Donovan is a member of the Travis County Bar Association, the State Bar of Texas, the Defense Research Institute and the Texas Association of Defense Counsel. He is board certified in personal injury trial law and workers' compensation law by the Texas Board of Legal Specialization and in civil trial law by the National Board of Trial Advocacy.

Catherine L. Hanna is a partner with Hanna & Plaut, L.L.P., in Austin. Her practice focuses on direct representation of insurance carriers and adjusters in connection with coverage and first-party bad faith actions, including workers' compensation bad faith. Ms. Hanna believes that a carrier's best defense against bad faith lawsuits is proper training of adjusters, so she is happy to provide frequent education and training seminars for her clients. She graduated from Texas Tech University and Stanford Law School. She is admitted to practice in all Texas state courts as well as the U.S. District Court for all districts in Texas and the U.S. Court of Appeals for the 5th Circuit. Ms. Hanna is also admitted to practice in the state of California. She is a member of the State Bar of Texas (Insurance Section), the American Bar Association, the Austin Bar Association, the Travis County Women Lawyers Association, the Defense Research Institute and the Texas Association of Defense Counsel.

Robert F. Josey is a partner with Hanna & Plaut, L.L.P., in Austin. He graduated from Baylor University with degrees in English and journalism, and he obtained his law degree from The University of Texas. Mr. Josey's practice focuses primarily on insurance defense litigation, insurance coverage and workers' compensation matters. He regularly represents carriers and self-insured political entities before the State Office of Administrative Hearings, in benefit review and contested case hearings at local field offices, and in district and appellate courts in Texas.

Tommy W. Lueders II is with Stone Loughlin & Swanson, LLP, which practices administrative law with an emphasis on workers' compensation defense. Stone Loughlin & Swanson, LLP, is the only law firm in Texas selected to be a member of the National Workers' Compensation Defense

Network. Mr. Lueders received a B.A. degree, magna cum laude, from Austin College in Sherman, Texas, and a J.D. degree from Texas Tech School of Law. He can be reached at tlueders@slsAustin.com.

John D. Pringle, with Pringle & Gallagher, L.L.P., has focused on the field of administrative law for 16 years. He is board certified in administrative law by the Texas Board of Legal Specialization. Mr. Pringle has extensive experience handling workers' compensation claims before the former Texas Industrial Accident Board and former Texas Workers' Compensation Commission, now Texas Department of Insurance, Division of Workers' Compensation. He has represented insurance carriers in prehearing conferences, benefit review conferences, contested case hearings, reviews to the Appeals Panel, medical disputes and administrative violation cases, as well as before the state district courts, state courts of appeals and the Texas Supreme Court. Mr. Pringle graduated from The University of Texas, where he majored in history. He graduated from the Bates College of Law at the University of Houston. He is a member of the Administrative Law Section of the Travis County Bar Association, the Administrative Law Section of the State Bar of Texas, The College of the State Bar of Texas, the Texas Bar Foundation (life fellow) and the Federal Bar Association, among others.

Ramona St. George has served as president of Oregon Health Systems, Inc., since the formation of the company in 1991. She is also president and CEO of Montana Health Systems, Inc., a sister corporation providing workers' compensation managed care services in Montana; Majoris Health Systems, a certified workers' compensation HCN and URA in Texas; and OMNI Health Systems, Inc., providing services in Alaska, Hawaii, Washington and Wyoming. Ms. St. George came to managed care from a career in risk management in manufacturing settings, where she was responsible for developing innovative medical and disability management solutions from the employer perspective. She has served on numerous task forces and advisory committees related to workers' compensation and managed care issues, including serving on the Oregon's Management-Labor Advisory Committee and several administrative rule and process improvement committees for the Oregon Workers' Compensation Division. Ms. St. George is active in legislative and regulatory affairs in all states in which the company operates.

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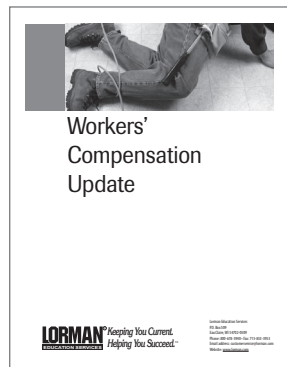
Seminar Highlights

Concerned about how workers' compensation law is changing – and how your practices may be impacted?

From interpreting recent legislation to winning a contested case hearing, failing to stay on top of current issues related to workers' compensation law is risky. This seminar will provide a solid understanding of the underlying principles of the workers' compensation laws while delving into more advanced and technical areas of the law, such as understanding permanent and total disability, investigating a claim and defending against unwarranted claims. Walk away with the skills and techniques to guard against workers' compensation related costs and risks. Enhance your understanding of common law and the medical review process in Texas. Build skills and learn techniques you can use immediately in the complex world of workers' compensation law.

Benefits for You

- Evaluate an injured worker's disability without hesitation
- Get a handle on the medical review process in Texas
- Decipher House and Senate bills that affect workers' compensation
- Learn the 10 commandments of good faith claims handling
- Understand the intricacies of case preparation and hearings



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IACET Learning Objectives

- The attendee will be able to:
- review the medical review process
 - identify bills filed to date affecting workers' compensation in Texas
 - discuss the 10 commandments of good faith claims handling

This course may qualify for 0.60 points for certified safety professionals.

This program has been approved for 6.00 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage at www.hrci.org.



This seminar has been reviewed and approved for inclusion in the Human Resource Professional Development™ Certificate Program and qualifies for 1.0 credit. Each seminar that qualifies for credit toward the HRPD Certificate has

been approved by an advisory board made up of leading law firms in the employment industry. The law firms residing on the advisory board are Jackson Lewis LLP, Littler Mendelson and Epstein Becker & Green, P.C. Please visit www.lorman.com/certification/hrpd for more information.

This program has been approved by the Texas Department of Insurance Continuing Education for 6.0 continuing education hours in the General category.

This seminar qualifies for 7.0 PACE credit hours for CLU, RHU, REBC, CLF and ChFC.



AUSTIN, TEXAS MARCH 28, 2008

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