

20th Annual Workers' Compensation Law Conference 2019

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 *20th Annual Workers' Compensation Law Conference 2019*. This day-long *Conference* features experienced practitioners in the workers' compensation field who, together with judges from the Department of Industrial Accidents, provide practitioners 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 effective compliance with 452 CMR, updates on burden of proof and production, benefit enhancers, and successful case studies in the D.I.A. Opioid Diversion Program. This year, our featured address takes an historic look at the workers' compensation system and the Massachusetts Industrial Accident Board. This year's featured discussion, *Fifty Tips in Fifty Minutes*, brings you five veteran attorneys and judges who share fifty quick tips and valuable insights 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!

Agenda & Faculty

- 9:00am-9:15am** **Welcome and Introduction**
Joseph F. Agnelli, Jr., Esq., *Agnelli Law Offices, PC, Worcester*, Chair
- 9:15am-10:30am** **Recent Case Law and Legislative Update 2019**
Laura E. Caron, Esq., *St. Pierre Law, PC, Newburyport*
Robert S. Martin, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*
- 10:30am-10:45am** **Networking and Refreshment Break**
- 10:45am-11:30am** **Featured Address: A Trip Down Memory Lane—An Historical Look at the Workers' Compensation System and the Massachusetts Industrial Accident Board**
Joseph F. Agnelli, Jr., Esq., *Agnelli Law Offices, PC, Worcester*
Alan S. Pierce, Esq., *Pierce, Pierce & Napolitano, Salem*
- 11:30am-12:30pm** **Featured Discussion: Fifty Tips in Fifty Minutes**
Joseph J. Durant, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*, Moderator
Hon. Dennis M. Maher, *Department of Industrial Accidents, Commonwealth of Massachusetts*
Judith B. Gray, Esq., *Keche Law Group, PC, Taunton*
Deborah G. Kohl, Esq., *Law Offices of Deborah G. Kohl, Fall River*
Thomas P. O'Reilly, Esq., *Curtin, Murphy & O'Reilly, PC, Boston*
Tamara L. Ricciardone, Esq., *Smith Duggan Buell & Rufo LLP, Lincoln*

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Dates & Locations

BOSTON

Friday, November 22, 2019
9:00 am–5:00 pm

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2200002P01

LIVE WEBCAST

Friday, November 22, 2019
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2200002WBC

RECORDED WEBCAST ☒

Friday, December 6, 2019
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2200002RBC

Tuition *(includes written materials)*

- \$295
- \$265.50 MCLE Sponsor Members
- \$221.25 New Lawyers admitted to law practice after 2016, Pending Admittees, Law Students, and Paralegals

Materials

The materials for this program include MCLE's *Massachusetts Workers' Compensation Law Sourcebook & Citator 2020*, which can be viewed or downloaded via the link emailed to you. Attend in person to get a print copy.

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

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, December 6

- \$165
- \$148.50 MCLE Sponsor Members
- \$123.75 New Lawyers admitted after 2016

Earn up to 6.5 CLE credits

- 12:30pm-1:30pm** **Lunch Break (on your own)**
- 1:30pm-1:45pm** **D.I.A. Update 2019**
 Hon. Omar Hernández, *Senior Administrative Judge, Department of Industrial Accidents, Commonwealth of Massachusetts*
- 1:45pm-3:15pm** **Breakout Session I (choose one)**
- Effective Compliance with 452 CMR**
- Understanding the requirements in filing claims
 - Nuances
 - Recent case law and rulings
 - View from the Bench
 James E. Ramsey, Esq., *Ramsey Law Offices, PC, Worcester*, Moderator
 Hon. Ann M. McNamara, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Alicia M. DelSignore, Esq., *Loughran & Corbett, Watertown*
 W. Todd Huston, Esq., *Huston Law Office, Worcester*
 Susan G. McDonald., Esq., *Pierce, Pierce & Napolitano, Salem*
 Justin P. Starr, Esq., *Morrison Mahoney LLP, Boston*
- Updates on Burden of Proof and Production**
- Proving and defending Section 1 (7A) issues
 - Recent cases
 - Submitting proper evidence/medical records
 - Section 41 defenses
 - Judges' perspective
 Hon. Catherine Watson Koziol, *Department of Industrial Accidents, Commonwealth of Massachusetts*, Moderator
 Hon. Sabina T. Herlihy, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Joseph F. Agnelli III, Esq., *Agnelli Law Offices, PC, Worcester*
 Monique M. Chiacchia, Esq., *Travelers, Providence, RI*
 David Maille, Esq., *Eden Rafferty, Worcester*
 Anne Marie Paglia, Esq., *CFP Law Group, Boston*
- 3:15pm-3:30pm** **Networking and Refreshment Break**
- 3:30pm-5:00pm** **Breakout Session II (choose one)**
- Benefit Enhancers**
- Section 35B issues
 - Proving Section 51 claims
 - Section 51A
 - Average weekly wage—concurrent employment
 - COLA benefits
 - Section 8
 - Interplay with other outside benefits
 - View from the Bench
 Hon. Roger S. Lewenberg, *Department of Industrial Accidents, Commonwealth of Massachusetts (Ret.)*, Moderator
 Hon. Martin J. Long, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Daniel E. Blakesley, Esq., *Pellegrini, Seeley, Ryan & Blakesley, PC, Springfield*
 Bernard J. Mulholland, Esq., *Ford, Mulholland & Moran, PC, Brockton*
 Martin B. Schneider, Esq., *Law Offices of Martin B. Schneider, PC, Salem*
- DIA Opioid Diversion Program—Successful Case Studies**
- Identifying and convincing the potential candidate
 - Proper protocol
 - Contact with the D.I.A.
 - Ethical and privacy concerns
 - Judges' view
 Hon. Omar Hernández, *Senior Administrative Judge, Department of Industrial Accidents, Commonwealth of Massachusetts*, Moderator
 Hon. John J. Barrett III, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Hon. Lauren M. Bergheimer, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Hon. Steven D. Rose, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Courtney J. Pidani, Esq., *Mullen & McGourty, PC, Boston*
- 5:00pm-5:30pm** **Networking Reception for Faculty and Registrants**