



# **Chapter Session Idea Book**

*Presented: November 30, 2017*

*Prepared by: PARMA Education Committee*

## Education Committee

- Chuck Pode, County of Ventura
- Paul Zeglovitch, Cal. JPIA
- Debbie Yokota, Special District Risk Management Authority
- Heather Davidson, North Bay Schools Insurance Authority

## PARMA Chapter Session Guide

This Guide provides educational sessions that may be of interest for local chapters to present at your chapter meetings. This Guide contains sessions that were submitted for consideration for the 2018 annual PARMA conference, scheduled to take place in Monterey. While the sessions were not selected for the annual conference, they may be of interest at the local level.

Session instructors and organizers have expressed a willingness to present the session at local chapter meetings, subject to availability of the speakers. Note that there are geographic limitations for several of the sessions, given the locale of the instructors. Some of the sessions, especially those available Statewide, may be presented by local instructors, other than those identified on the session descriptions found on the following pages.

Please contact the indicated session organizer directly to check on availability and to coordinate the session logistics. The contacts are listed below, and email and phone number information on the session description on the following pages.

Each of the following sessions are available for Continuation Education (CE) credits (not MCLE for attorneys). To obtain CE credits, once the session is scheduled, email [Chuck.Pode@Ventura.Org](mailto:Chuck.Pode@Ventura.Org) with the session identification, date and location. A roster of attendance will be returned, and following the session, return the completed roster to the same email address.

The February Annual Conference is right around the corner. If you have some thoughts on future sessions and speakers, start jotting down those thoughts. The Call for Sessions for the 2019 Conference will be coming out in the early part of 2018.

We on the Education Committee hope you find this guide helpful in planning your 2018 local chapter meetings. The Education Committee, and other PARMA committees need your help and would love to benefit from your experience. If you would like to get involved, please contact any of your PARMA Board Members or Gloria Peterson; contact information can be found on the PARMA website.

SESSION	CONTACT	LOCAL CHAPTER AVAILABILITY (X)					
		Sacramento	Bay Area	Central Valley	Gold Coast	So. Cal.	San Diego / Imperial Valley
17- - Tools and Tactics for Successfully Mediating Injury and Employment Cases	Carl Fessenden	X	X				
25- - Public Entity Liability under Title II of the Americans with Disabilities Act	Rachelle Taylor Golden	X	X	X	X	X	X
26 - Molestation Litigation	Stephen M. Harber				X	X	
27 - Gimme Shelter: The Homeless Dilemma for Cities	Kimberly Chin	X	X	X			
34 - Social Media Investigations - The Digital Underworld	Eric Miller	X	X	X	X	X	X
35 - Title IX - Athletics and Beyond	Maureen Houska (speaker)				X		
38 - Don't Get Out 'Smarted' by Emerging Technology Pilot Projects	Courtney Ramirez				X	X	X
61 - Leveraging Technology to Optimize Injury Prevention, Employee Health, and Satisfaction in Public Agencies - A Theoretical Model	Bob Patterson	X	X	X	X	X	X
65 - The Essentials of Psych Reports and Cross-Examination Psych Doctors	Dr. Ron Heredia	X	X	X	X	X	X
67 - Reducing the Risk of Costly Discrimination Claims - Recommendations for Employer Best Practices	Christina Bardelli	X	X	X	X	X	X
68 - HR Compliance is Complicated - 2017 Update Includes New Legislation, Cases and Key Trends Impacting the Workplace	Christina Bardelli	X	X	X	X	X	X
69 - Work Related Injuries and Post Accident Drug Testing - The Latest Developments in Light of New Legislation	Christina Bardelli	X	X	X	X	X	X
70 - Workers' Compensation and the Education Code	Megan Lucchesi			X			

72 - Formulary: The New Law, Effects and Trends	Martin Law Group	X	X	X	X	X	X
77 - Doctor Cross Examination: Presumptions, Pitfalls and Game Plans	Martin Law Group	X	X	X	X	X	X
79 - Alternatives for Considering Medicare's Interests in Settling Liability and WC Claims	Robert Sagrillo	X	X	X	X	X	X

## Proposed Title: Tools and Tactics for Successfully Mediating Injury and Employment Cases

<b>Session ID:</b>	17
<b>Session Focus:</b>	Liability
<b>Proposed Level:</b>	Advanced
<b>Time Desired:</b>	1 hour 30 minutes
<b>By the end of this Session participants will be able to:</b> . . . better prepare for and participate in mediation. The session will provide tools and strategies for: 1) deciding when to mediate and selection of the mediator; 2) how best to prepare; 3) the actual mediation session, including how to maximize your chances for success.	
<b>Session Summary:</b> Mediation is a dynamic process that involves numerous, often competing, interests. Ultimately, the goal of any mediation is reaching a settlement that best serves the interests of the party. This session will walk through how public entities can reach that goal, with a focus on identifying, understanding, and addressing the various persons with an interest in the outcome. The session will stress the importance of a team approach and putting together the key players to maximize the chances for resolution. The session will be presented by a panel of professionals with substantial experience in mediation.	
<b>Proposed Speakers:</b> Carl Fessenden <b>Contact:</b> Carl Fessenden, Porter Scott, (916) 929-1481, cfessenden@porterscott.com	
 <b>2<sup>nd</sup> Speaker:</b> Noah Schwartz <b>Contact:</b> Noah Schwartz, Ringler Associates, (916) 649-7585, nschwartz@ringlerassociates.com	
 <b>3<sup>rd</sup> Speaker:</b> Doug Taylor <b>Contact:</b> Doug Taylor, CSAC-EIA, (916) 850-7300, dtaylor@csac-eia.org	
 <b>Proposed 1<sup>st</sup> Speaker Bio:</b> Carl has been an attorney for 25 years. He is a partner at the Law Firm of Porter Scott, focusing on representing public entites	
 <b>Suggested Moderator:</b>	
 <b>Has this Session been presented recently?:</b> No	
 <b>Details:</b>	
 <b>Would you like this session to be included in either the Novice or Leadership Track?</b> No	
 <b>Would you be interested in teaching a 101 class in one of the following areas?</b>	
 <b>Session Submitted By:</b> Carl Fessenden	
 <b>Contact:</b> Porter Scott, cfessenden@porterscott.com	

## Proposed Title: Public Entity Liability Under Title II of the Americans with Disabilities Act

<b>Session ID:</b>	25
<b>Session Focus:</b>	Liability
<b>Proposed Level:</b>	Advanced
<b>Time Desired:</b>	2 hours
<p><b>By the end of this Session participants will be able to:</b> 1) Differentiate between a public entity's obligations under Title II of the ADA; 2) Identify areas that are vulnerable to ADA litigation; 3) Understand a public entity's obligation under the ADA when it comes to leasing a building and/or leasing out a building; and 4) Understand the difference between "dangerous conditions" of public property and ADA requirements.</p>	
<p><b>Session Summary:</b> Often times when a public entity undertakes effort to eliminate dangerous conditions, they do not understand that the ADA has stricter requirements (i.e. sidewalk uplifts 3/4-inch or higher (dangerous condition) vs. 1/4-inch or higher (ADA).) This presentation will educate entities on how sometimes the two can overlap, and will also give a glimpse into the current legislative climate to assist entities in identifying what their obligations are under the ADA. This presentation will also give insight into the grey area that can exist when a public entity owns a building and leases it to a private business, and when a public entity leases a building from a private entity. Practical examples will be provided for the audience, so that an open interaction can occur.</p>	
<p><b>Proposed Speakers:</b> David Overstreet, IV and Rachelle Taylor Golden</p> <p><b>Contact:</b> David M. Overstreet, IV; dmo@oa-law.net  OVERSTREET &amp; ASSOCIATES  1300 E. Shaw Avenue, Suite 125  Fresno, CA 93710  (559) 221-2771</p> <p><b>2<sup>nd</sup> Speaker:</b> Rachelle Taylor Golden  <b>Contact:</b> Rachelle Taylor Golden; rtg@oa-law.net  OVERSTREET &amp; ASSOCIATES  1300 E. Shaw Avenue, Suite 125  Fresno, CA 93710  (559) 221-2771</p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p>	
<p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Mr. David Overstreet, was admitted to practice in 1981. He graduated from California State University, Fresno, and earned the Juris Doctorate from San Joaquin College of Law, and is the founder of Overstreet &amp; Associates. Mr. Overstreet's practices are focused upon civil litigation, concentrating upon public entity defense, civil rights and foster care defense, insurance litigation, including casualty insurance defense, and business litigation.</p>	
<p><b>Suggested Moderator:</b></p>	
<p><b>Has this Session been presented recently?:</b> No</p>	
<p><b>Details:</b></p>	
<p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Leadership</p>	
<p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> No - Development/Leadership</p>	
<p><b>Session Submitted By:</b> Rachelle Taylor Golden</p>	
<p><b>Contact:</b> Overstreet &amp; Associates, rtg@oa-law.net</p>	

## Proposed Title: Molestation Litigation

<b>Session ID:</b>	26
<b>Session Focus:</b>	Liability
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour 15 minutes
<b>By the end of this Session participants will be able to:</b> identify red flags indicating possible instances of molestation, determine best practices to prevent molestation and identify issues in litigation including claims statute defense and notice.	
<b>Session Summary:</b> We will discuss prevention techniques and mandated reporting and training, issues involving investigations of allegations and litigating a molestation case.	
<b>Proposed Speakers:</b> Stephen M. Harber <b>Contact:</b> McCune & Harber, LLP 515 S. Figueroa Street, Suite 1100 Los Angeles, CA 213-689-2500 sharber@mccuneharber.com	
<b>2<sup>nd</sup> Speaker:</b> <b>Contact:</b>	
<b>3<sup>rd</sup> Speaker:</b> <b>Contact:</b>	
<b>Proposed 1<sup>st</sup> Speaker Bio:</b> Steve Harber is a founding member and partner of McCune & Harber,LLP and specialized in civil trials on behalf of public and private entities. He has tried cases to conclusion in diverse areas such as premises liability, employment discrimination, dangerous condition of public property, and products liability. He has a number of published decisions related to public entity liability. He has volunteered as a mediator and judge pro tem and has given seminars in his specialty areas across the county. When not litigating Steve served on the board of various charities.	
<b>Suggested Moderator:</b>	
<b>Has this Session been presented recently?:</b> No	
<b>Details:</b>	
<b>Would you like this session to be included in either the Novice or Leadership Track?</b> No	
<b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional	
<b>Session Submitted By:</b> Stephen M. Harber	
<b>Contact:</b> McCune & Harber, LLP, sharber@mccuneharber.com	

## Proposed Title: Gimme Shelter: The Homeless Dilemma for Cities

<b>Session ID:</b>	27
<b>Session Focus:</b>	Liability
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour 15 minutes

**By the end of this Session participants will be able to:** Identify the constitutional concerns relating to ordinances that affect the homeless

Implement risk management approaches to avoid potential constitutional challenges to existing ordinances or City efforts;  
Learn practical defense strategies in order to effectively and efficiently resolve lawsuits

**Session Summary:** Homelessness continues to be a growing challenge to public entities in California. From 2015-2016, California experienced an absolute increase of 2.1% in its homeless population, one of the largest in the nation. In 2016, nearly half of the unsheltered people in the United States were in California. Despite these statistics, many cities and municipalities have few resources to accommodate the increasing number of homeless individuals within their jurisdictions. However, public entities attempting to address issues through local ordinances and enforcement may find themselves in hot constitutional water as local and federal courts continue to scrutinize City ordinances and efforts. This seminar will provide an in-depth view of the law in regards to various constitutional concerns relating to the homeless, including camping ordinances and personal property rights; provide risk management advice in order to avoid a potential constitutional challenge to existing ordinances; and offer defense strategies when faced with such lawsuits.

**Proposed Speakers:** Kimberly Y. Chin

**Contact:** Kimberly Y. Chin

Allen Glaessner Hazelwood & Werth LLP  
180 Montgomery Street, Suite 1200  
San Francisco, CA 94104  
(415) 697-2000  
kchin@aghwlaw.com

**2<sup>nd</sup> Speaker:** Mark F. Hazelwood

**Contact:** Mark F. Hazelwood

Allen Glaessner Hazelwood & Werth LLP  
180 Montgomery Street, Suite 1200  
San Francisco, CA 94104  
(415) 697-2000  
mhazelwood@aghwlaw.com

**3<sup>rd</sup> Speaker:** Joe Kriskovich

**Contact:** Joe Kriskovich

City of Manteca  
302 Cherry Ln., Suite #107  
Manteca, CA 95337  
(209) 456-8700  
jkriskovich@ci.manteca.ca.us

**Proposed 1<sup>st</sup> Speaker Bio:** Kimberly Y. Chin's practice focuses on public entities defense. She is admitted to practice in California as well as in the United States District Court for the Northern and Central District of California. Ms. Chin is a graduate of Boston College Law School and Wellesley College.

**Suggested Moderator:**

**Has this Session been presented recently?:** No

**Details:**

**Would you like this session to be included in either the Novice or Leadership Track?** Yes - Leadership

**Would you be interested in teaching a 101 class in one of the following areas?**



**Session Submitted By:** Kimberly Y. Chin

**Contact:** Allen Glaessner Hazelwood & Werth LLP, kchin@aghwlaw.com

## Proposed Title: Social Media Investigations- The Digital Underworld

<b>Session ID:</b>	34
<b>Session Focus:</b>	Risk Management
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour 15 minutes
<b>By the end of this Session participants will be able to:</b> By the end of this session, participants will be able to understand the intricacies of an online investigation. They will understand privacy settings and the legal ramifications. They will also learn how to best use this information to help mitigate their exposure on a claim. Lastly, this will give attendees the information they will need to conduct a preliminary investigation by themselves.	
<b>Session Summary:</b> This training is best for risk managers, attorneys, claims handlers, and human resource directors. This is an interactive presentation with a lot of audience participation. I use case studies to show how realistic our investigations are as well as may pictures and statistics to validate those claims. I use case law when applicable, along with guidelines of legal and illegal means of obtaining information.	
<p><b>Proposed Speakers:</b> Eric Miller  <b>Contact:</b> APEX Investigations          2424 K Street          Sacramento, CA 95816          emiller@apexpi.com          707.365.2499</p> <p><b>2<sup>nd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b></p> <p><b>Suggested Moderator:</b></p> <p><b>Has this Session been presented recently?:</b> Yes</p> <p><b>Details:</b> Association of Defense Counsel of Northern California          AWCP Legal Mini-Conference</p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Leadership</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional</p> <p><b>Session Submitted By:</b> Eric Miller</p> <p><b>Contact:</b> APEX Investigation, emiller@apexpi.com</p>	

## Proposed Title: "Title IX – Athletics and Beyond"

<b>Session ID:</b>	35
<b>Session Focus:</b>	Risk Management
<b>Proposed Level:</b>	Beginner
<b>Time Desired:</b>	1 hour 30 minutes

**By the end of this Session participants will be able to:** Identify areas of their organization which are ripe for Title IX Claims including athletics, pregnant and parenting students, and employment. Understand their duties and obligations in complying with Title IX; create a plan of action for implementing compliance with Title IX. Learn to effectively respond to, and defend against, Title IX Complaints.

**Session Summary:** Entities that receive federal funding are still facing litigation involving Title IX compliance more than forty years after the federal law was enacted. However in recent years, K-12 School Districts and Parks and Recreation Departments that receive federal financial assistance have become the new target of plaintiffs' attorneys. In this informative seminar, using case law and other real-life examples, along with visual aids and written materials, defense attorney Maureen Houska will help entities that receive federal financial assistance examine the scope of Title IX; the entity's responsibility for preventing and responding to Title IX complaints involving unequal access to educational programs, sexual harassment and violence, and discrimination and retaliation; and the methods for defending against such Complaints when they occur.

**Proposed Speakers:** Maureen Houska, Esq.

**Contact:** Woo | Houska LLP  
5700 Ralston Street, Suite 311  
Ventura, CA 93003  
(805) 658-6300  
mhouska@woohouska.com

**Proposed 1<sup>st</sup> Speaker Bio:** Maureen Houska is a founding partner of Woo | Houska LLP in Ventura, California. She represents public entities and employees in the defense of a wide range of matters, at both the federal and state levels, including employment, personal injury, discrimination and sexual harassment, dangerous conditions of public property, and constitutional law. In addition, she is frequently called upon to investigate and assess potential claims and to counsel clients regarding pre-litigation strategy before a Government or FEHA/EEOC claim is ever filed.

Ms. Houska's extensive experience allows her to evaluate complex legal issues and to plan effective case strategies so that she can aggressively defend clients through trial and, if necessary, on appeal. In the course of her defense of these cases, she works closely with clients to develop effective tactics to avoid potential future liability. Preparation, determination and hard work are the keystones of her success.

Ms. Houska has been called upon to give presentations on a number of subjects affecting public entities, including the broad topics of employment law and compliance with Title IX, and the more narrow topics of government claims, issues involving transgender students and employees, and the effective defense of the PMQ deposition.

Ms. Houska obtained her undergraduate degree in Finance from the University of Notre Dame in 1983 and her Juris Doctor degree from Loyola Law School in 1990. She is a member of the Ventura County Bar Association, the Ventura Chamber of Commerce and the Jerome H. Berenson American Inn of Court.

**Suggested Moderator:** Leonardo Selvaggi

**Has this Session been presented recently?:** No

**Details:**

**Would you like this session to be included in either the Novice or Leadership Track?** Yes - Novice

**Would you be interested in teaching a 101 class in one of the following areas?**

**Session Submitted By:** Leonardo Selvaggi, CPCU, ARM, AIC, AIS

**Contact:** County of Ventura, leonardo.selvaggi@ventura.org

## Proposed Title: Don't Get Out "Smarted" by Emerging Technology Pilot Projects

<b>Session ID:</b>	38
<b>Session Focus:</b>	Risk Management
<b>Proposed Level:</b>	General Interest
<b>Time Desired:</b>	1 hour 30 minutes

**By the end of this Session participants will be able to:**

- Better understand potential risks with technology pilot projects and the importance of developing risk mitigation solutions within a framework for safety to safely and effectively incorporate innovation into communities.

- Convey options to decision makers related to procurement and contractual issues that need to be considered when negotiating with vendors around the incorporation of new technologies into cities.
- Articulate strategies for ensuring the safe and successful implementation of disruptive technologies into local governments, including insurance considerations.
- Understand how to engage in effective public outreach and education around pilot projects focused on the incorporation of emerging technologies into cities, including on-demand mobility, automated vehicles and drones.

**Session Summary:** New innovation and technology that comes with "Smart Cities" offer unique chances for cities to better identify constituent needs, more effectively deliver services, and create new economic opportunities. However, there are a number of pitfalls that need to be avoided to help ensure the successful roll-out of cutting edge pilot projects around emerging technologies, including on-demand mobility, automated vehicles and drones.

Explained through the lens of municipal governance, panelists will also provide a summary of important policy and legal issues that need to be considered when implementing new smart city initiatives, including privacy, cybersecurity, information sharing, data management and analysis, and insurance. Further, the session will provide a best practices overview of the ways emerging technologies are being incorporated into local governments, and present meaningful analysis around the legal, regulatory and risk mitigation concerns associated with disruptive technologies, including consideration of the appropriate amount of insurance for pilot, testing or demonstration projects.

The presentation materials will include: (1) a valuable overview of legislation and regulation impacting emerging technologies, including ridesharing, commercial drones and automated vehicles; (2) incorporation of video clips to stimulate interest and discussion; and (3) practical guidance for ensuring the safe and successful implementation of disruptive technologies into local governments, including contractual and insurance considerations.

**Proposed Speakers:** Courtney Ramirez

**Contact:** Direct: (949) 660-8133

Email: cramirez@alliant.com

Alliant Insurance Services, Inc.

1301 Dove St. Ste. 200

Newport Beach, CA 92660

www.alliant.com

**2<sup>nd</sup> Speaker:** Gregory Rodriguez

**Contact:** Direct: (202) 370-5308

Email: greg.rodriguez@bbklaw.com

Best, Best and Krieger

2000 Pennsylvania NW, Ste. 5300

Washington, DC 20006

**3<sup>rd</sup> Speaker:**

**Contact:**

**Proposed 1<sup>st</sup> Speaker Bio:** Courtney joined the Alliant Insurance Services team in 2006. Her expertise is in the public entity sector with an emphasis in municipalities including local governments and states, pooled risks, education, healthcare, and transit. She has been heavily involved in the Alliant National Municipal Liability program, Healthcare Program, and the National Program created for Public Charter Schools. Courtney's public entity experience is vast, working with many clients on a national basis. Some of her clients include

the State of Montana and State of Texas, Anne Arundel County (MD), the Cities of Austin (TX), Sacramento (CA), Santa Ana (CA) and Oklahoma City (OK), and a number of Transit Agencies and Higher Education/University risks. Courtney enjoys educating others and is proficient in reading contracts and providing recommendations for insurance requirements to mitigate risk for her clients.

Prior to choosing Alliant, Courtney was a sales associate for a small personal lines insurance brokerage firm. During these several years, she gained valuable experience and was responsible for the production, marketing, and servicing of a sizeable book of individual policyholders.

Being versatile, Courtney served in varying roles within Alliant including the management and day-to-day servicing of a large book of healthcare, real estate, educational institutions, and public entities. In addition, Courtney took on the added responsibility of bringing in new business.

Courtney earned her Bachelor of Science degree in Business Management and Leadership from Wisconsin Lutheran College in Milwaukee, Wisconsin. Licensed by the California Department of Insurance as a Fire and Casualty Broker Agent, Courtney has completed many hours of continuing education. Courtney is licensed in multiple states nationwide as a non-resident as well. She earned her Certified Insurance Counselor (CIC) designation and Certified Insurance Services Representative (CISR) designation. She is currently completing coursework, the last of three courses, required for the Associate in Risk Management (ARM) designation.

When Courtney is not practicing her profession, she enjoys spending time with her husband and three young children and maintaining a healthy lifestyle. Additionally, Courtney takes time to volunteer at the elementary school that her children attend.

**Suggested Moderator:** Rob Kramer, President, Program Administration

**Has this Session been presented recently?:** No

**Details:**

**Would you like this session to be included in either the Novice or Leadership Track?** No

**Would you be interested in teaching a 101 class in one of the following areas?** No - Development/Leadership

**Session Submitted By:** Courtney Ramirez

**Contact:** Alliant Insurance Services, Inc., [cramirez@alliant.com](mailto:cramirez@alliant.com)

**Proposed Title:** “Leveraging Technology to Optimize Injury Prevention, Employee Health, and Satisfaction in Public Agencies – A theoretical model

<b>Session ID:</b>	61
<b>Session Focus:</b>	Safety
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour
<p><b>By the end of this Session participants will be able to:</b></p> <ol style="list-style-type: none"> <li>1. Understand the rationale of the use of technology in specific work settings,</li> <li>2. Understand why technological applications in injury risk reduction are effective when utilizing an “opt-in” approach,</li> <li>3. Identify key variables of measure that will optimize return on investment in injury prevention technology solutions, and</li> <li>4. Understand critical pathways to success when engaging a work force with risk reduction technologies.</li> <li>5. Understand the trajectory of the County of LA's program and how the program has impacted key performance indicators such as workers' compensation loss, engagement, and employee satisfaction.</li> </ol>	
<p><b>Session Summary:</b> The use of technology to document and benchmark Enterprise and other organizational levels of risk may not always address the fundamental aspects of employee engagement, behavioral change, and empowerment that may be necessary to drive order of magnitude reductions in health and safety risk. The County of Los Angeles has embarked on a journey to leverage technology as a primary training, risk assessment, risk reduction, and data management tool for office work environments. The goal of the County’s programs are to reduce the cost of ergonomic risk reduction by transitioning from a transactional intervention to one where health and safety risk is managed on a broader, enterprise base incorporating technology to comprehensively address risk. The desired effects of this transition are reduced cost of ergonomic risk management, reduced workers’ compensation experience and costs, enhanced employee productivity, and improved employee engagement/satisfaction. This session will review the results from the first 18 months of the program, follow through on reporting changes in lagging indicators such as workers' compensation loss as well as outline the fundamental premises of the County’s program and its goals for utilizing technology to drive further improvements in important loss and cost metrics now and into the future.</p>	
<p><b>Proposed Speakers:</b> Bob Patterson, MPT, CAE  <b>Contact:</b> bob.patterson@briotix.com</p> <p><b>2<sup>nd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Bio to follow. Photo to follow.</p> <p><b>Suggested Moderator:</b></p> <p><b>Has this Session been presented recently?:</b> No</p> <p><b>Details:</b> However, this is a follow up presentation. The preliminary data and program aspects were presented at this year's PARMA event. This presentation will echo some of what was presented there plus include program updates and results from lagging indicators</p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> No</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> No - Development/Leadership</p> <p><b>Session Submitted By:</b> Bob Patterson</p> <p><b>Contact:</b> Briotix, bob.patterson@briotix.com</p>	

## Proposed Title: The Essentials of Psych Reports and Cross-Examining Psych Doctors

<b>Session ID:</b>	65
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	General Interest
<b>Time Desired:</b>	1 hour 15 minutes
<p><b>By the end of this Session participants will be able to:</b> Key Learning Objectives</p> <ul style="list-style-type: none"> <li>• Learn helpful techniques about how to determine whether or not the doctor's data in their report warrants their conclusions</li> <li>• Understand some of the major flaws often found in the psych doctor's report</li> <li>• Apply practical strategies for effectively cross-examining a psych doctor</li> <li>• Identify a line of very specific and direct questioning that can be used to cross-examine the doctor that is designed to expose each and every flaw in their report</li> </ul>	
<p><b>Session Summary:</b> Psych claims have the potential to become quite costly for insurance companies and stressful to attorneys. Often, psych doctors who write treatment and evaluation reports do not provide substantial evidence to support their diagnoses. Claims examiners and defense attorneys can learn to nullify bad psych reports on cross-examination. Dr. Heredia will provide an in-depth understanding of the essentials of psych reports in medical-legal cases as well as the common flaws found in those reports. He will also discuss strategies that an attorney should use in taking a psych doctor's testimony by describing all of the substantial flaws in a psych report in jargon-free, non-technical language as well as a providing a list of questions and techniques that get those flaws on the record.</p>	
<p><b>Proposed Speakers:</b> Dr. Ron Heredia  <b>Contact:</b> ronhwetc@aol.com  310-444-3154</p> <p><b>2<sup>nd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Dr. Heredia is a Psychology Professor at East Los Angeles College where he teaches General Psychology, Lifespan Psychology, Chil</p> <p><b>Suggested Moderator:</b></p> <p><b>Has this Session been presented recently?:</b> Yes</p> <p><b>Details:</b> California Workers' Compensation Defense Attorney Association conference (CWCDAA)</p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Novice</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> No - Development/Leadership</p> <p><b>Session Submitted By:</b> Dr. Ron Heredia</p> <p><b>Contact:</b> Westwood Evaluation &amp; Treatment Center, ronhwetc@aol.com</p>	

## Proposed Title: Reducing the Risk of Costly Disability Discrimination Claims – Recommendations for Employer Best Practices

<b>Session ID:</b>	67
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	General Interest
<b>Time Desired:</b>	1 hour
<p><b>By the end of this Session participants will be able to:</b> Understand the employer's obligations to comply with FEHA regulations in regards to Workers' Compensation Claims.            Understand strategies to prevent Work Comp cases evolving into FEHA lawsuits.            Know what to do/what to expect if a Work Comp Case becomes a FEHA discrimination lawsuit.</p>	
<p><b>Session Summary:</b> "Reducing the Risk of Costly Disability Discrimination Claims – Recommendations for Employer Best Practices (Legislative and Case Law Update Included)"</p> <p>When an employee is injured, all California employers must comply with workers' compensation laws, and all employers with five or more employees must comply with the overlapping disability discrimination laws under the Fair Employment and Housing Act (FEHA), which are likely triggered when an employee sustains a work related injury. Failure to understand the employer's obligations under both sets of laws can turn a straightforward workers' compensation case into a FEHA lawsuit. And, the number of disability discrimination lawsuits filed in California continues to skyrocket. California employers must therefore understand their obligations under both workers' compensation law and the FEHA.</p> <p>Key Topics Will Include:</p> <ul style="list-style-type: none"> <li>•Case law and legislative update;</li> <li>•Strategies for preventing work comp cases from evolving into costly FEHA lawsuits;</li> <li>•Best practices for complying with FEHA in workers' compensation cases;</li> <li>•What to expect (and do) if a work case becomes a FEHA disability discrimination lawsuit;</li> <li>•What are an employer's interactive process obligations in work comp cases?</li> <li>•What accommodations are required?</li> <li>•Multiple medical opinions on restrictions-which one may an employer rely on?</li> </ul>	
<p><b>Proposed Speakers:</b> Bernadette M. O'Brien, Esq., SPHR, SHRM-SCP  <b>Contact:</b> Floyd, Skeren &amp; Kelly, LLP            (818) 854-3239 - Christina Bardelli (Events Coordinator)            Christina.bardelli@fsklaw.com</p> <p><b>2<sup>nd</sup> Speaker:</b> John B. Floyd, Esq.  <b>Contact:</b> Floyd, Skeren &amp; Kelly, LLP            (818) 854-3239 - Christina Bardelli (Events Coordinator)            Christina.bardelli@fsklaw.com</p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Bernadette M. O'Brien is a partner at Floyd, Skeren &amp; Kelly, LLP and an SPHR certified/SHRM-SCP Human Resources Executive. Ms</p> <p><b>Suggested Moderator:</b></p> <p><b>Has this Session been presented recently?:</b> Yes</p> <p><b>Details:</b> We present this at our conference every year and have also presented it for clients throughout the year</p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Novice</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional</p> <p><b>Session Submitted By:</b> Christina Bardelli</p> <p><b>Contact:</b> Floyd, Skeren &amp; Kelly, LLP, christina.bardelli@fsklaw.com</p>	



## Proposed Title: HR Compliance is Complicated – 2017 Update Includes New Legislation, Cases and Key Trends Impacting the Workplace

<b>Session ID:</b>	68
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour
<b>By the end of this Session participants will be able to:</b> understand background checks, fair pay act and drug testing policies.	
<p><b>Session Summary:</b> Key Topics Will Include:</p> <ul style="list-style-type: none"> <li>•Tips on the new I-9 Form;</li> <li>•Background checks (including Los Angeles “Ban the Box legislation”);</li> <li>•Pre-employment drug testing;</li> <li>•Fair Pay Act Expansion;</li> <li>•Minimum wage increases;</li> <li>•Update on Paid Sick Leave law;</li> <li>•Leaves of absences (FMLA/CFRA/PDL);</li> <li>•Challenges of extended leaves;</li> <li>•Managing the “always absent” employee;</li> <li>•Workplace romances;</li> <li>•Workplace drug testing policies;</li> <li>•Managing disability-interactive process, accommodation and medical certification;</li> <li>•Accommodation of pregnant employees;</li> <li>•Wellness programs;</li> <li>•Latest on Fiduciary Rule for Retirement Advisors;</li> <li>•A review of the “Top 5 HR Forms”;</li> <li>•Key cases and pending 2017 legislation.</li> </ul>	
<p><b>Proposed Speakers:</b> Bernadette O'Brien, Esq, SPHR, SHRM-SCP  <b>Contact:</b> (818) 854-3239 - Christina Bardelli (Events Coordinator)  Christina.bardelli@fsklaw.com</p> <p><b>2<sup>nd</sup> Speaker:</b> John B. Floyd, Esq.  <b>Contact:</b> (818) 854-3239 - Christina Bardelli (Events Coordinator)  Christina.bardelli@fsklaw.com</p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Bernadette M. O'Brien is a partner at Floyd, Skeren &amp; Kelly, LLP and an SPHR certified/SHRM-SCP Human Resources Executive</p> <p><b>Suggested Moderator:</b></p> <p><b>Has this Session been presented recently?:</b> Yes</p> <p><b>Details:</b> Presented at our conference and we present this topic to our clients throughout the year as well.</p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Leadership</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional</p> <p><b>Session Submitted By:</b> Christina Bardelli</p> <p><b>Contact:</b> Floyd, Skeren &amp; Kelly, LLP, christina.bardelli@fsklaw.com</p>	

## Proposed Title: Work Related Injuries and Post Accident Drug Testing—The Latest Developments in Light of New Legislation

<b>Session ID:</b>	69
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	Beginner
<b>Time Desired:</b>	1 hour
<b>By the end of this Session participants will be able to:</b> understand when post accident drug testing is appropriate, what Prop 64 means for employers and is an employer required to allow medicinal marijuana use during breaks.	
<b>Session Summary:</b> Key Topics Will Include:	
<ul style="list-style-type: none"> <li>• When is post accident drug testing appropriate?</li> <li>• Proposition 64- legalized marijuana in California- What does it mean for employers?</li> <li>• Overview of the “Control, Regulate and Tax Adult Use of Marijuana Act” (Prop 64);</li> <li>• Employer accommodation of “medicinal” marijuana use (i.e. smoking while on a break)—Is it required now?</li> <li>• Overview of California’s “Compassionate Use Act”;</li> <li>• Impact of the California’s Supreme Court’s decision in Ross v. Raging Wire;</li> <li>• Impact of the federal “Controlled Substances Act of 1970 (CSA)”;</li> <li>• What is a “Schedule 1” substance under the CSA and why it matters;</li> <li>• Post-accident drug testing and new OSHA regulations-the latest developments;</li> <li>• Tips on employer practices in light of Prop 64.</li> </ul>	
<b>Proposed Speakers:</b> Bernadette O'Brien, Esq, SPHR, SHRM-SCP	
<b>Contact:</b> (818) 854-3239 - Christina Bardelli (Events Coordinator) Christina.bardelli@fsklaw.com	
<b>2<sup>nd</sup> Speaker:</b> John B. Floyd, Esq.	
<b>Contact:</b> 818) 854-3239 - Christina Bardelli (Events Coordinator) Christina.bardelli@fsklaw.com	
<b>3<sup>rd</sup> Speaker:</b>	
<b>Contact:</b>	
<b>Proposed 1<sup>st</sup> Speaker Bio:</b> Bernadette M. O'Brien is a partner at Floyd, Skeren & Kelly, LLP and an SPHR certified/SHRM-SCP Human Resources Executive	
<b>Suggested Moderator:</b>	
<b>Has this Session been presented recently?:</b> Yes	
<b>Details:</b> Presented at our conference and we present this topic to our clients throughout the year as well.	
<b>Would you like this session to be included in either the Novice or Leadership Track?</b> Yes - Leadership	
<b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional	
<b>Session Submitted By:</b> Christina Bardelli	
<b>Contact:</b> Floyd, Skeren & Kelly, LLP, christina.bardelli@fsklaw.com	

## Proposed Title: Workers' Compensation and the Education Code

<b>Session ID:</b>	70
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour
<b>By the end of this Session participants will be able to:</b> Understand the interplay between the Education Code and the Labor Code in regards to workers' compensation claims. Adjusters will have a better understanding of the Education employer's obligation for leave of absence pay, return to work requirements and employee classifications.	
<b>Session Summary:</b> Presenters will provide power points, handouts, case opinions and real-world practical advice on the overlap between the Education and Labor Codes as it applies to workers compensation injuries. as well as how to incorporate them into your daily claims handling, including how to use, respond and cite case opinions to ensure legally informed claims handling, claims analysis and claims responses based on newest workers' compensation legal decisions in 2017	
<b>Proposed Speakers:</b> Megan Lucchesi <b>Contact:</b> Parker, Kern, Nard & Wenzel 7112 N Fresno St, Ste 300 Fresno, CA 93720 (559) 449-2558 megan@pknwlaw.com	
<b>2<sup>nd</sup> Speaker:</b> Brian Binkley <b>Contact:</b> Parker, Kern, Nard & Wenzel 7112 N Fresno St, Ste 300 Fresno, CA 93720 (559) 449-2558 bbinkley@pknwlaw.com	
<b>3<sup>rd</sup> Speaker:</b> <b>Contact:</b> 258 W Teague	
<b>Proposed 1<sup>st</sup> Speaker Bio:</b> Megan Lucchesi is a shareholder with Parker, Kern, Nard & Wenzel. Her practice focuses on general civil litigation and workers'	
<b>Suggested Moderator:</b>	
<b>Has this Session been presented recently?:</b> No	
<b>Details:</b>	
<b>Would you like this session to be included in either the Novice or Leadership Track?</b> No	
<b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional	
<b>Session Submitted By:</b> Megan Lucchesi	
<b>Contact:</b> Parker Kern Nard & Wenzel, megan@pknwlaw.com	

## Proposed Title: Formulary: The New Law, Effects and Trends

<b>Session ID:</b>	72
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	Advanced
<b>Time Desired:</b>	1 hour
<p><b>By the end of this Session participants will be able to:</b></p> <ol style="list-style-type: none"> <li>1. Understand the new legislative changes</li> <li>2. Be able to properly apply the regs and case law to claims management and litigation of files.</li> <li>3. Identify loop holes and potential cost issues</li> <li>4. Prepare strategies to avoid excessive costs</li> </ol>	
<p><b>Session Summary:</b></p> <ol style="list-style-type: none"> <li>1. Intro - history and background</li> <li>2. Summary of Law and Regulations</li> <li>2. Summary of case law</li> <li>3. Application of Regulations and Law</li> <li>4. Identification of Loop Costs or Potential Costs: Overlap with UR, Existing Drug Formulary, Chronic Issues, Long Term Prescription Use, MSA</li> <li>5. How to Avoid Increasing your Reserves</li> </ol>	
<p><b>Proposed Speakers:</b> Ellen Sims Langille, Esq. , Dr. Ray Meister  <b>Contact:</b> Department of Industrial Relations: Dr. Raymond Meister RMeister@dir.ca.gov          California Work Comp Institute: Ellen Langille (elangille@cwci.org)</p> <p><b>2<sup>nd</sup> Speaker:</b> Dr. Raymond Meister  <b>Contact:</b> Department of Industrial Relations: Dr. Raymond Meister RMeister@dir.ca.gov</p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Ellen Sims Langille, Esq. is General Counsel for the California Workers' Compensation Institute, a private non-profit research o</p> <p><b>Suggested Moderator:</b> Negar Matian</p> <p><b>Has this Session been presented recently?:</b> No</p> <p><b>Details:</b></p> <p><b>Would you like this session to be included in either the Novice or Leadership Track?</b> No</p> <p><b>Would you be interested in teaching a 101 class in one of the following areas?</b> Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional</p> <p><b>Session Submitted By:</b> Negar Matian Esq</p> <p><b>Contact:</b> Matian Law Group, nmatian@matianlaw.com</p>	

## Proposed Title: Doctor Cross Examinations: Presumptions, Pitfalls and Game Plans

<b>Session ID:</b>	77
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	Intermediate
<b>Time Desired:</b>	1 hour

**By the end of this Session participants will be able to:** 1.) Identify whether the presumptions is properly applied  
2.) Determine whether to depose the doctor or increase reserves  
3.) What issues to raise at the deposition  
4.) How to effectively cross-examine a doctor: what questions to ask, how to ask questions, what issues to raise and what issues to stay away from

**Session Summary:** Cross examinations of Doctors are the hardest things for lawyers to excel at. This is because Doctors are by far smarter than us and we can not beat them at their own game. The playing field becomes far more challenging when the issue in dispute is a safety presumption. This seminar will focus on how to massage a doctor in accepting a new conclusion by understanding the evidence used to support a medical conclusion and knowing when to walk away. The seminar will use a PowerPoint display.

**Proposed Speakers:** Negar Matian Esq.

**Contact:** Matian Law Group  
888-223-6529  
310-880-0108 (cell)  
nmatian@matianlaw.com

**2<sup>nd</sup> Speaker:** Robert Rassp Esq.

**Contact:** LAW OFFICE OF ROBERT G. RASSP  
5444 Fulton Avenue  
Sherman Oaks, CA 91401  
Phone: 818-988-2343

**Proposed 1<sup>st</sup> Speaker Bio:** Negar Matian, Esq. (Managing Partner) has extensive trial and courtroom experience in workers' compensation defense, particularly in litigation involving case-in-chief matters, section 132(a), S&W, and lien claims. Ms. Matian has represented the interests of self-insured employers, insurance companies and third party administrators such as Sedgwick CMS, York Risk Services Group, Gallagher Bassett, and Tristar Risk Management. Her accomplishments include victories against catastrophic cases with damages over 2.2 million dollars. In addition, Ms. Matian has litigated and prevailed on S&W death claims and extraordinary medical issues such as: head concussions, strokes, special death benefits, cancer and diabetes-related amputations.

Ms. Matian is very passionate about advocating reform and has lobbied in Sacramento on behalf of employers and insurance companies. In this respect, Ms. Matian has spearheaded a presentation circuit with physicians, PhDs, and the District Attorney's office, providing information on all facets of the work comp system including SB863, fraud, and medical issues. She continues to advance these efforts by keeping abreast of regulatory developments and case law and incorporating them in her presentations through her Workers' Comp educational circuit geared towards educating claims administrators with the most current applicable law. Ms. Matian is also an accomplished writer having published several legal abstracts and commentaries on Workers' Compensation issues such as: Apportionment, UR/IMR, HHC, Almaraz/Guzman, and ODG v. ACOEM.

**Suggested Moderator:** DeAnna Soria

**Has this Session been presented recently?:** No

**Details:**

**Would you like this session to be included in either the Novice or Leadership Track?** No

**Would you be interested in teaching a 101 class in one of the following areas?** Yes - Workers' Compensation, Risk Management, Safety, Insurance, Liability or Professional

**Session Submitted By:** Negar Matian

**Contact:** Matian Law Group, nmatian@matianlaw.com

## Proposed Title: Alternatives for Considering Medicare's Interests in Settling Liability and WC Claims

<b>Session ID:</b>	79
<b>Session Focus:</b>	Work Comp
<b>Proposed Level:</b>	General Interest
<b>Time Desired:</b>	1 hour
<p><b>By the end of this Session participants will be able to:</b> . Identify the various ways that Medicare’s interests may be given “reasonable consideration” in a liability or WC settlement.</p> <ol style="list-style-type: none"> <li>2. Examine the various factors that play a role in selecting the optimal MSA in any given settlement.</li> <li>3. Select the best option for considering Medicare’s interests in a particular settlement.</li> </ol>	
<p><b>Session Summary:</b> Medicare’s interests in a settlement may be given “reasonable consideration” in a variety of ways. Although the traditional CMS reviewed MSA is one option, there are several other equally appropriate MSAs that may be a better fit for the settlement. Claims professionals and attorneys should be aware of these alternative approaches to Medicare Secondary Payer compliance in order to select the optimal approach for their settlements.</p>	
<p><b>Proposed Speakers:</b> Robert Sagrillo  <b>Contact:</b> Robert L Sagrillo, JD, LLM  President and Chief Legal Officer  NuQuest - 866.858.7161  Cell: 303.909.1148  Fax: 303.825.0599  rsagrillo@mynuquest.com</p> <p><b>2<sup>nd</sup> Speaker:</b> Rasa Fumagalli  <b>Contact:</b> Rasa Fumagalli, JD, MSCC  Director of Compliance  NuQuest - 866.858.7161  Tel: 866.858.7161 ext. 4911  Cell: 303.552.6976  rfumagalli@mynuquest.com  mynuquest.com</p> <p><b>3<sup>rd</sup> Speaker:</b>  <b>Contact:</b></p> <p><b>Proposed 1<sup>st</sup> Speaker Bio:</b> Robert Sagrillo is a highly-respected professional in the Medicare set-aside arena and was one of the first Medicare set-aside advisors in the country. As an attorney and senior consultant for NuQuest, Mr. Sagrillo draws on his expertise in public benefits, trust and estate planning, and tax to advise his clients on the best and most cost-effective way to maximize benefits for claimants while minimizing the overall cost to and liability of insurance companies and employers. Many of the nation’s largest self-insured employers and workers’ compensation insurance carriers turn to Mr. Sagrillo regularly for consultation.</p> <p>Mr. Sagrillo is a recognized authority on Elder Law, receiving the National Elder Law Foundation’s Certified Elder Law Attorney (CELA) designation in 2006 and a founding member and former partner of the prestigious Denver-based law firm of Sagrillo Hammond Dineen &amp; Kastetter LLC. While practicing law, Mr. Sagrillo went before the Colorado Supreme Court and successfully challenged Medicaid policy in the case of <i>Stell v. Boulder County Department of Social Services and Colorado Department of Health Care Policy and Financing</i> (No. 03SC511).</p> <p>He is a recognized authority on a wide-range of subjects including estate planning and probate procedures, frequently lecturing before local, regional and national professional and legal organizations and authoring many publications on these issues. Outside of his professional work, Mr. Sagrillo is a dedicated volunteer who gives his time to help people with legal problems through the Colorado AIDS Project.</p>	

#### Professional Experience

President and Chief Legal Officer of NuQuest, 2015 – Present  
Executive Vice President, Allocation Services, Inc. – 2010 to 2015, President and Founding Member, Protocols LLC – 2001 to 2010  
Founding Member/Partner, Sagrillo Kohnlein LLC – 2007 to 2010 Member, Sagrillo Hammond Dineen & Kastetter LLC – 1997 to 2007  
Associate, Law Offices of Susan G. Haines, P.C. – 1995 to 1997 Associate, Timothy R. Buchanan, P.C. – 1993 to 1995  
Tax Research Assistant, Mark Vogel-University of Denver College of Law and Daniels College of Business – 1992 to 1993

#### Education

Mediation Training, CDR and Associates, 2004  
Master of Laws in Taxation, University of Denver College of Law and Daniels College of Business, 1993-1997  
Certificate of International Law in Trade and Business, University of San Diego, 1990  
Juris Doctor, University of Denver College of Law, 1989-1992  
Bachelor of Arts, Economics, University of Colorado at Boulder, 1985-1988

#### Admitted to Practice

State of Colorado State of Washington  
United States Tax Court  
United States District Court – District of Colorado  
United States Court of Appeals for the Tenth Circuit

#### Memberships

NAMSAP  
American Association of Justice  
American Bar Association, Business, and Real Property and Trust Law Sections  
Colorado Bar Association, Trusts and Estates and Tax Sections  
Colorado Trial Lawyers Association Denver Bar Association  
Denver Estate Planning Council  
National Academy of Elder Law Attorneys  
Certified Elder Law Attorney, National Academy of Elder Law Attorneys

#### Representative Matters

Stell v. Boulder County Department of Social Services, 92 P.3d 910 (Colo. 2004)(Opinion modified at 2004 Colo. Lexis 556)

#### Selected Speeches/Presentations

California Workers' Compensation Defense Attorneys Association Colorado Bar Association  
Colorado Trial Lawyers Association  
Colorado Workers' Compensation Bar Association Continuing Legal Education in Colorado  
Elder Law Committee of the Colorado Bar Association Florida Liability Claims Institute  
Half Moon Seminars  
Institute for Paralegal Education Kansas Trial Lawyers Association National Business Institute, Inc.  
National Workers' Compensation Convention National Association of Subrogation Professionals National Association of Social Workers  
National Structured Settlement Trade Association Orange County Bar Association  
Professional Education Systems, Inc.

#### Selected Publications

The Complete Guide to Medicare Secondary Payer Compliance, LexisNexis, 2010  
Elder Law, Colorado Annual Law Review, Colorado Bar Association, 2005  
Colorado Estate Planning, Will Drafting and Estate Administration Forms, Matthew Bender & Company, Inc., 2002-2005  
Basic Probate Procedures and Practice in Colorado, National Business Institute, Inc., 2000  
Advanced Issues in Probate for the Paralegal in Colorado, Institute for Paralegal Education, 2000  
Estate Planning and Probate for the Paralegal/Legal Assistant in Colorado, Institute for Paralegal Education, 1998  
Fundamentals of Estate Planning, CLE in Colorado, Inc. 1998

Current Issues in Colorado Elder Law, Half Moon, LLC 1998

Incorporating Public Benefits into Successful Settlements, Private Publication, 1997

**Suggested Moderator:**

**Has this Session been presented recently?:** No

**Details:**

**Would you like this session to be included in either the Novice or Leadership Track?** Yes - Leadership

**Would you be interested in teaching a 101 class in one of the following areas?** No - Development/Leadership

**Session Submitted By:** Dana Simerly

**Contact:** NuQuest, dsimerly@mynuquest.com