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Moving Professionals Forward

Presents
Mastering Workers' Comp
in New Jersey!
Sponsored by



Featured Presenters:

Moderator: John H. Geaney, Esq., Capehart Scatchard
(Author of "Geaney's Manual on Workers' Comp")

Speakers: Stephen T. Fannon, Esq., Capehart Scatchard
John N. Hernick, Esq., Of Counsel to Capehart Scatchard
Dr. Thomas A. Dwyer (Premier Orthopaedic & Sports Medicine
Associates of Southern New Jersey)
Dr. Kelly Allen, IMX
Kelly Scott Kover, MPT, OCS, MCO,
NovaCare Outpatient Rehabilitation
Cornelia von Lersner Benson, OTR/L CHT,
NovaCare Outpatient Rehabilitation
Bryan Varallo, CapCon

Thursday, December 3, 2009

DoubleTree Guest Suites, Mount Laurel, New Jersey



SEMINAR OVERVIEW

Morning Session:

8:30 - 9:15 a.m.: How To Prove A Workers' Comp Fraud Case -
John H. Geaney, Esq.

- ◆ Exploring the options: Office of Insurance Fraud Prosecutor or Comp Court?
- ◆ What constitutes workers' compensation fraud?
- ◆ Utilizing discovery to unearth evidence of fraud?
- ◆ The mechanics of filing motions to dismiss based on fraud in comp court
- ◆ Recent case law on fraud in New Jersey

9:15 - 10:00 a.m.: Winning Surveillance -- Real Live Cases! -
Bryan Varallo, CapCon

- ◆ Seeing is believing: case history and actual footage of winning videos
- ◆ Why pre-surveillance is just as important as surveillance
- ◆ What works in court and what is problematic?
- ◆ Best techniques in conducting surveillance in comp court

10:15 - 11:00 a.m.: Sure Fire Ways To Save Money In Comp -
Stephen T. Fannon, Esq.

- ◆ Why voluntary offers make great sense in comp
- ◆ What are the rules for ensuring an offer is not feeable?
- ◆ What steps should employers take to obtain credits for prior disability?
- ◆ Maximizing third party lien credits -- tips for the pros
- ◆ Learn to deal with requests for "lien compromises"

11:00 - 12:00 p.m.: Pain Management, Fitness Exams, and FCEs -- Panel Discussion-
Dr. Kelly Allen, IMX,
Cornelia von Lersner Benson, OTR/L CHT,
Kelly Scott Kover, MPT, OCS, MCO,
NovaCare Outpatient Rehabilitation

- ◆ The role of psychiatry and therapy in dealing with pain issues
- ◆ When is pain management effective and when does it fail?
- ◆ When is an FCE useful in comp and quality control measures for FCEs
- ◆ When should fitness for duty exams be arranged?
- ◆ What do physical therapists and physicians need from employers for fitness exams?

Noon - 1:00 p.m.: **Buffet Lunch Included (Network with the speakers and visit the sponsor booths)**

Afternoon Session:

1:00 - 2:00 p.m.: Polar Opposites: Pennsylvania Comp versus New Jersey Comp -

John N. Hernick, Esq. and Stephen T. Fannon, Esq

- ◆ What are the key legal differences between NJ and PA comp laws?
- ◆ How urgent medical treatment issues are handled in each state?
- ◆ Differences in depositions and discovery between the states
- ◆ Terminating benefits and jurisdictional issues in both states
- ◆ The role of voc rehab in NJ and PA

2:00 - 3:00 p.m.: Surgical Issues in Knee and Shoulder Cases -

**Dr. Thomas A. Dwyer, Premier Orthopaedic & Sports
Medicine Associates of Southern New Jersey**

- ◆ Listen to a top-notch surgeon discuss diagnosis and treatment of knee/shoulder injuries
- ◆ How does a surgeon arrive at opinions on causation: issues and answers
- ◆ State of the art arthroscopic techniques for knee and shoulder reconstruction
- ◆ Getting injured workers to MMI and back to work
- ◆ Minimizing permanency

3:15 - 4:15 p.m.: Workers' Comp after the ADAAA and FMLA Amendments -

John H. Geaney, Esq.

- ◆ What must you know about the 2008 ADA and FMLA amendments?
- ◆ Why the ADAAA makes it easier for claimants to prove a disability now
- ◆ How to avoid transforming a comp case into a disability claim
- ◆ Learn the employer-friendly amendments to the FMLA
- ◆ Where do the ADA, FMLA and Comp intersect?

4:15 p.m.: Program Concludes

SPECIAL BONUS

First fifteen registrants will receive a courtesy copy of *Geaney's 2009 Workers' Compensation Manual* sold by NJICLE for \$149.

MILLENNIUM BONUSES

Seminar attendees will receive at no charge the following:

- ◆ All the forms you need for New Jersey
- ◆ Millennium's suggested Employee Accident Form
- ◆ Millennium's suggested Post-Offer Medical Questionnaire
- ◆ Copy of the 2009 rate chart

WHAT YOU WILL TAKE AWAY AND LEARN

- ◆ Obtain information on what constitutes fraud in workers' compensation
- ◆ What surveillance works in court and what does not
- ◆ How to obtain possible credits for prior disability
- ◆ When and why to use pain management
- ◆ The differences between Pennsylvania Comp and New Jersey Comp
- ◆ How a physician arrives at an opinion on causal relationship with respect to knee and shoulder injuries
- ◆ How you can avoid transforming a comp case into a disability claim

CONTINUING EDUCATION CREDITS

We are awaiting final approval from the New Jersey Department of Banking and Insurance for this seminar outline.

UPCOMING MILLENNIUM SEMINARS

Please contact us directly for information on future seminars by calling 609-234-1776.

TESTIMONIAL

"The seminar was very informative & great topics." -- Phyllis Azzariti -- Highland Claims

FEATURED SPEAKERS

John H. Geaney, Esq. concentrates his practice in the representation of employers, self-insured companies, third-party administrators, and insurance carriers in workers' compensation, and the representation of employers with respect to the Americans with Disabilities Act and the Family and Medical Leave Act. He is certified by the Supreme Court of New Jersey as a Workers' Compensation Law attorney. Mr. Geaney is a member of the Burlington County Bar Association and New Jersey State Bar Association. Mr. Geaney is active in the National Council of Self-Insurers as well as the New Jersey Self Insurers Association (Membership and Program Committees). Mr. Geaney is a member of the National Workers' Compensation Defense Network. He has been published widely and is the author of *Geaney's New Jersey Workers'*

Compensation Manual for Practitioners, Adjusters, and Employers and *A Guide to Employment Issues under the ADA and FMLA*. He is a Fellow of the College of Workers' Compensation Lawyers. He received his J.D. degree from Boston College Law School and received his B.A. degree in English, *summa cum laude*, from Holy Cross College.

Stephen T. Fannon, Esq. concentrates his practice in the representation of employers, self-insured companies, third-party administrators, and insurance carriers in workers' compensation. Mr. Fannon is a member of the American Bar Association, the Burlington County Bar Association, the Defense Research Institute (Workers' Compensation Committee), the New Jersey State Bar Association and a Master, Justice James Coleman, Jr., New Jersey Workers' Compensation American Inn of Court. He received his J.D. degree, *with honors*, and *Order of the Coif* from Drake University School of Law and his B.A. degree, *cum laude* from Rowan University (formerly Glassboro State College).

Kelly Lynne Allen, M.D. attended Rutgers University for her undergraduate studies. She also attended the School of Biomedical Sciences and the University of Medicine and Dentistry of New Jersey, where she received her Doctor of Medicine. She completed her internship and residency at Thomas Jefferson University Hospital. Dr. Allen is board certified by the American Board of Physical Medicine and Rehabilitation and the American Board of Independent Medical Examiners. Dr. Allen is affiliated with IMX Medical Management Services as a physician.

Bryan Varallo, B.S., M.S. has fifteen years of investigative experience and is a founder of the CapCon Group LLC, a licensed private investigative company in New Jersey and Pennsylvania. He and his staff of qualified investigators have extensive experience and knowledge in insurance claim investigations, criminal/civil litigation support services, surveillance operations and insurance fraud investigations. Mr. Varallo has worked closely with insurance companies, third party administrators, and self-insureds. He is a graduate of Saint Joseph's University, B.S. and M.S., and is a graduate of the University of Pennsylvania, The Wharton School, Business Management Studies.

Cornelia von Lersner Benson, OTR/L CHT is a senior clinic therapist, responsible for evaluation and treatment of patients with hand injuries, FCEs, ergonomic evaluations and consultations and industrial education. She is also a staff supervisor. She received her BS, *cum laude*, in occupational therapy from Elizabethtown College.

Kelly Scott Kover, MPT, OCS, MCO is the marketing manager and is responsible for employees in 17 NovaCare offices. She is board certified as a clinical specialist in orthopedic physical therapy (OCS) and is also certified in ErgoScience Functional Capacity Evaluations. She received her BS in natural sciences and mathematics from Indiana University of Pennsylvania and her Masters of Physical Therapy from Shenandoah University.

Thomas A. Dwyer, M.D. is a specialist in orthopedic and sports medicine and is affiliated with Premier Orthopaedic & Sports Medicine Associates of Southern New Jersey and specializes in orthopedic surgery. He is board certified by the American Board of Orthopedic Surgery. Dr. Dwyer attended medical school at SUNY Health Science Center at Syracuse, completed his internship at the University of Connecticut, and completed his residency at the University of Connecticut Health Science Center. A former team physician for the Pittsburgh Steelers, he is a fellow of Orthopaedic Research of Virginia, Sports Medicine.

John N. Hernick, Esq. is of counsel to Capehart Scatchard and represents parties in all types of claims at both the trial and appellate levels in the complex area of Pennsylvania workers' compensation law. Mr. Hernick is a member of the Pennsylvania Bar Association (Workers' Compensation; and Solo and Small Firm Practice Section); Philadelphia Bar Association (Workers' Compensation Section; Medical-Legal Committee; Alternative Dispute Resolution Committee; and Solo Practitioner and Small Firm Committee); and New Jersey Bar Association (Workers' Compensation Section).

PRIVATE SEMINARS ON REQUEST

If requested, Millennium Seminars will provide private seminars to your organization in the following areas:

- ◆ Workers' Compensation
- ◆ ADA
- ◆ FMLA, NJFLA, Paid Leave Law
- ◆ Workplace Harassment
- ◆ Negotiations with Bargaining Units
- ◆ FLSA
- ◆ Education Law
- ◆ Wrongful Termination
- ◆ Title 59
- ◆ Intentional Harm & *Schmidt* cases
- ◆ ADEA
- ◆ IDEA
- ◆ Environmental Exposure Claims
- ◆ NJLAD
- ◆ Special Education
- ◆ CEPA

Rates subject to negotiation.

SEMINAR FACILITY INFORMATION

Mount Laurel, NJ ♦ December 3, 2009

DoubleTree Guest Suites
515 Fellowship Road - North, Mount Laurel, NJ

Registration: 8:00 a.m. - 8:30 a.m.

Seminar: 8:30 a.m. - 4:15 p.m.

Lunch: **12:00 p.m. - 1:00 p.m. (INCLUDED)**

Walk-Ins Welcome!

Cancellations: Replacement registrants are welcome. If you cancel one week in advance, you will receive a full refund minus a \$25.00 service charge. Otherwise, no refund will be provided for cancellation within six days of the seminar. In the event of a loss of seminar fee because of late registration, you can apply the fee to another Millennium Seminar within one year of the date of this seminar. If a seminar is cancelled, you will receive a full refund.

SEMINAR ACCOMMODATIONS

If you should need any special requirements, such as wheel chair access, please provide that information to us at least seven days prior to the seminar.

MILLENNIUM POWERPOINTS AVAILABLE

For a charge of \$89 you can order the following PowerPoint presentations on New Jersey workers' compensation:

- ◆ Defending Occupational Disease Claims in New Jersey
- ◆ Top Ten Tips for Employers to Reduce Workers' Comp Costs
- ◆ Compensability Issues in New Jersey: "Do I Accept or Deny this Claim?"
- ◆ Understanding How to Calculate Wages and Rates in New Jersey
- ◆ Liens and Second Injury Fund Issues
- ◆ Effectively Handling Preexisting Injuries

CERTIFICATE OF COMPLETION

Upon completion of *Mastering Workers' Comp in New Jersey*, you will receive a Certificate detailing your course credits.

Mastering Workers' Comp in New Jersey ♦ Mount Laurel, NJ ♦ December 3, 2009

REGISTRATION DETAILS

Phone: 609.234.1776
Fax: 856.235.2786

Mail: P.O. Box 187
Moorestown, NJ 08057

Registration: \$299 for single registrant
Seminar: 8:30 a.m. - 4:15 p.m.
Lunch included

\$279 each for two or more
Registration: 8:00 a.m.

Attendee name *(Please print or type)*:

1. Name _____
Title _____
Email _____ Phone No. _____
 2. Name _____
Title _____
Email _____ Phone No. _____
 3. Name _____
Title _____
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