



## CWCI Case Law Seminar – 2015 Update

**Background:** Judicial decisions increasingly define and reshape California workers' compensation, with the pace of these changes accelerating as each round of statutory and regulatory change raises more issues and questions that end up before the courts. SB 863, enacted in 2012, and the subsequent regulations that have been adopted to implement its provisions, present a broad list of issues for the courts to address.

The increased complexity and litigation in the California workers' compensation system makes it critical that those responsible for delivering benefits and defending claims stay on top of these changes and understand current case law. Recognizing the difficulty that claims personnel, attorneys, hearing reps, and other workers' comp professionals face in keeping up with decisional law, 17 years ago CWCI initiated its case law seminar series to provide annual updates to the community.

The 2015 seminar, presented by our veteran panel of claims/legal experts, will review recent California workers' comp case law and examine the implications of some of the recent changes brought about by SB 863. As usual, CWCI will present the program using an interactive, debate-style format, presenting both defense and applicant perspectives to help those handling work injury cases gain a fuller understanding of the issues and devise appropriate strategies, responses, and policies.

**Objective:** The seminar will give an update on recent trends in decisional law and look at the effect of recent rulings and judicial interpretations have on benefit delivery and claim adjudication. The goal is to give participants a better understanding of how they can use case law to effectively manage, negotiate, and defend claims.

### Topics include:

- **Treatment Issues**
  - Utilization Review
  - Independent Medical Review
  - Medical Provider Networks
  - The Medical Treatment Utilization Schedule
- **Permanent Disability & Apportionment**
- **Lien Litigation**
- **What's New?**

**Seminar Format:** CWCI will conduct the seminar Monday, May 18 at the Grand Long Beach Event Center and Wednesday, May 20 at the Hotel Nikko in San Francisco. The program, including speaker presentations and a Q&A panel will run from 9 a.m. until 4 p.m., with a 1-hour lunch at noon, and mid-morning and mid-afternoon beverage breaks. Participants will receive a syllabus with an outline of the presentations and brief summaries of significant decisions with full citations.

**Participants:** This seminar is appropriate for claims administrators, attorneys, hearing reps, and others with negotiating authority.

**Cost:** Tuition covers the full-day program, the course syllabus, Continental breakfast, lunch, and a beverage break. Standard tuition is \$375, with a \$100 discount available for regular employees of CWCI members (see Page 4.)

Space is limited, and registrations will be accepted in the order received and can only be accepted if space is available, so register early. For quick & easy online registration, go to the Seminar area of our website, [www.cwci.org](http://www.cwci.org), or fax (510-763-1592) or mail the registration form (see Page 3) with payment information to CWCI, 1111 Broadway, Suite 2350, Oakland, CA 94607-4009. Additional flyers and registration forms can be downloaded from the Seminar section of our website. All credit card charges will be processed via Authorize.net. For more information, call (510) 251-9470.



## California Workers' Compensation Case Law: 2015 Update

**General Information:** The CWCI 2015 California Workers' Compensation Case Law seminar will be given on the following dates at these locations:

### Monday, May 18, 2015

#### The Grand Long Beach Event Center

4101 East Willow St., Long Beach (562) 426-0555

**Located off Lakewood Blvd, 1 block south of I-405**

- Take the 405 to Long Beach and exit south on Lakewood Blvd.
- Turn right on Willow St., then right on Grand Ave. The Grand Event Center is on the right. Parking in the Event Center Garage is free. Note: **Do Not Park at the Jewish Community Center.**

### Wednesday, May 20, 2015

#### Hotel Nikko

222 Mason St., San Francisco (415) 394-1111

**Located on Mason between Ellis & O'Farrell Sts.**

- Take BART to Powell St. and go 1 block north on Cyril Magnin St. to Ellis St.; or
- From the Bay Bridge, exit at Fremont St., left on Howard. Turn right on 5<sup>th</sup> St. and cross Market St where it turns into Cyril Magnin St. Turn left on Ellis to Taylor turn right at O'Farrell to Mason. Downtown Center Garage (O'Farrell & Mason.) Hotel is across the street.
- From 101 take I-80 toward the Bay Bridge, take 7<sup>th</sup> St. exit and stay in the far right lane to Bryant St. Turn right on Bryant then left at 5<sup>th</sup> St. and cross Market St. where it becomes Cyril Magnin St. Turn left on Ellis to Taylor turn right at O'Farrell to Mason. Downtown Center Garage (O'Farrell & Mason.) Hotel Nikko is across the street.

**Registration:** Pre-registration and prepayment are required. Enroll online by clicking "Seminars" at [www.cwci.org](http://www.cwci.org) to access the online registration system. Registrations will be accepted in the order in

which **forms with payment** are received, so register early. Registration is subject to space availability and registrations for which payment is received after May 11 and walk-ins may be wait-listed and admitted after 9 a.m. if space is available. Check-in and continuing ed sign-ups begin at 8 a.m. The seminar will begin at 9 a.m. and adjourn by 4 p.m. Continental breakfast, lunch, and beverage breaks are included.

**Attire:** Business casual. **For your comfort, please dress in layers as the presentation room is often cool.** Slacks with a sweater and coat or jacket are highly recommended.

**Tax Deductibility of Expenses:** See Treasury Reg. 1.162.5 Coughlin v. Comm., 203 F.2d.307.

**Cancellations/Substitutions:** The tuition, less a \$50 cancellation fee may be refunded only if notice is submitted in writing, postmarked, or faxed ten (10) calendar days prior to the program. However, another attendee may be substituted at any time, and the syllabus will be mailed to registrants who are unable to attend and fail to meet the cancellation deadline.

**Faculty:** The faculty includes outside counsel from the insurance industry (with experience from both the applicant & defense side) and CWCI's General Counsel.

#### Saul Allweiss, Attorney at Law

Law Offices of Allweiss & McMurtry  
Tarzana

#### Richard Jacobsmeyer, Attorney at Law

Shaw, Jacobsmeyer, Crain & Claffey  
Oakland

#### Michael Marks, Attorney at Law

Law Offices of Allweiss & McMurtry  
Tarzana

#### Michael McClain, General Counsel

California Workers' Compensation Institute  
Oakland

### ABOUT CWCI

Founded in 1964, the California Workers' Compensation Institute is a private, nonprofit organization working to improve the California workers' compensation system through research, education, information, and representation. Institute members include workers' compensation insurers and self-insured employers.



REGISTRATION FORM

California Workers' Compensation Case Law: 2015 Update

Note: The fastest and easiest way to register for CWCI seminars is to enroll online. Simply click the "Seminar" button at www.cwci.org for seminar information or to sign up using the online registration system. Alternatively, you may return this form, along with payment, by mail or fax as noted below.

"California Workers' Compensation Case Law: 2015 Update" Check date/location:

Grand Long Beach Event Center, Monday, May 18 Hotel Nikko, San Francisco, Wednesday, May 20

Please Type or Print Clearly. For additional registrants, please photocopy this form or attach a separate list.

Table with 2 columns: Name of Attendee, Email Address (required). Rows 1), 2), 3)

Contact Person: Email:

Company:

Address:

City/State/ZIP:

Telephone: Fax:

Please call Madelyn at CWCI - (510) 251-9470 - if you have special dietary needs.

NOTE: CWCI members are insurers licensed to write workers' compensation in California or self-insured employers who pay dues and assessments to CWCI. Only regular employees of member companies qualify for the member company rate. If you qualify, note your company code (listed on Page 4) in the space below. All other registrants must pay standard tuition. Non-members who submit member tuition will not be registered unless the full \$375 tuition is received prior to the seminar. ALL REGISTRATIONS MUST BE PREPAID. To meet the deadline, registrations with credit card information may be submitted online from the seminar page at www.cwci.org; faxed to (510) 763-1592; or mailed to CWCI, 1111 Broadway, #2350, Oakland, CA 94607-4009.

Standard Tuition (non-member rate) \$375 x = \$

CWCI Member Regular Employee Rate CWCI Co. ID # (see Page 4) \$275 x = \$

Method of Payment (check one): Visa MasterCard American Express Check/Money Order

Cardholder's Name: (Exact name as it appears on the credit card)

Account #: Expiration Date:

Credit Card Billing Address: (Must be the address registered to the card)

City, State, ZIP:

Signature of Cardholder:



## California Workers' Compensation Case Law: 2015 Update

CWCI Member Insurers		CWCI Associate Members (Self-Insured)	
Code	Company	Code	Company
21	ACE North America	22	Adventist Health
23	AIG	24	Chevron Corporation
25	Alaska National Insurance Company	26	City and County of San Francisco
27	Allianz (Fireman's Fund Insurance Company)	28	City of Santa Ana
29	AmTrust North America	30	City of Torrance
31	Chubb Group of Insurance Companies	32	Contra Costa County Schools Ins. Group
33	CNA	34	Costco Wholesale
35	CompWest Insurance Company	36	County of Alameda
37	Crum & Forster	38	County of San Bernardino Risk Management
39	EMPLOYERS	40	County of Santa Clara Risk Management
41	Everest National Insurance Company	42	Dignity Health
43	The Hartford Insurance Group	44	Foster Farms
45	ICW Group	46	Grimmway Enterprises
47	Liberty Mutual Insurance	48	Kaiser Permanente
49	Pacific Compensation Insurance Company	50	Marriott International, Inc.
51	Preferred Employers Group	52	Pacific Gas & Electric Company
53	Republic Indemnity Company of America	54	Safeway, Inc.
55	Sentry Insurance	56	Schools Insurance Authority
57	State Compensation Insurance Fund	58	Sempra Energy
59	State Farm Insurance Companies	60	Shasta County Risk Management
61	Travelers	62	Shasta-Trinity Schools Insurance Group
63	XL Insurance	64	Southern California Edison
65	Zenith Insurance Company	66	Sutter Health
67	Zurich North America	68	University of California
		70	The Walt Disney Company

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