



Minnesota Continuing
Legal Education

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The 31st Annual

Workers' Compensation Institute

Friday & Saturday, March 4 & 5, 2016
Minnesota CLE Conference Center

PLEASE "✓" APPROPRIATE BOX:

LIVE – March 4 & 5, 2016:

\$395 MSBA member \$395 paralegal \$445 standard rate

MINNEAPOLIS VIDEO – April 25 & 26, 2016:

\$365 MSBA member \$365 paralegal \$395 standard rate

NEW LAWYER DISCOUNT!

I was first admitted to the bar after March 4, 2013, and have deducted \$60 from the registration fee marked above.

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To join the MSBA go to <http://msba.mnbar.org/>. Or for more membership advantages call 1-800-882-6722.

SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those individuals with a financial need. Most scholarships awarded are 50% off the seminar price. To obtain a scholarship application, contact Grant at gdavies@minncle.org or 651-254-2111.

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Can't Attend the Institute?

Purchase the materials for \$95 (plus tax and handling) by calling 800-759-8840 or 651-227-8266. Available in hard copy.

Orders will be filled after the Institute.

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Minnesota Continuing Legal Education

The 31st Annual

Workers' Compensation Institute

The "must attend" event for anyone who handles workers' compensation law in Minnesota!

Friday & Saturday, March 4 & 5, 2016

Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Third Floor City Center, Minneapolis

Minneapolis video replay April 25 & 26, 2016

- Practical Education on Important Issues
- New Developments, Identified & Analyzed
- Guest Speaker Terry Morrow on the Art of Legal Argument
- Fresh Content, from Start to Finish
- Doctors' Insights on Shoulder Replacement Surgery, Traumatic Brain Injury, and Medical Cannabis
- Great Session Choices – Including Ethics and Elimination of Bias
- Fun Conference Environment to Connect with Colleagues
- And more!

LIVE PRESENTATION

Friday & Saturday, March 4 & 5, 2016
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370
Third Floor City Center, Minneapolis

VIDEO REPLAY

The video replay will show video of all live plenary sessions, plus one topic from each of the breakout sessions to be determined at a later date. Schedule times are subject to change due to abbreviated lunch and break periods.

Minneapolis – April 25 & 26, 2016
(Reg. 8:30 on first day; Replay starts 9:00 on both days)
Minnesota CLE Conference Center
600 Nicollet Mall, Suite 370; Third Floor City Center

CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for 9.25 total CLE credits, including 1.0 ethics credit for attendees of breakout #103 and 1.0 elimination of bias credit for attendees of breakout #303. The maximum amount of total CLE credits an attendee may claim is 9.25.

NEW LAWYER SCHOLARSHIP PROGRAM

In recognition of the challenges facing lawyers entering the profession, Minnesota Continuing Legal Education has established a scholarship program for unemployed and underemployed lawyers admitted fewer than three years. Those wishing to apply for such assistance should contact Grant at 651-254-2111 or gdavies@minncle.org for details.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend, please contact us as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

CANCELLATION / NO-SHOW POLICY

Paid registrants who cancel their registration at least 3 business days before the program will receive a full credit on their account; if fewer than 3 business days a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the course materials. Passholders may purchase the course materials at 50% of the full retail price.

QUESTIONS?

Please call Minnesota CLE at 651-227-8266 or 800-759-8840. Or visit us online at www.minncle.org.

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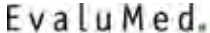
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Practical Education Tackling Today's Most Challenging Workers' Comp Issues!

Day 1 – Friday, March 4, 2016

8:15 – 8:40 a.m.
CHECK-IN & CONTINENTAL BREAKFAST
Sponsored by 

8:40 – 8:45 a.m. Welcome & Introduction

- *Kathy Hipp Carlson, Institute Co-Chair
Hipp Carlson Law PLLC
Wazata*
- *Barbara Heck, Institute Co-Chair
Kelly R. Rodieck & Associates
Saint Paul*

8:45 – 9:30 a.m. The Art of Legal Argument

Lawyer, professor and highly rated presenter Terry Morrow kicks things off with practical insights on creating, writing and presenting a winning legal argument. Terry is a respected educator in both the theory and practice of legal argument and communication. As a member of the Minnesota bar, he draws upon the understanding of legal practice as he explains the practical applicability of argumentation and communication theories. He has served as Legislative Director and Legal Counsel for the Uniform Law Commission, served six years in the Minnesota House of Representatives, holding key leadership positions, and worked seventeen years as a communication studies professor at Gustavus Adolphus College.

- *Terry Morrow*

9:30 – 10:30 a.m. Minnesota Medical Cannabis Program – Including the Recent Addition of Intractable Pain as a Qualifying Condition

In December 2015, Minnesota's Commissioner of Health announced the decision to add intractable pain as a qualifying condition for Minnesota's medical cannabis program. Dr. Tom Arneson serves as the research manager for the Office of Medical Cannabis for the Minnesota Department of Health. In this morning's presentation, Dr. Arneson will discuss the science of medical cannabis and published research on cannabis as a therapy for pain, as well as give a general description of the Minnesota medical cannabis program.

- *Tom Arneson, M.D., Research Manager
Office of Medical Cannabis
MN Department of Health
Saint Paul*

10:30 – 10:45 a.m.
BREAK

THE 2016 CASE LAW UPDATE... KEY DEVELOPMENTS TACKLED TWO WAYS

10:45 – 11:15 a.m.

PART ONE: At Lightning Speed – The Year's Most Significant Workers' Compensation Cases

In his highly rated, inimitable style, Jeff Jacobs will pack this session with the highlights from the most noteworthy workers' compensation cases decided over the past 12 months by the Minnesota Supreme Court and the Workers' Compensation Court of Appeals. Later in the afternoon, attendees have the option to attend Jeff's breakout session to drill down into more details via the "Annual Case Law Update – In Depth."

- *Jeffrey W. Jacobs
Wilkerson & Hegna
Edina*

11:15 a.m. – 12:15 p.m.

PART TWO: Hot Seat Case Evaluations Based on the New Permanent Total Cases

We're placing four experts in the hot seat! A panel of seasoned practitioners from both sides will be given short "perm total" workers' compensation hypotheticals to review two hours in advance of the presentation. Then we'll bring them on stage and ask them how they'd evaluate the claims. Join us for an inside look at how the pros make their decisions on matters implicated by recent court decisions.

- *Stephanie Balmer
Falsani, Balmer, Peterson, Quinn & Beyer
Duluth*
- *Deborah L. Crowley
McCollum Crowley Moschet Miller & Laak, Ltd.
Minneapolis*
- *Mark J. Fellman
Fellman Law Office
Saint Paul*
- *Timothy Jung
Lind, Jensen, Sullivan & Peterson, P.A.
Minneapolis*
- *Barbara Heck, moderator*

12:15 – 1:15 p.m.
LUNCH (on your own)

1:15 – 2:15 p.m. BREAKOUT SESSION A

301 How to Handle Traumatic Brain Injury Claims – Petitioner and Defense Lawyer Perspectives

How do you identify a TBI? What should you be looking for when defending or prosecuting TBI claims? What type of evidence should you be prepared to submit at hearing? Matt and Jerry will provide helpful information and insight on how to deal with these ever changing claims.

- *Matthew C. Kopp
Kelly Rodieck & Associates
Saint Paul*
- *Jerry W. Sisk
Thomas D. Mottaz Law Office
Coon Rapids*

302 A Checklist Approach to Dealing with Intervenors – Start to Finish

Talk about a session filled with concrete advice! The session presenters are creating checklists with rules to follow, pitfalls to avoid, and strategic considerations to ponder for each of the stages in dealing with intervenors. The presentation is a practical discussion of the items on the checklist.

- *Caroline Bell Beckman
Erickson Bell Beckman & Quinn PA
Roseville*
- *Charlene K. Feenstra
Heacox, Hartman, Koshmrl, Cosgriff & Johnson, PA
Saint Paul*
- *Kris A. Wittwer
Wittwer Syverson, P.A.
Roseville*

303 Ethical Constraints on Argument: What You Should Never Say

1.0 ethics credit (applied for)

Terry Morrow's engaging ethics presentation about the ethical constraints on argument includes discussion of: the duty of zealous advocacy; recent changes in Minnesota's Rules of Professional Responsibility; ethical argumentation in negotiation and mediation; appealing to emotions; and civility and the legal profession.

- *Terry Morrow*

2:15 – 2:30 p.m.

BREAK

Sponsored by 

2:30 – 3:30 p.m. BREAKOUT SESSION B

201 Arising Out Of ... or Not?

A discussion of various fact scenarios with voting on compensability via an electronic audience-polling system, plus practical takeaways, two years post *Dykhoff v. Xcel Energy*.

- *Lorrie L. Bescheinen
Fishman, Carp, Bescheinen & Van Berkom, Ltd.
Minneapolis*
- *Kathy Hipp Carlson
Hipp Carlson Law PLLC
Wazata*

202 New Opiate Rules and Practice – A Practical Discussion of How to Apply the New Requirements

Co-presenters Doug Brown and Mike Schultz – experienced defense and petitioner counsel – will break down the new requirements placed upon employees, health care providers, and insurers with regard to the long term use of opiates for intractable pain under the Workers' Compensation Treatment Parameters. Throughout this discussion, Doug and Mike will provide their practical insights into key matters such as what to look for in a prescribing health care provider's medical records documenting compliance with the rules; how insurers may apply these new rules in evaluating the compensability of opiate use for new and old injury claims; and the implications of Minnesota's recent announcement that the state will open medical cannabis to include those with "intractable pain."

- *Douglas J. Brown
Brown & Carlson, P.A.
Minneapolis*
- *Michael Schultz
Michael Schultz Law Firm
Minneapolis*

203 Medicare Secondary Payer Compliance & the "Money Pitch"

Baseball spring training is under way and pitchers are honing their "money pitches." Now Annie Davidson and Katie Storms are here to help you hone your Medicare money pitch. This session will cover all the latest about resolving Medicare liens, obtaining Medicare Set-Asides, and the latest changes to the "rules of the game." Plus, we'll throw in tips and coaching to the line-up on how to handle the issue of Medicare with clients to ensure a successful resolution for both sides.

- *Annie M. Davidson
O'Meara, Leer, Wagner & Kohl, P.A.
Minneapolis*
- *Katie H. Storms
Lind, Jensen, Sullivan & Peterson, P.A.
Minneapolis*

3:30 – 3:45 p.m.
BREAK

3:45 – 4:45 p.m. BREAKOUT SESSION C

301 Annual Case Law Update – In Depth

The annual comprehensive review of significant workers' compensation cases decided by the Minnesota Supreme Court and the Workers' Compensation Court of Appeals.

- *Jeffrey W. Jacobs*

302 How Cases Are Decided: A Panel Discussion with Retired Workers' Compensation Judges

This breakout panel discussion will provide "behind the curtain" insight into how workers' compensation judges go about deciding cases. The discussion will draw on the decades of experience represented by a distinguished panel of recently retired or soon to be retired workers' compensation judges.

- *Judge Bradley J. Behr
Minnesota Office of Administrative Hearings*
- *Judge (Ret.) Ronald Erickson
Minnesota Office of Administrative Hearings*
- *Judge (Ret.) William R. Johnson
Minnesota Office of Administrative Hearings*
- *Additional panelist tba*
- *Roderick C. Cosgriff, moderator
Heacox, Hartman, Koshmrl, Cosgriff & Johnson, PA
Saint Paul*

303 Understanding Hmong Culture and Working with Hmong Clients

1.0 elimination of bias credit (applied for)

Attorney Sophia Vuelo is a past Vice-President of the Hmong American Bar Association, a past Board of Directors member with Hmong American Partnership, and founder of Vuelo Law, a solo practice in Saint Paul. Ms. Vuelo will share practical advice for lawyers with cases involving Hmong Americans (as clients or as opposing parties), including cultural sensitivity considerations and communication tips, with the aim of assisting the attorney to identify and eliminate implicit biases.

- *Sophia Y. Vuelo
Vuelo Law
Saint Paul*

4:45 – 5:45 p.m.

The Annual Institute Reception!

Join us for the Institute's annual reception – a fun time with your friends and colleagues and chances to win great prizes!

Day 2 – Saturday, March 5, 2016

"MEDICAL SATURDAY"

8:30 – 9:00 a.m.
CONTINENTAL BREAKFAST

9:00 – 10:00 a.m.

Shoulder (and Reverse Shoulder) Replacement Surgery: Nuts and Bolts

Dr. Steven Meletiou will provide an overview and description of shoulder and reverse shoulder replacement surgery. He will give a medical perspective on the factors relevant to determining when one of these surgeries is an appropriate treatment option, success rate, recovery, and possible complications.

- *Steven D. Meletiou, M.D.
St. Croix Orthopaedics/Twin Cities Orthopedics
Lake Elmo*

10:00 – 11:00 a.m.

The Neurochemistry of Narcotics Addiction and of Weaning Off Those Narcotics

Experienced addiction counselor and highly rated CLE speaker Carol Ackley returns to share her expertise. She will discuss the neurochemistry of addiction to narcotics taken for pain management, as well as the brain chemistry involved in weaning off those narcotics for the person who has become addicted to them.

- *Carol Ackley
River Ridge Treatment Center
Burnsville*

11:00 – 11:10 a.m.

"7th Inning Stretch" Break

Features a prize drawing and special treats as we head into the final inning!

11:10 a.m. – 12:10 p.m.

Treating Traumatic Brain Injury

Dr. Yelena Usmanova will discuss current treatment options for traumatic brain injury, including how a medical team judges and re-evaluates what the proper course of treatment should be for a particular TBI.

- *Yelena V. Usmanova, M.D.
Minneapolis Clinic of Neurology
Edina*