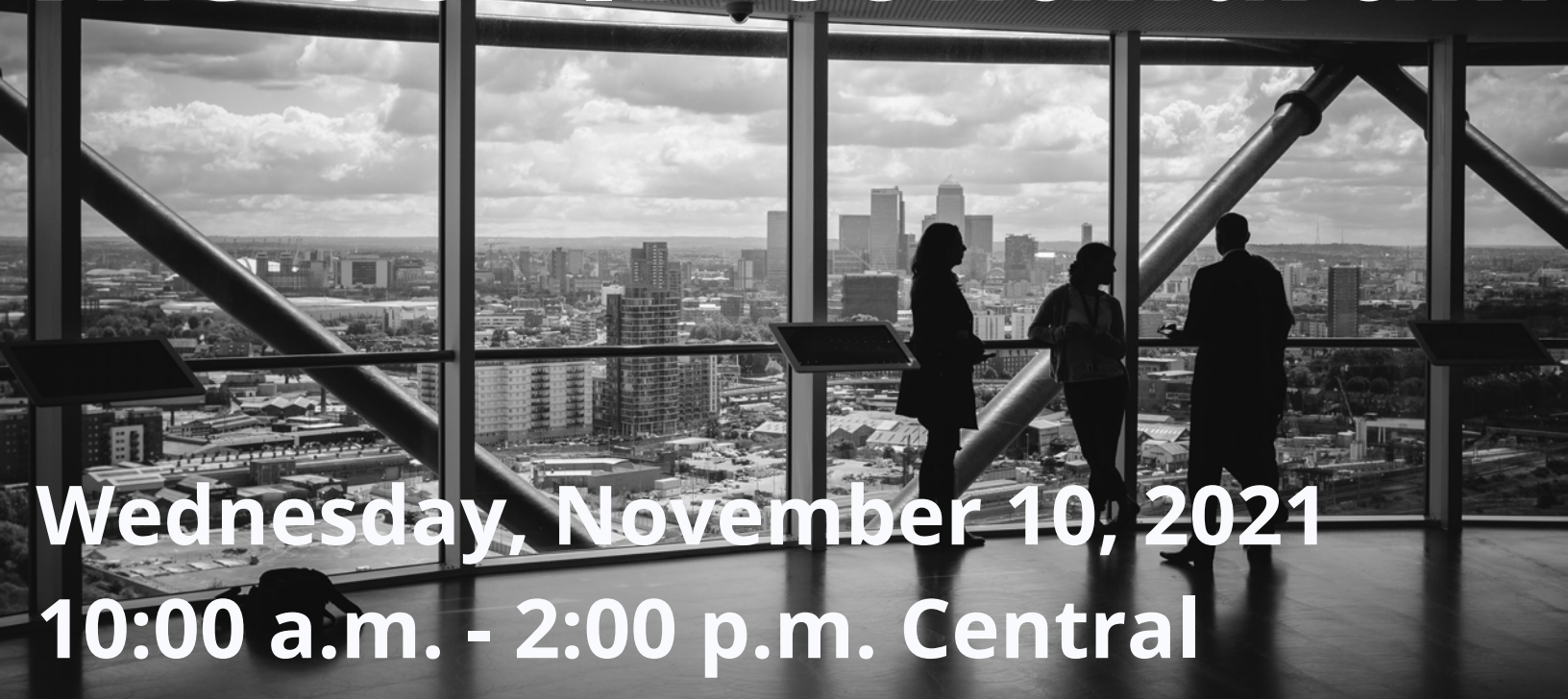




**National Workers' Compensation Defense Network**  
**2021 Virtual Annual Conference**  
**Today's Trends & Tomorrow's Solutions**

# **The COVID Conundrum**



**Wednesday, November 10, 2021**  
**10:00 a.m. - 2:00 p.m. Central**



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Dear Colleagues,

The National Workers' Compensation Defense Network (NWCDN) is a unique and dynamic organization consisting of attorneys in 45 states and Canada. Annually, we sponsor a cutting edge national conference which addresses topics that are timely to the business of Workers' Compensation. NWCDN proudly invites you to attend this virtual conference, "Today's Trends & Tomorrow's Solutions: The Covid Conundrum". Our speakers will address complex issues ranging from the evolving workplace, best practices for reducing injuries and managing claims to avoiding litigation and managing long term chronic pain claims. Our panelists are all keynote quality speakers. The goal is to provide answers to real world Workers' Compensation issues. I hope that you join us.

Sincerely,  
Thomas Kieselbach,  
NWCDN Minnesota  
Member  
Program Chair and  
Immediate Past-President



Greetings,

We are proud to partner with NWCDN to bring you this event. For years the NWCDN has provided strong and engaging content at live events across the country. The collective knowledge and wisdom of the organization is impressive, and these conferences offer an opportunity for employers to learn and connect in an environment that is both entertaining and informative. The fact that the events are provided at no cost makes it an exceptional value for those who wish to stay on top of current events within the workers' compensation ecosphere.

Unfortunately, external factors have prevented an in-person conference this year, but [WorkersCompensation.com](http://WorkersCompensation.com) is greatly honored to help produce this virtual event so that the benefit of this information is still available to you. There has been a tremendous amount of thought and effort put into this, and it is hoped that you find it to be a very purposeful use of your time. I'm confident that will be the case.

Sincerely,  
Robert Wilson  
President & CEO,  
[WorkersCompensation.com](http://WorkersCompensation.com), LLC



# PROGRAM AGENDA

**10:00 a.m. Opening Remarks** - Bruce Hamilton, President, NWCDN North Carolina Member

**10:05 a.m. Keynote Address: Looking for the Constants in a Sea of Change**  
**Kathy Bray**

Senior Vice President, Chief Legal Officer and Secretary, SFM Mutual Insurance Company

A conundrum often creates an environment of indecision and uncertainty. But, whether it be COVID, marijuana, or one of many other significant trends impacting the workers' compensation industry, the solutions are often remarkably consistent. Bray shares a fast-paced and engaging look at some of these constants in this sea of change, gleaned from 30 years of experience in the workers' compensation space.

**10:35 a.m. The Twists and Turns of Navigating Workers' Compensation Claims in the New Hybrid Work Environment** Virginia Gautier; Victoria Bradshaw, NWCDN Mississippi Members

A panel discussion of the management of workers' compensation claims in the hybrid work environment including practices developed by industry leaders to reduce COVID 19 claims among a hybrid work force and managing workers' compensation claims in a post-COVID environment. Presentation topics will include investigation strategies, implementation of policies to reduce work injuries while working remotely, COVID 19 and the hybrid workforce.

**Jay Enloe**, Senior Director of Risk Management, O'Reilly Auto Parts  
**Chris Funk**, Manager of Claims, Love's Travel Stops & Country Stores  
**Fred Harrod III**, Claims Specialist II, Entergy Services, LLC

**11:20 a.m. Break**

**11:25 a.m. How to Avoid Litigation**

Nicholas Dibble, NWCDN New Jersey Member

This panel of industry veterans will discuss tips and techniques on how to avoid the seemingly unavoidable: litigation. This panel will discuss effective strategies that can be implemented at every stage of a claim in order to minimize the need for litigation while maximizing the potential for successful outcomes.

**Kyle Cato**, Director Risk Management, Work Comp, GL/Auto Claims, Williams-Sonoma, Inc.  
**Regina Lamptey**, Workers' Compensation, Claims Supervisor, CCMSI  
**Marita Tortelli**, Assistance VP, Claims Technical Shared Services, PMA Companies

**12:10 p.m. Break**

**12:15 p.m. Best Practices to Mitigate Risk, Avoid Common Pitfalls, and Effectively Manage Claims**

Parker Olson, NWCDN Minnesota Member

This panel will discuss a variety of topics spanning from how to reduce the number of injuries in a workplace all the way to maneuvering the claim to closure. Drawing from personal experiences of each speaker, the presentation will focus on lessons learned from common pitfalls in claim management as well as tips to effectively manage claims and relationships throughout an otherwise contentious process. The three panelists come from different industries, which will provide unique insights to this roundtable discussion.

**Steve Perroots**, Vice President, Global Claims, Marriott

**Amanda Cox**, Claims Section Head, Mayo Clinic

**Matthew Harmon**, WCP, Senior Vice President, Claims, The MEMIC Group

**1:00 p.m. Break**

**1:05 p.m. Psycho-Social Factors in Workers' Compensation: A Medical Perspective**

James Loughlin, NWCDN Texas Member

An inside look at psycho-social factors in workers' compensation claims and their influence on subjective injuries, including "long-haul" COVID symptoms such as brain fog and chronic fatigue. The discussion will include a look at the factors that can drive malingering and exaggeration such as secondary gain issues and pre-existing psychological disorders. The discussion will also include tools for addressing subjective injuries and for early mitigation of those injuries. The panel includes a medical doctor who was the former lead author of the pain chapter of the ODG, a research professor and clinical psychologist, and the CEO of a managed care company.

**Suzanne Novak, M.D.**, President, Austin Outcomes Research, Inc.

**Joe Etherton, Ph.D.**, Professors of Psychology, Texas State University

**Catherine Benavidez**, President and Founder, Injury Management Organization

**1:50 p.m. Closing Remarks**

# SPEAKER BIOGRAPHIES

## Keynote Speaker



**Kathy Bray**, SVP, Chief Legal Officer and Corporate Secretary, SFM Mutual Insurance Company. Kathy serves as a senior executive officer for SFM Mutual Insurance Company, leading the company's legal strategy. She manages their public policy efforts, and oversees the company's special claims investigations and subrogation units, and the company's in-house law firm, Lynn, Scharfenberg & Hollick. Kathy was previously with SFM Mutual Insurance Company as their Senior Defense Counsel then later as their Corporate Counsel. She received her B.S.B.A degree at the University of Denver and later her J.D. at the University of Minnesota School of Law.



**Catherine Benavidez** is the founder and CEO of Injury Management Organization, Inc. (IMO). Since 1991, she and her team have developed a premier model for nonsubscribers in the State of Texas. IMO is a managed care company serving public and private employers, nonsubscribers, insurance carriers and third-party administrators. Catherine is an advocate for medical case management. Her work over more than 30 years has been focused on improving the injury case management experience on behalf of the employee, employer and the providers. She is a graduate of Texas Women's University and has written numerous articles on Occupational Rehabilitation during her career and presented to many specialists in the Workers' Compensation arena.



**Kyle Cato** is the Director of Risk Management at Williams-Sonoma, Inc. He has been with Williams-Sonoma, Inc. for seven years and manages the Workers Compensation, Auto and General Liability programs in the US, Canada and UK. Kyle began his 25 year insurance career as a California Workers Comp adjuster with various carriers and self-insureds before moving to program management and finally to the employer side. He earned a Bachelor of Arts Degree from the University of Michigan and a Masters Degree from the California School of Professional Psychology.



**Amanda Cox** has served as the Claims Section Head for Mayo Clinic since 2015, and has been with Mayo Clinic for nearly 15 years in various roles dealing with workers' compensation. Through her current role as Claims Section Head, she is responsible for managing the administration of employee disability leaves and the self-insured workers' compensation program across the Mayo Clinic enterprise. She also ensures that Mayo Clinic remains in compliance with state and federal laws and regulations. Amanda is also an active member of the Employee Health and Safety Subcommittee at the Mayo Clinic Rochester Campus. She has worked in several jurisdictions across the country, including Minnesota, Arizona, Florida, Georgia, and Wisconsin; and has hands-on experience in many different facets of workers' compensation and employee benefits.



# SPEAKER BIOGRAPHIES (continued)



**Chris Funk**, Manager of Claims, Love's Travel Stops & Country Stores After graduating from Oklahoma State University with a Master's degree, he began his employment with Love's Travel Stops & Country Stores, Inc in December of 2009. In his time with Love's, Mr. Funk has held several different positions within the Risk Management department, from entry level to his current role. Through these positions, Mr. Funk has experience with both casualty and workers' compensation claims and litigation from every aspect of Love's business: retail, transportation, rail, aviation, manufacturing, mechanical, storage, hospitality, environmental etc. As Manager of Claims, he oversees the entire claims program and a team of twelve employees handling claims from all lines for the entire Love's Family of Companies. With the onset of Covid, his team has been tasked with contact tracing for the 30,000 plus field employees. Including Covid, Mr. Funk's team handled approximately 27,000 different incidents in 2019.



**Jay Enloe**, Senior Director of Risk Management, O'Reilly Auto Parts has been a part of the O'Reilly Risk Management Department since 1998. In his current position, Mr. Enloe leads the risk management initiatives of the organization, including responsibility for its risk transfer and risk financing programs, claims management and TPA oversight, as well as the safety, regulatory and environmental compliance initiatives. Prior to joining the O'Reilly organization, Mr. Enloe spent 2 years as an underwriter at American National Property and Casualty Company. Mr. Enloe is active in the Ozarks Chapter of the Risk and Insurance Management Society (RIMS) where he has held several officer positions including serving as President in 2005, 2018 and 2019. Mr. Enloe earned a B.S. in Economics with a minor in Insurance and Risk Management from Missouri State University. He also holds the Chartered Property Casualty Underwriter (CPCU), Associate in Risk Management (ARM), Associate in Claims (AIC), and Associate in Insurance Services (AIS) designations.



**Joe Etherton PhD, ABPP** performs psychological and neuropsychological assessment related to workers' compensation disability claims. He also maintains a part-time cognitive-behavioral therapy practice. Dr. Etherton has been a professor of psychology at Texas State University since 2006. His research has involved psychosocial factors that affect outcome in chronic pain, detection of malingering, and effects of pain on cognitive task performance, and he has published more than 30 articles, primarily related to these areas. He has served on the Editorial Boards of the journals Assessment and Archives of Clinical Neuropsychology, and regularly reviews for numerous journals in psychology and neuropsychology. Dr. Etherton graduated from the University of Illinois with a masters' degree in cognitive-experimental psychology, and from the University of Georgia with a Ph.D. in clinical psychology. He has been a licensed psychologist since 2000, and board certified in clinical psychology in 2021 by the American Board of Professional Psychology (ABPP).

# SPEAKER BIOGRAPHIES (continued)



**Matthew Harmon**, Senior Vice President of Claims for The MEMIC Group since 2015. In this role he is responsible for all claim-related activities for MEMIC across 40+ jurisdictions. Matt brings more than 25 years of workers' compensation claims experience to his position. Matt began his insurance career in 1994 after graduating from the University of Maine with a degree in Business Administration. He worked in various claim handling assignments until 2002 when he was promoted to Regional Claim Manager. Over the next decade he progressed through various claim management responsibilities at MEMIC at the Director and Vice President levels. Active in his community, Matt currently serves on the Board of Directors for the American Red Cross of Southern Maine, and Boots2Roots. He is a 2019 graduate of Maine Development Foundation's Leadership Maine program, and is a current MBA candidate at the University of Maine.



**Fred W. "Trey" Harrod III** graduated with honors from The University of Arkansas at Monticello with a Bachelor's Degree in Kinesiology. He has worked in the claims industry since April 2008. During his career in the claims industry, Mr. Harrod has handled multi-jurisdictional claims involving complex bodily injury, large property loss, and catastrophic claims. Mr. Harrod was hired by Entergy Services, LLC in February of 2019 where he handles workers' compensation claims for the Arkansas and Mississippi jurisdictions. He is licensed to handle claims in the states of Arkansas, Mississippi, and Louisiana. Mr. Harrod lives in Bryant, Arkansas with his wife and two children.



**Regina Lamptey** joined CCMSI in March 2021 in the role of Workers' Compensation Claims Supervisor in the Wall Township, NJ Office. Her Industry and Workers' Compensation experience totals over 20 years, with extensive experience in claims management and oversight for major employers and government agencies in New York, New Jersey and Pennsylvania. Regina began her insurance career with VERIZON in 2000 in Philadelphia, PA as Regional Workers' Compensation Manager, managing a team of WC Claims Examiners and support Personnel. In March 2003 she was promoted to National WC Manager for VERIZON, providing management and oversight of not only their internal team of WC professionals, but also VERIZON'S Third Party Administrator (TPA) and Managed Care Organizations.



**Suzanne Novak, MD, PhD** is a board-certified anesthesiologist. Her PhD is in Pharmacy Administration from the University of Texas at Austin. She is president of Austin Outcomes Research, Inc., a healthcare consulting and utilization review firm with multiple national carriers and legal firms as clients. In 2005 was asked to be the lead author of the Pain Chapter of the ODG Workers' Compensation Treatment Guidelines, and held this position until recently, when she transitioned to the board. Dr. Novak is also a clinical assistant professor at the College of Pharmacy at the University of Texas at Austin where she is active in the Pharmacy Practice Division.



# SPEAKER BIOGRAPHIES (continued)



**Steve Perroots** , Vice-President, Global Claims and Occupational Health Services, Marriott International. Over 40 years in the claims industry, responsible for Marriott's domestic and international claims programs and health services world-wide. Steve joined Marriott in 1983 and has held various progressive roles over his tenure, assuming the claims leadership role in 2012. Steve has implemented a number of transformational projects, leveraging technology and innovative practices, which has advanced Marriott's claims organization to a top leadership position in the industry. He is an active member on several prominent industry groups and boards and has held various leadership roles (President of New York Self-Insurer's Association, President of Maryland Employers and Self-Insured's Association, Board Chair of the Workers' Compensation Research Institute), along with other industry advisory Boards. Steve holds an Associate in Risk Management (ARM) designation and a B.S. in Business Administration from West Virginia University. Steve along with his wife, Diana resides in Germantown Maryland.

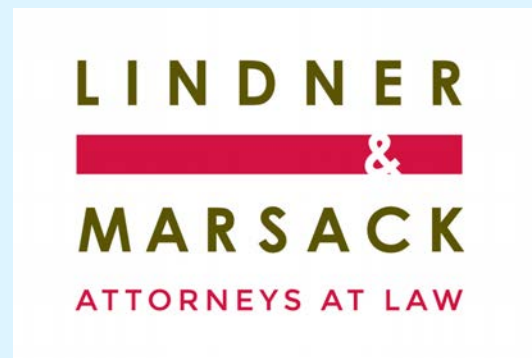
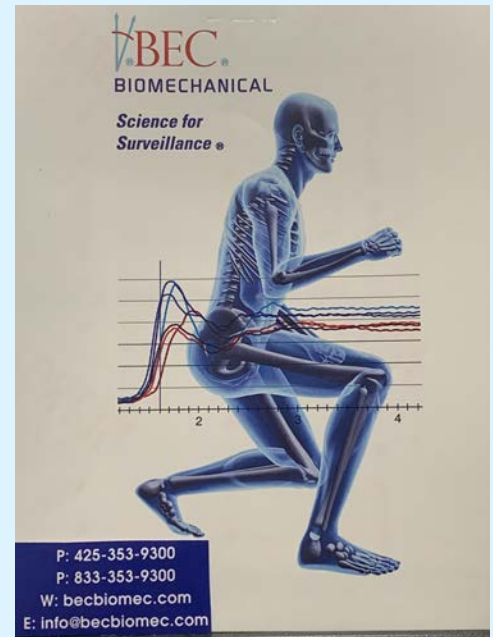


**Marita Tortorelli** began her career with PMA in 1985. She is responsible for the onboarding and management of all claims vendors with whom PMAIC is partnered. She also oversees Learning and Development, Legal Bill Review, SIU, and Claims Operations. She has 38 years of experience within the insurance industry with 26 years in a supervisory/managerial role. She has held many positions within the field claims operations from multiline adjuster through Regional AVP, as well as 9 years as a Claims Service Manager. She holds a Bachelor of Arts Degree in Education from Rowan University. She has earned her Associate in Claims (AIC), Associate in Risk Management (ARM), Associate in Data Analytics (AIDA) and Chartered Property Casualty Underwriter (CPCU) Designations.

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# PROGRAM COMMITTEE BIOGRAPHIES



**Victoria Bradshaw** is a Shareholder at Wise Carter Child & Caraway P.A., a law firm headquartered in Jackson, Mississippi. Victoria handles workers' compensation matters, defending employers and carriers before the Mississippi Workers' Compensation Commission and Mississippi's appellate courts, and advises third party administrators in day-to-day claims handling. In addition, she pursues subrogation recovery on behalf of firm clients in state and federal courts throughout Mississippi. Victoria has handled complicated workers' compensation matters involving bankruptcy issues and renders coverage opinions. She tailors her defense handling of each claim to the preferences and needs of the client. A native of Louisiana, Victoria is a graduate of Louisiana State University (B.S. 2011). She then graduated magna cum laude from Mississippi College School of Law in 2014. Victoria is admitted to all state and federal courts in Louisiana and Mississippi.



**Nicholas Dibble** is a Shareholder in Capehart Scatchard's Workers' Compensation Department. He focuses his practice in the representation of employers, self-insured companies, and insurance carriers in workers' compensation defense matters. Mr. Dibble is a member of the New Jersey and Philadelphia Bar Associations, The Claims and Litigation Management Alliance, the Magee Hospital Foundation and the NWCDN. He received his B.A. from Haverford College and his J.D. from Rutgers Law School. Mr. Dibble is licensed to practice law in the States of New Jersey and Pennsylvania, as well as the U.S. District Court District of New Jersey and U.S. District Court Eastern District of Pennsylvania.



**Virginia Gautier** has extensive experience as a workers' compensation defense lawyer and has handled every aspect of the litigation process from the administrative level through the appellate process, in addition to pursuing recovery of workers' compensation benefits for employer/carriers through subrogation claims. Ms. Gautier representative clients include insurance carriers, self-insured employers and third party administrators, as well as legal entities engaging in business matters on local and national levels. Prior to attending law school, Ms. Gautier was a senior claims adjuster for a national insurance company where she handled workers' compensation claims, working closely with insured employers. Ms. Gautier is a Fellow of the College of Workers' Compensation Lawyers, a member of the Defense Research Institute, and has been listed as a Best Lawyer in America for workers' compensation since 2013. She graduated magna cum laude from the University of Mississippi School of Law in 1996 and has been a speaker at numerous workers' compensation conferences. Ms. Gautier is a shareholder in Wise Carter Child & Caraway PA's Jackson, Mississippi office where she has served on the Board of Directors.



# PROGRAM COMMITTEE BIOGRAPHIES



**James Loughlin**, Stone Loughlin & Swanson, LLP, Austin, Texas. Mr. Loughlin's practice consists primarily of representing workers' compensation insurance carriers in indemnity and medical benefits disputes, regulatory compliance, subrogation, and complex claim consulting. Mr. Loughlin also represents employers in workers' compensation and employer liability claims and workers' compensation health care networks and political subdivisions in network formation and regulation. He has been licensed in Texas since 1996 and board-certified in workers' compensation law by the Texas Board of Legal specialization since 2004. He became a founding partner of Stone, Loughlin & Swanson, LLP in 2004. Mr. Loughlin has an AV Preeminent Peer Review Rating from Martindale-Hubbell, the highest possible rating in both legal ability and ethical standards. He is a Life Fellow of the Texas Bar Foundation and a Fellow of the National College of Workers' Compensation Lawyers. From 2010 – 2016, he served as a member of the Texas Board of Legal Specialization Workers' Compensation Law Advisory Commission. Mr. Loughlin graduated from Texas A&M University with a bachelor of science degree in political science and then from Baylor University School of Law.



**Parker Olson** is a shareholder for the law firm of Cousineau, Waldhauser, & Kieselbach, P.A. in Minnesota. He specializes in the defense of workers' compensation claims, including file management, strategy recommendations, settlements with intervenors, witness depositions, hearings, and motion practice. He has been a speaker at several national webinars, including recent presentations on the defense of COVID claims and navigating intervention motions in Minnesota. He was named a Rising Star in 2021 by Thompson Reuters Super Lawyers and is included in the 2022 version of Best Lawyers. Prior to joining the firm in February 2016, Parker graduated from the University of St. Thomas School of Law and worked as a judicial clerk. Parker is also licensed to practice law in California after having grown up in the Bay Area. He also remains an active member of the NWCDN and serves as the Vice-Chair for the Midwest Region.



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April 27 & 28, 2022

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NWCDN Annual Conference

October 19 & 20, 2022

Omni Hotel - Nashville, Tennessee



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# WORKERS' COMPENSATION EMERGING ISSUES ANALYSIS

THOMAS A. ROBINSON  
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