

SEVENTH ANNUAL

NEVADA

Workers' Compensation Educational Conference

Presented by



NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY

DIVISION OF INDUSTRIAL RELATIONS

August 24-25, 2017 Tuscany Suites Hotel Las Vegas, Nevada



In cooperation with the International Workers' Compensation Foundation, Inc. (IWCF), a non-profit organization dedicated to workers' compensation education and outreach.

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SEVENTH ANNUAL NEVADA WORKERS' COMPENSATION EDUCATIONAL CONFERENCE Tuscany Suites Hotel • Las Vegas, Nevada • August 24-25, 2017

AGENDA & PROGRAM

THURSDAY, AUGUST 24, 2017

7:00 am - 8:15 am	Registration	Florentine Foyer	
7:00 am - 8:15 am	Continental Breakfast	Florentine C	
GENERAL SESSION			
8:15 am - 8:30 am	Opening Remarks and Administrative Announcements Joseph "JD" Decker, Administrator, DIR	Florentine AB	
8:30 am - 9:45 am	Legislative and Regulatory Updates Don C. Smith, Esq., DIR Senior Division Counsel	Florentine AB	
9:45 am - 10:15 am	Break & Exhibit Visitation	Florentine C	
BREAKOUT SESSIONS (choose 1 of 2)			
10:15 am - 11:30 am	Breakout Session I: Understanding Addiction Warren Seeds, M.D., Monos Health	Florentine AB	
10:15 am - 11:30 am	Breakout Session II: Preventing Death and Injuries in the Workplace: OSHA's Role Jess Lankford, OSHA Chief Administrative Officer	Florentine EFG	
11:30 am - 12:45 pm	Luncheon	Florentine D	
	BREAKOUT SESSIONS (choose 1 of 2)		
12:45 pm - 2:00 pm	Breakout Session I: Leave Policy Compliance: Juggling the FMLA, Workers' Compensation, and the ADA Gaspar Montanez, District Director, Wage & Hour Division, US Department of Labor; Nechole Garcia, EEOC Senior Trial Attorney; Tina Sanchez, CCMSI	Florentine AB	
12:45 pm - 2:00 pm	Breakout Session II: Inherent Risks of Toxic Chemical Exposures to Firefighters Stephen Thompson, Paramedic Captain, CCFD; Richard Brenner, Fire Protection Engineer, CCFD; Richard Nudd, PA-C, Captain, LVFR; Mark Flesher, Life Support Technician, CCFD, and Vice President, Nevada Firefighters Association	Florentine EFG	
2:00 pm - 2:30 pm	Break & Exhibit Visitation	Florentine C	
2:30 pm - 3:45 pm	Breakout Session I: General Overview of the Industrial Insurance Fraud Unit Robert Giunta, Director, Insurance Fraud Unit, Office of the Attorney General	Florentine AB	
2:30 pm - 3:45 pm	Breakout Session II: Peripheral Nerve Disorders of the Wrist and Hand Charles Quaglieri, M.D.	Florentine EFG	
3:45 pm - 4:15 pm	Break & Exhibit Visitation	Florentine C	
4:15 pm - 5:30 pm	Breakout Session I: New Developments in Nevada Workers' Compensation: Subrogation - Who Gets the Money? Michael J. Ryan, Esq.; Erica Tosh, Esq., Mercer Berens	Florentine AB	
4:15 pm - 5:30 pm	Breakout Session II: Civilian Response to Active Shooter James Lopey, Fusion / Terrorism Liaison Coordinator, Dan Dundan, Infrastructure Liaison Coordinator	Florentine EFG	
5:30 pm - 6:30 pm	Reception	Florentine C	



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FRIDAY, AUGUST 25, 2017

7:00 am - 8:00 am	Breakfast	Florentine C	
BREAKOUT SESSIONS (choose 1 of 2)			
8:00 am - 9:15 am	Breakout Session I: Introduction to the Nevada Workers' Compensation Claims and Regulatory Data System, CARDS Stephanie Canter, DIR/WCS; Jim Estrada, DIR/WCS; David Tackitt, DIR	Florentine AB	
8:00 am - 9:15 am	Breakout Session II: Opioid Use in Workers' Compensation Claims Susan Schulte, National Council on Compensation Insurance, Raji Chadarevian, National Council on Compensation Insurance	Florentine EFG	
9:15 am - 9:45 am	Break & Exhibit Visitation	Florentine C	
9:45 am - 11:00 am	Breakout Session I: DOI: Insurance Trends Nick Stosic, CLU, ChFC, CFP, CPA, Insurance Regulation Liaison, Division of Insurance	Florentine AB	
9:45 am - 11:00 am	Breakout Session II: ABC's of Workers' Compensation for Medical Providers Katherine Godwin, RN, BSN; Kathy Stoner, RN, CCM	Florentine EFG	
11:00 am - 11:30 am	Break & Exhibit Visitation	Florentine C	
	GENERAL SESSION		
11:30 am - 12:45 pm	Keynote Speaker: Standard Appellate Review under the Nevada Administrative Procedure Act Justice Lidia Stiglich, Supreme Court of Nevada	Florentine AB	
12:45 pm - 12:50 pm	Closing Remarks Chuck Verre, Chief Adminstrative Officer, DIR/WCS	Florentine AB	



2017 CONFERENCE BIOGRAPHIES



Joseph "JD" Decker is the Administrator for the Division of Industrial Relations. Previously, he was the Administrator for the Nevada Real Estate Division (NRED), where he was tasked with overhauling the agency and improving operational efficiencies. He successfully led modernization changes and improved processes at the Division, leading to NRED being awarded the 2015 Agency of the Year. Before that, he served as the Deputy Commissioner of the Nevada Division of Insurance, compliance and enforcement sections. Mr. Decker came to public service after 20 years in private-sector investigations management for a national bank. He is a veteran, having served as a commissioned officer in the U.S. Army's 12th Special Forces Group.

Chuck Verre has served as the Chief Administrative Officer of the Nevada Workers' Compensation Section since his appointment in October 1999. His career in Nevada workers' compensation covers 40 years, beginning in 1973 in Carson City as a claims adjuster and later a hearing advocate with the Nevada Industrial Commission. In the late '80s he moved south to Las Vegas and spent 10 years running CDS of Nevada before being named to his current position. Mr. Verre is an avid golfer, voracious reader, and a veteran of the US Army Intelligence Service. He will also share a joke or two or three with anyone who'll listen.



Richard Brenner is a native Southern Nevadan. He attended Oklahoma State University (1981 to 1985), where he earned both an Associate and Bachelor of Science degree in fire protection and safety engineering technology. During the summers of 1984 and 1985, he was a summer intern at the Federal Emergency Management Agency (FEMA), National Emergency Training Center. In 1986, Mr. Brenner started working at the Las Vegas Fire Department (LVFD) as a Fire Inspector. He assisted in the development and coordination of the Las Vegas Fire Department's Hazardous Materials program. Three years later he became the Assistant Fire Protection Engineer. In 1992, Mr. Brenner made a career change to the Clark County Fire Department and became their Fire Protection Engineer. In 2001 he graduated from the Executive Officer Program at the National Fire Academy. In 2004, he was promoted to the position of Hazardous Materials Coordinator. In addition, he has served on various commissions, including the Board of Fire Services for the State of Nevada and Nevada Homeland Security Commission, and he is currently Co-Chair of the Nevada State Emergency Response Commission (SERC). In 2008, he became a member of the International Association of Fire Chiefs (IAFC) Hazardous Materials Committee.

Stephanie Canter started her career in 1998 with the State of Nevada, Department of Employment Training and Rehabilitation, as a claims examiner for Unemployment Insurance. After 9/11, Mrs. Canter was assigned to the Helping Hand Project, leading a team of examiners in taking mass claims for individuals who lost work following the attacks. In October 2001 she was promoted to Unemployment Adjudicator responsible for issuing determinations regarding benefit eligibility. Mrs. Canter was promoted again in September 2006 to Investigator in the Employer Compliance Unit for the Division of Industrial Relations, Workers' Compensation Section (WCS). She was responsible for ensuring employers have workers' compensation insurance as required by law. During the same time she attended the University of Nevada Las Vegas, where she received a Bachelor of Science in Public Administration in 2013. She was promoted to Management Analyst II in the WCS Research and Analysis Unit in May 2016. Mrs. Canter is the Project Manager for the development of the new Claims and Regulatory Data System (CARDS). She also continues to work on CARDS upgrades and enhancements while training and assisting co-workers and external Stakeholders with the new system.

Raji Chadarevian is an actuary at the Actuarial and Economic Services Division of the National Council on Compensation Insurance (NCCI). He joined NCCI in June 1995. As Focus Lead for Medical Fee Pricing and Research, he currently leads a team of actuaries responsible for evaluating the cost impact of changes to laws and regulation governing medical benefits in workers' compensation and developing a body of evidence of cause and effect that explains medical cost drivers in workers' compensation. Prior to 2012, he was responsible for several state rate filings, including Montana, New Mexico and Oregon.

Jim Estrada is a Compliance Audit Investigator Unit Supervisor, Southern Nevada, Division of Industrial Relations, Workers' Compensation Section. He has more than five years of experience with the Division of Industrial Relations (DIR) Workers' Compensation Section as a Compliance Audit Supervisor and Compliance Audit Investigator. Prior to the DIR, he worked at the Nevada Department of Employment, Training and Rehabilitation, where he worked as an unemployment claims examiner. He came to Nevada from California with more than 10 years of experience in the workers' compensation field as a claims examiner, field investigator, hearing representative, and self-employed private investigator. He enjoys the abundance of hiking, sporting and outdoor activities that Southern Nevada offers.

Mark Flesher is a 16 year veteran of the Clark County Fire Department in Nevada. He works as a life support technician dealing with SCBAs and PPE, as well as training firefighters in the practical applications and limitations of their fire safety gear. He also sits on the workers' compensation committee and health and safety and PPE committee for Firefighters local 1908 as an executive board member. He is currently the Vice President of the Nevada State Firefighters Association and a technical search specialist for Nevada task force one NVTF-1. As a member of the FEMA team since 2002 he has been deployed three times: for hurricanes Katrina and Rita as a logistics manager and a technical search specialist for the floods in Colorado.

Nechole Garcia currently practices employment discrimination litigation as a Senior Trial Attorney at the EEOC's Las Vegas local office. Before joining the EEOC, she engaged in general civil and criminal litigation as an Assistant City Attorney for the City of Henderson, Nevada. A native of Las Vegas, she graduated summa cum laude from William S. Boyd School of Law in 2012. She also holds a Bachelor of Science in Business Administration from the University of Nevada, Las Vegas.

Robert Giunta is the Director of the Insurance Fraud Unit as well as the Workers' Compensation Fraud Unit for the Nevada Attorney General's Office. Prior to working at the Attorney General's Office, he spent 20 years in private practice, handling workers' compensation, personal injury and criminal cases. He also served as the Chief of Legal Services for the State Industrial Insurance System for Nevada.





Katherine Godwin, R.N., B.S.N. is the Medical Unit Supervisor, Southern Nevada, Division of Industrial Relations, Workers' Compensation Section, where she supervises the Medical Unit. She has been in her current position for four years. Her nursing experience includes rehabilitation, managed care, case management, utilization review, peer review and neonatology, including neonatal intensive care. She has worked in both the public and private sectors. Ms. Godwin has experience in workers' compensation in both Colorado and Nevada and assisted in developing Montana's Medicaid outpatient psychiatric program. Ms. Godwin earned her Bachelor of Science in Nursing at the University of Colorado Health Sciences Center in 1985.

Jess Lankford is a 26 year resident of Nevada, most of which was spent in the Reno area. He worked for 16 years in the commercial printing industry before moving into public sector work. He started with the state in 2005 as a Compliance Safety and Health Officer (CSHO) out of the Reno offices of the Nevada Occupational Safety and Health Administration (NV OSHA). He also worked for the Safety Consultation and Training Section (SCATS) for 2 years as a trainer before moving to Henderson in 2011 to work in NV OSHA administration as a Program Coordinator. Mr. Lankford was appointed Chief Administrative Officer for NV OSHA in August 2014. He holds a Bachelor's degree in Occupational Safety and Health from Columbia Southern University and has over 900 hours of course time completed at the Occupational Training Institute in Arlington Heights, Illinois.

Jim Lopey is a native Nevadan who currently serves as the Terrorism Liaison Officer (TLO) Coordinator for 16 of 17 Nevada counties. He works out of the Nevada Threat Analysis Center (NTAC). The NTAC serves as the state fusion center in Carson City, under authority of the Nevada Department of Public Safety. He coordinates information sharing amongst 850+ TLOs in 140 different agencies and organizations throughout the state. He is an accomplished instructor having formally taught or presented over 270 domestic and transnational terrorism related courses and active shooter presentations during the past several years. He is also an accomplished Active Shooter trainer who has conducted training sessions throughout the State of Nevada. He earned his Bachelor's degree in Criminal Justice from the University of Nevada, Reno, and has a Master's degree in Emergency Crisis Management from the University of Nevada, Las Vegas. He is an FBI National Academy graduate and has attended the Senior Management Institute for Police, Kennedy School of Government, Harvard University. He has attended more than 160 other formal schools and training courses during his long career. As time allows, he teaches law enforcement and homeland security courses for the University of Nevada/TMCC System of higher education.

Gaspar Montañez is the District Director of the Wage and Hour Division for the U.S. Department of Labor. Mr. Montañez started his career with the federal government in Houston, Texas, in 1987, as a Wage-Hour Investigator. He was then promoted to Assistant District Director and transferred to Phoenix in 1997. He transferred to Las Vegas in 2009 and was promoted to District Director of the Las Vegas District Office on March 13, 2011. He received his BS in Chemical Engineering from Texas A & M University 1978 and was a sales Engineer in the Petro-Chemical Industry from 1978 to 1987.

Richard J. Nudd, PA-C, is a Captain for Las Vegas Fire & Rescue and has been with LVFR for 21 years and a member of the LVFR Hazmat team for 10 years. He has been a captain for 7 years and a nationally registered paramedic since 1995. He received his physician assistant education from MEDEX Northwest at the University of Washington School of Medicine, Seattle, in 2001 and is currently practicing in emergency medicine. Captain Nudd is assigned to CBRNE3 (Chemical / Biological / Radiological / Nuclear / Explosive), which is a hazmat specialty unit dealing with weapons of mass destruction and traditional hazardous materials.

Charles E. Quaglieri, M.D., graduated Thomas Jefferson University medical college with an MD degree in 1970. He completed a medical internship and neurology residency, including a stint as chief resident at the University of Wisconsin hospitals in Madison, Wisconsin. He then served in the U.S Navy as a staff neurologist at Great Lakes Naval Hospital in Illinois. He was appointed assistant professor of neurology at the University of Wisconsin and remained on faculty there until 1978. Dr. Quaglieri moved to Reno and helped establish electroencephalography with a strong interest and emphasis on the neurological aspects of workplace injuries. He has performed PPDs and IMEs for most of that time and continues to do so both in Reno and Las Vegas.

Michael J. Ryan, Esq., is a partner at Black & Lobello and has practiced workers' compensation defense and represented Nevada employers and insurers in regulatory matters before the Nevada Division of Industrial Relations and the Nevada Division of Insurance for over 20 years. Mr. Ryan was born and raised in New York City, attended the University of Colorado, where he received a Bachelor of Arts degree in English/History in 1984, and graduated from the College of Law at Arizona State University with a Juris Doctor in 1987. After moving to Nevada in 1988, Mr. Ryan worked for the Nevada Legislative Counsel Bureau during the 1989 Legislative session, the Nevada Division of Insurance between 1989 and 1991, and the Nevada State Industrial Insurance System between 1991 and 1993. Since relocating to Las Vegas in 1993, Mr. Ryan has practiced primarily on the employer/insurer side of contested workers' compensation litigation in both Carson City and Las Vegas. Mr. Ryan's current practice includes representing injured workers, insurers and self-insured employers.





Tina Sanchez is the State Compliance Manager at CCMSI. She joined CCMSI in June 2016. As State Compliance Manager she works to ensure compliance and training with state statutory and regulatory guidelines. She also ensures compliance with litigation and state reporting and serves as CCMSI's liaison with the Division of Industrial Relations. She has been in the Nevada workers' compensation field for 25 years. Prior to joining CCMSI she was the Director of Workers' Compensation for MGM Resorts International for 10 years running the self-insured self-administered programs for Nevada and Mississippi and the self-insured program for Michigan. Ms. Sanchez was also involved in oversight of workers' compensation claims for the building of CityCenter as an Owner Controlled Insurance Program. Coming from the employer's side, she has a great perspective for employer needs. She was appointed by the current Governor and prior two Governors of the State of Nevada to sit on the Subsequent Injury Board for Self-Insured Employers and did so for 10 years, serving the last 3 years of her appointment as Vice Chairperson.

Susan Schulte is currently employed with the National Council on Compensation Insurance (NCCI) as the DOL Focus Lead. In this position, she concentrates on national and state issues facing the state Departments of Labor and Divisions of Workers Compensation, develops common solutions to those issues and works to strengthen the relationship between the NCCI and the workers' compensation regulators. She is responsible for the delivery of the Medical Data Reports as well as the Proof of Coverage service provided to state regulators.

Warren Seeds, M.D., is a Board-Certified Anesthesiologist and an Addiction Specialist. He was born and raised in Oregon. He attended the University of Oregon, where he earned his Bachelor of Science with Honors in Biology, while doing research at the Institute of Molecular Biology. He attended the Oregon Health and Science University School of Medicine. He did his post-graduate training in Anesthesiology at Los Angeles County USC Medical Center in Los Angeles. After residency, Dr. Seeds stayed in Southern California and practiced Anesthesiology at Providence Saint Joseph Medical Center in Burbank for twelve years before taking an opportunity to practice Obstetric Anesthesiology in Las Vegas in 2001. Dr. Seeds actively searched for a way to practice medicine and make a difference. The emergence of Addiction Medicine as a discipline provided an opportunity for him to help again, and he joined Monos Health as an Addiction Specialist. Dr. Seeds's approach to addiction is holistic and non-judgmental. Addiction is a disease that manifests differently in each patient, so the treatment of addiction must be individualized. This requires a partnership between patient and physician and a vigorous line of communication between them. Dr. Seeds strives to earn the trust of his patients to ensure that this partnership can develop. Because addiction is a chronic disease, adjustments in therapy are often necessary, and trust and communication are vital to ensuring that the most accurate and effective therapies are chosen.

Donald C. Smith, Esq., is the Senior Division Counsel with the State of Nevada Department of Business & Industry, Division of Industrial Relations (DIR), based in the Henderson office. He has been a licensed attorney in Nevada for more than 38 years with extensive experience in workers' compensation from the regulator's, insurer's and claimant's perspectives. Prior to returning to DIR, he worked 16 years as in-house counsel for the State Industrial Insurance System and later Employers Insurance Company. When he left the corporate world, he was General Counsel and corporate secretary for four workers' compensation insurance companies that wrote coverage throughout the United States. His experience also includes representing workers' compensation claimants in private practice and as a deputy with the Nevada Attorney for Injured Workers. Mr. Smith received his B.A. from the University of Southern California in Los Angeles and his J.D. from the University of San Diego, School of Law.

The Honorable Lidia S. Stiglich was appointed to the Supreme Court of Nevada by Nevada Governor Brian Sandoval in November 2016. Justice Stiglich is a member of the Nevada Supreme Court's Indigent Defense Commission and the Commission on Statewide Rules of Criminal Procedure. She is a member of the Washoe County Bar Association, the Clark County Bar Association, the Northern Nevada Women Lawyers Association, and the National Association of Women Judges. Prior to her appointment to the Supreme Court, Justice Stiglich was appointed district court judge of the Second Judicial District Court by Nevada Governor Brian Sandoval in November 2012, and she was subsequently retained by voters in 2014. As the presiding judge in Department Eight of the district court, Justice Stiglich heard civil and criminal trials. In addition to the duties in Department Eight, she served as the Probate Judge for the district and was also the co-founder and presiding judge of the Youth Offender Drug Court. This specialty court was designed for the young adult population (ages 18 to 24) who are opiate/heroin users, as an alternate sentencing/rehabilitation program. Justice Stiglich graduated from the University of California, Berkeley, with a Bachelor of Science in Business Administration, emphasis in Finance. While at UC Berkeley, she was a member of the intercollegiate softball team. Justice Stiglich received her Juris Doctorate from the University of California, Hastings College of Law. Justice Stiglich's vast experience includes significant federal and state criminal and civil matters, as well as administrative law.





Prior to her appointment to the bench, Justice Stiglich was the founder and managing partner of Stiglich & Hinckley, LLP. In addition to her role at the firm, she also served as special counsel to Lieutenant Governor Brian K. Krolicki, where she advised on legal matters related to economic development, tourism, cultural affairs, and other special projects. Justice Stiglich is admitted to practice law in Nevada and California. In addition to her professional affiliations, she participates in several community organizations. She is a member of the Reno Sunrise Rotary, serves as a board member for Friends of Nevada Mansion, and is a member of the Sierra Nevada Ballet Board of Directors. Justice Stiglich currently serves as a faculty member at the National Judicial College and an instructor at the University of Nevada, Reno. She has served as an adjunct law professor at the John F. Kennedy School of Law, Golden Gate University School of Law, and New College of the Law.

Nick Stosic, CLU, ChFC, CFP, CPA, joined the Division of Insurance as the Insurance Regulation Liaison in August of 2016. His responsibilities include representing the Division as the liaison to the Nevada Legislature, as well as to the Nevada insurance agents and brokers. Previously he worked with the international accounting firm of Price Waterhouse and Co., both in Los Angeles and Seattle, from 1979 until 1982. From 1982 until 2016, Stosic worked as a Nevada insurance agent, broker and manager. Mr. Stosic graduated the University of Arizona in 1978 with a BS in Business Administration. He has obtained his Chartered Life Underwriter, Chartered Financial Consultant, Certified Financial Planner, and Certified Public Accountant professional designations. He has served as President of the Northern Nevada Life Underwriters Association, the Sierra Nevada Association of Financial Service Professionals, and the Nevada Association of Insurance and Financial Advisors.

Kathy Stoner, RN, CCM, is a Registered Nurse and Certified Case Manager (CCM), who has worked for the State of Nevada in many different positions since August 1993. Her State of Nevada employment began with the State Industrial Insurance System (SIIS), through April 2000, where she performed Case Management and Utilization Review for injured employee claims. In October 2016, she joined the Division of Industrial Relations, Workers' Compensation Section (DIR/WCS), as the Northern Region Medical Unit Supervisor.

David Tackitt has been designing, developing and implementing software and hardware solutions for over 2 decades. He is a MicroSoft Certified Professional and SQL Server Database Administrator. He came to Nevada from the Chicago area, where he served for years as CIO for a multi-national manufacturing company. He also headed his own IT services consulting firm specializing in software solutions using MicroSoft and other technologies for a variety of industries, such as manufacturing, real estate, retail services, restaurant management, trade show management and more. He spent 2015 working in the federal government with the State Department and is now home working with the State of Nevada in Las Vegas. He is currently an IT Professional with the Division of Industrial Relations. His main focus is on the Claims and Regulatory Data System (CARDS), where he continues to work on CARDS upgrades and enhancements.

Steven Thompson is a Paramedic Captain with the Clark County Fire Department. He has been with CCFD for 22 years and is currently assigned to Station 28 in Summerlin. During his career he was promoted from Firefighter to Engineer and is currently a Captain (promoted in 2004). He has been a paramedic with the fire department since 1996. His education includes a Bachelor of Science degree from the University of Nevada Las Vegas in Business Management as well as an Associate's degree in Fire Science Management from College of Southern Nevada. He is currently the Vice—President for Clark County Firefighters IAFF 1908, as well as the chairman of the union's Workers' Compensation Committee.

Erica L. Tosh, Esq., of Workers' Comp Lawyers of Nevada/Injury Lawyers of Nevada, specializes in workers' compensation, personal injury, and general litigation matters from an Employee/Claimant/Plaintiff perspective. She is a frequent lecturer in workers' compensation matters and is an active Pro Bono participant in the Nevada CAPS program on behalf of abused and/or neglected children. Ms. Tosh is a member of the State Bar of Nevada and the Clark County Bar Association, as well as the Nevada Justice Association. Ms. Tosh received her Bachelor of Arts in Political Science from the University of Nevada, Las Vegas; her Masters Degree in Public Administration from Arizona State University; and her Juris Doctor from California Western School of Law in San Diego, California.

