

# FACULTY

## INSTITUTE CO-CHAIRS

### JOHN M. HOLLICK

Lynn, Scharfenberg & Hollick  
Bloomington

### LINDSEY M. ROWLAND

Meuser, Yackley & Rowland, P.A.  
Eden Prairie

## JUDGES



### HONORABLE KARL C. PROCACCINI

Associate Justice  
Minnesota Supreme Court  
Saint Paul



### HONORABLE PATRICIA J. MILUN

Chief Judge  
Minnesota Workers' Compensation Court of Appeals  
Saint Paul



### HONORABLE VERONICA WALTHER

Assistant Chief Workers' Compensation Judge  
OAH  
Saint Paul



### HONORABLE WILLIAM J. MARSHALL

Workers' Compensation Judge  
OAH  
Saint Paul

## GUEST SPEAKER



### DOUG CASH

MBA, CFE, CFI, CFCI  
Fraud & Forensic Advisory Services  
Eide Bailly, LLP  
Denver, Colorado

## DOCTORS



### JASON DAUFFENBACH, DO

Mayo Clinic Health System  
Mankato



### MAHMOOD GHARIB, MD

University of Minnesota-M Health Fairview  
Minneapolis



### ZEKE J. MCKINNEY, MD

HealthPartners  
Saint Louis Park

### ANNIE M. DAVIDSON

ExamWorks Compliance Solutions  
Saint Paul

### KELLY P. FALSANI

Fitch Johnson Larson, P.A.  
Roseville

### JENNIFER M. FITZGERALD

Baehman Law  
Woodbury

### GRETCHEN HALL

The Law Office of Gretchen Hall  
Saint Paul

### JEFFREY W. JACOBS

Wilkerson & Hegna  
Edina

### MICHAEL R. JOHNSON

Erstad & Riemer, P.A.  
Minneapolis

### MARTIN D. KAPPENMAN

Peters & Kappenman, P.A.  
Minneapolis

### JOSHUA W. LAABS

Schmidt & Salita Law Firm  
Minneapolis

### PENELOPE J. PHILLIPS

Felhaber Larson  
Minneapolis

### STEVEN T. SCHARFENBERG

Lynn, Scharfenberg & Hollick  
Bloomington

### TODD C. SCOTT

Minnesota Lawyers Mutual  
Insurance Company  
Minneapolis

### ALEJANDRO (ALEX) TREVINO

Alex Trevino Law PLLC  
Bloomington

### GINA M. UHRBOM

Brown & Carlson P.A.  
Minneapolis

### VANESSA WASHINGTON

Meuser, Yackley & Rowland, P.A.  
Eden Prairie

### CHRISTOPHER YOSHIMURA-RANK

Brown & Carlson, P.A.  
Minneapolis

Nonprofit Org.  
U.S. Postage  
PAID  
Minnesota Continuing  
Legal Education

Minnesota Continuing  
Legal Education  
2550 UNIVERSITY AVE W #160-S, SAINT PAUL MN 55114



DATED MATERIAL – PLEASE EXPEDITE!



VIEW INFORMATION ON  
YOUR MOBILE DEVICE OR  
REGISTER ONLINE



MINNESOTA CONTINUING  
LEGAL EDUCATION  
*Your Success Is Our Goal*

ATTEND IN PERSON  
WEDNESDAY & THURSDAY  
APRIL 24-25, 2024

Minnesota CLE Conference Center  
Minneapolis

The 2024

# Workers' Compensation Institute

Engaging Program Filled With  
All-New Sessions!

## Don't Miss These 2024 Institute Highlights!

- **Kickoff Keynote** Featuring Minnesota Supreme Court Justice **Karl Procaccini**, WCCA Chief Judge **Patricia Milun** and OAH Assistant Chief WC Judge **Veronica Walther**
- **Hot-Seat Case Evaluations** – A Panel of Pros Moderated by OAH WC Judge William Marshall
- Guest Speaker **Doug Cash** on Assessing Credibility
- **Annual Case Update**
- **15 Timely Sessions**
- **3 Doctor-Taught Sessions** on Chronic Pain; Heart Conditions; and the Neck, Back and Spine
- **And More!**

## CAN'T ATTEND IN PERSON?

View the online replay May 13-14, 2024.

SPECIAL THANKS TO OUR  
INSTITUTE SPONSOR



The 2024  
**Workers' Compensation Institute**

WEDNESDAY & THURSDAY  
APRIL 24-25, 2024

## Wednesday, April 24, 2024

8:30 – 9:00 a.m.  
CHECK-IN & CONTINENTAL BREAKFAST

9:00 – 9:05 a.m.  
**Welcome & Introduction**  
– *John M. Hollick & Lindsey M. Rowland*  
*2024 Institute Co-Chairs*

### KEYNOTE PANEL

**A View from the Bench – Practice Tips for Your Workers’ Comp Case**  
Learn the most effective methods of representing your client, arguing your positions, and meeting the opposing arguments in a session with a panel of judges from throughout the full potential span of a workers’ comp case – an OAH judge, a Workers’ Compensation Court of Appeals judge, and a Minnesota Supreme Court justice. Useful practice tips, a summary of trial and appellate writing techniques, establishing your best evidentiary record, and more.

- *Honorable Karl Procaccini*
- *Honorable Patricia Milun*
- *Honorable Veronica Walther*
- *John M. Hollick (moderator)*
- *Lindsey M. Rowland (moderator)*

10:05 – 10:50 a.m.  
**The Year’s Most Significant Workers’ Compensation Cases**

Jeff Jacobs is back to deliver his highly rated, annual case review! Jeff packs this session with practical insights about significant workers’ compensation cases decided over the past 12 months by the Minnesota Supreme Court and the Workers’ Compensation Court of Appeals.

- *Jeffrey W. Jacobs*

10:50 – 11:10 a.m. BREAK

11:10 – 11:40 a.m.  
**What I Thought I Knew About the “Other Side,” But Didn’t**

This session explores misconceptions about the actions and intentions of opposing parties and their lawyers in workers’ comp matters. You’ll hear from two attorneys who, in their careers, have moved from one side of the aisle to the other. Hear what they’ve learned by being on the “other side” and how those lessons can make you a more effective advocate for your own clients.

- *Jennifer M. Fitzgerald*
- *Michael R. Johnson*

11:40 a.m. – 12:25 p.m.

### GUEST SPEAKER

**Getting to the Truth in Depositions – Asking the Right Questions the Right Way**

Depositions of parties, experts, and witnesses are key to your workers’ compensation matters. And they are just some of the many crucial points in your cases when you are called upon to engage in effective questioning and credibility assessment. In this session, guest speaker Doug Cash will provide strategies for increased precision in your inquiries and for steering clear of confirmation bias.

- *Doug Cash*

12:25 – 1:30 p.m. LUNCH BREAK  
(on attendees’ own)

### 1:30 – 2:30 p.m. BREAKOUT SESSION A

001  
**Planning for an IME: Timing, Provider Selection, Prep, Review, and More**

- *Steven T. Scharfenberg*
- *Alejandro (Alex) Trevino*
- *Vanessa Washington*

002  
**Marijuana and Work Injury – Asserting Intoxication**

- *John M. Hollick*
- *Martin D. Kappenman*

003  
**Understanding How Memory Works and What That Means for Assessing Credibility**

- *Doug Cash*

2:30 – 2:45 p.m. BREAK

### 2:45 – 3:45 p.m. BREAKOUT SESSION B

101  
**Hot Seat Case Evaluations – How the Pros Assess Primary Liability, Wage Loss Damages, Medical Expenses and Other Key Issues**

*We’re putting 4 experienced workers’ comp lawyers in the hot seat. How? The first time they’ll see the short hypotheticals they’re evaluating is just a few hours before the presentation!*

- *Kelly P. Falsani*
- *Gretchen Hall*
- *Joshua W. Laabs*
- *Christopher Yoshimura-Rank*
- *Honorable William J. Marshall (moderator)*

102  
**How the New Minnesota Employee Leave Laws Intersect with Workers’ Comp – What It All Means for Your Client Matters and Your Practice**

- *Penelope J. Phillips*

103  
**Understanding Truth and Deception and What That Means for Assessing Credibility**

- *Doug Cash*

3:45 – 4:00 p.m. BREAK

### 4:00 – 5:00 p.m. BREAKOUT SESSION C

201  
**Medicare Set-Asides – Fact Scenarios and Practical Takeaways**

*Includes electronic audience polling!*

- *Annie M. Davidson*
- *Gina M. Uhrbom*

202  
**Ethics: Using Generative AI and ChatGPT Effectively, Responsibly, and Ethically in Your Law Practice**

*1.0 ethics credit applied for*

- *Todd C. Scott*

5:00 – 6:00 p.m.  
INSTITUTE RECEPTION



## Medical Day Thursday, April 25, 2024

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

9:00 – 9:05 a.m.  
**Welcome & Introduction**  
– *John M. Hollick & Lindsey M. Rowland*

9:05 – 10:05 a.m.  
**Anatomy 101 – Neck, Back and Spine: An Overview and Refresher for Workers’ Compensation Practitioners**

For this foundational session, we’re joined by Dr. Mahmood Gharib – interventional physiatrist and Medical Director of the Spine Health Program at the University of Minnesota-M Health Fairview. Dr. Gharib will cover the fundamental aspects of neck, back, and spine anatomy, focusing on key terms, functions, and common mechanisms of injury.

- *Mahmood Gharib, MD*

10:05 – 10:15 a.m. BREAK

10:15 – 11:15 a.m.  
**Heart Condition – Work-Related or Not?**

Dr. Zeke McKinney is a HealthPartners clinician, who is board-certified in occupational medicine, general preventive medicine and public health, and clinical informatics. He will describe the clinician approach to determining, to the extent possible, the causality for an individual patient’s heart condition.

- *Zeke J. McKinney, MD*

11:15 – 11:25 a.m. BREAK

11:25 a.m. – 12:25 p.m.  
**What Chronic Pain Treatment Looks Like in 2024**

Dr. Jason Dauffenbach holds certifications in pain medicine and in physical medicine and rehabilitation. He will share the latest advancements, innovative therapies, and interdisciplinary approaches that define today’s landscape of chronic pain treatment.

- *Jason Dauffenbach, DO*

### 2 FREE POST-INSTITUTE WEBCASTS!

More learning, more credits! Details including a coupon code, along with instructions on how to register for free, will be distributed at the Institute.



## COURSE INFORMATION

**LIVE IN PERSON**  
Wednesday & Thursday  
April 24-25, 2024  
Minnesota CLE Conference Center  
600 Nicollet Mall, Suite 370  
Third Floor City Center, Minneapolis

**ONLINE REPLAY**  
Monday & Tuesday  
May 13-14, 2024  
View online at [www.minncle.org](http://www.minncle.org)  
The online replay will include all plenary and breakout sessions. A moderator will be available to answer questions by e-mail.

**COURSE MATERIALS**  
In-person attendees will receive hard copies of any course materials submitted. All attendees will have access to all course materials via their Minnesota CLE website account.

**CREDITS – INSTITUTE**  
Minnesota CLE is applying to the Minnesota State Board of CLE for **9.0 CLE credits**, including **1.0 ethics credit** for attendees of session #202. The maximum number of total credits attendees may claim is 9.0 credits.

**CREDITS – FREE POST-INSTITUTE WEBCASTS**  
Minnesota CLE is applying to the Minnesota State Board of CLE for **1.0 standard CLE credit** for each post-Institute webcast.

**SCHOLARSHIPS AVAILABLE**  
Minnesota CLE maintains a scholarship program for those with a financial need. For details or to obtain an application, contact Grant at [gdavies@minncle.org](mailto:gdavies@minncle.org) or **651-254-2103**.

**ACCOMMODATION**  
If you have a disability and need an accommodation in order to attend this seminar, contact Minnesota CLE as soon as possible at [customerservice@minncle.org](mailto:customerservice@minncle.org) or **800-759-8840**.

**CANCELLATION / NO-SHOW POLICY**  
Paid registrants who cancel before the seminar will receive a refund upon request. Paid registrants who do not cancel and are unable to attend will retain access to the seminar materials through their Minnesota CLE website account.

**QUESTIONS?**  
[customerservice@minncle.org](mailto:customerservice@minncle.org)  
[www.minncle.org](http://www.minncle.org)  
**800-759-8840**

Register online today at [www.minncle.org](http://www.minncle.org)

# The 2024 Workers’ Compensation Institute

**Attend In Person**  
Wednesday & Thursday, April 24-25, 2024  
Minnesota CLE Conference Center  
600 Nicollet Mall, Suite 370, Minneapolis

**Can’t attend in person? View the online replay!**  
Monday & Tuesday, May 13-14, 2024  
[www.minncle.org](http://www.minncle.org)

**REGISTER ONLINE AT WWW.MINNCLE.ORG**  
For assistance, call Minnesota CLE at **800-759-8840** or email [customerservice@minncle.org](mailto:customerservice@minncle.org).

**TUITION:**  
\$445 MSBA member rate  
\$445 paralegal rate  
\$495 standard rate

**SEASON PASSHOLDERS:**

- **Super Passholders** may attend the in-person seminar or the online replay at no charge.
- **In-Person Passholders** may attend the in-person seminar at no charge or the online replay for 50% off.
- **Online Passholders** may attend the in-person seminar for 50% off or the online replay at no charge.

**NEW LAWYER DISCOUNT!**  
New lawyers who have been admitted to the bar fewer than 3 years receive a 50% discount.

**SCHOLARSHIPS AVAILABLE**  
Minnesota CLE maintains a scholarship program for those individuals with a financial need. To obtain a scholarship application, contact Grant at [gdavies@minncle.org](mailto:gdavies@minncle.org).

**JOIN THE MSBA AND PAY LESS FOR MINNESOTA CLE SEMINARS!**  
To join, go to [www.mnbar.org](http://www.mnbar.org)  
Or for more membership advantages call 1-800-882-6722.