

22nd Annual Workers' Compensation Law Conference 2021

Essential updates, practical tips and insight from D.I.A. Judges

The pandemic and its overall impact on the practice of workers' compensation law and society has already been felt by most—and leaves many unanswered questions for the practice in the future. Against this backdrop, MCLE is sponsoring its *22nd Annual Workers' Compensation Law Conference 2021*. This virtual *Conference* features experienced practitioners in the workers' compensation field who, together with Judges from the Department of Industrial Accidents, and other professionals, provide relevant and comprehensive information on the most important topics and issues affecting this dynamic practice area.

Practitioners attending this *Conference* not only learn about recent cases and legislation pertaining to workers' compensation law and its practice, but also have the opportunity to choose from a variety of breakout sessions covering topics such as handling cases involving minority and immigrant workers, and dealing with injuries occurring at home during remote work settings, as well as an update on the practice and procedure before the D.I.A., and cases involving “purely voluntary” recreational activities. This year's featured discussion, *Proving COVID-19 As a Compensable Injury Under the Act*, brings you practical insights from veteran attorneys and Judges who analyze the development of claims and defenses. As in the past, Senior Judge Omar Hernández provides an update on the state of affairs at the D.I.A in light of the pandemic. The breadth of the *Conference's* topics offers something for everyone who practices workers' compensation law. Bring your questions and join the online dialogue!

Agenda & Faculty

- 9:00 am–9:15 am** **Welcome and Introduction**
Joseph F. Agnelli, Jr., Esq., *Agnelli Law Offices, PC, Worcester*, Chair
- 9:15 am–10:30 am** **Recent Case Law and Legislative Update 2021**
Jamie R. Spiller Kaplan, Esq., *Chartwell Law, Wellesley Hills*
Michele E. Norton, Esq., *Pulgini & Norton LLP, Braintree*
- 10:30 am–10:45 am** **Break**
- 10:45 am–11:15 am** **National Workers' Compensation Update**
Alan S. Pierce, Esq., *Pierce, Pierce & Napolitano, Salem*
- 11:15 am–12:30 pm** **Featured Discussion: Proving COVID-19 As a Compensable Injury Under the Act—Comparisons to Other Proven Workplace and Infectious Diseases**
Joseph J. Durant, Esq., *Tentino, Kendall, Canniff & Keefe LLP, Boston* (Moderator)
Hon. Tamara L. Ricciardone, *Department of Industrial Accidents, Commonwealth of Massachusetts*
Edward L. Baker, MD, MPH, *Cambridge*
Monique M. Chiacchia, Esq., *Travelers, Providence, RI*
Kelli S. Silva, Esq., *Keches Law Group, Worcester*
- 12:30 pm–1:30 pm** **Lunch Break (on your own)**



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Dates & Location

LIVE WEBCAST

Friday, November 19, 2021
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2220031WBC

REBROADCAST

Monday, December 6, 2021
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2220031RBC

REBROADCAST

Tuesday, December 14, 2021
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2220031RB1

ON DEMAND WEBCAST

View after Tuesday, December 14, 2021

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Tuition (includes written materials)

- \$295
- \$265.50 MCLE Sponsor Members
- \$221.25 New Lawyers admitted to law practice after 2018, Pending Admittees, Law Students, and Paralegals

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

The materials for this program include MCLE's *Massachusetts Workers' Compensation Law Sourcebook & Citator 2022*, which, along with any other materials, can be downloaded via the link emailed to you upon registration.

Also, there is no need to take extensive notes. Two weeks after the live webcast, all registrants receive a link to a verbatim transcript of this program.

CLE Credits

Earn up to 6.5 CLE credits

- 1:30 pm–1:45 pm** **D.I.A. Update 2021**
 Hon. Omar Hernández, *Senior Administrative Judge, Department of Industrial Accidents, Commonwealth of Massachusetts*
- 1:45 pm–3:15 pm** **Breakout Session I (choose one)**
Handling Minority and Immigrant Workers—Overcoming Challenges and Bias in the Workers’ Compensation System
- From the employee’s perspective
 - From the insurer’s perspective
 - Proving employment status
 - Proving dependency in death cases
 - Determining average weekly wage
 - Testimonial problems
 - Role of the judge
- James E. Ramsey, Esq., *Ramsey Law Offices, PC, Worcester* (Moderator)
 Hon. Steven D. Rose, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Charles R. Casartello, Jr., Esq., *Pellegrini, Seeley, Ryan & Blakesley, PC, Springfield*
 Meredith P. Rainey, Esq., *Morrison Mahoney LLP, Fall River*
 Stacie A. Sobosik, Esq., *Sobosik Law, Medford*
- Injuries Occurring at Home in Light of the New Remote Workforce**
- Proving injuries arose out of the employment
 - In the course of the employment
 - Hours of employment
 - Going and coming rule issues
 - Judge’s perspective
- Daniel P. Napolitano, Esq., *Pierce, Pierce & Napolitano, Salem* (Moderator)
 Hon. Fred A. Taub, *Brookline*
 Nathan G. Johnson, Esq., *Agnelli Law Offices, PC, Worcester*
 Lesa M. Stramondo, Esq., *Curtin, Murphy & O’Reilly, PC, Boston*
- 3:15 pm–3:30 pm** **Break**
- 3:30 pm–5:00 pm** **Breakout Session II (choose one)**
Update on Practice and Procedure Before the D.I.A. in Light of Promulgated Directives
- Pre-Hearing Memoranda and other requisites
 - Weight/admissibility of medical opinions in the “tele-med” world
 - Document admissibility
 - Use of subpoenas
 - Depositions v. in-person testimony
 - Judge’s perspective
- Hon. Lauren M. Bergheimer, *Department of Industrial Accidents, Commonwealth of Massachusetts* (Moderator)
 Hon. Martin J. Long, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 Joseph F. Agnelli III, Esq., *Agnelli Law Offices, PC, Worcester*
 Pauline A. Jauquet, Esq., *Smith Duggan Buell & Rufo LLP, Lincoln*
- “Purely Voluntary” Recreational Activities—Compensable or Not?**
- Burden of proof from the employee’s perspective
 - Properly defending said claims
 - Recent case law and trends
 - View from the Bench
- Alan S. Pierce, Esq., *Pierce, Pierce & Napolitano Salem* (Moderator)
 Hon. Catherine Watson Koziol, *Department of Industrial Accidents, Commonwealth of Massachusetts*
 JoAnn D. Walter, Esq., *Tentindo, Kendall, Canniff & Keefe LLP, Boston*

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 - 151-250 .. 3,500
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