

# Agenda

## Thursday, October 17, 2019

<b>7:30 – 8:30</b>	<b>Registration</b> <i>Grand Ballroom Foyer – 1<sup>st</sup> Floor</i>			
	<b>Breakfast</b> <i>Palm Garden Room – 2<sup>nd</sup> Floor</i>			
<b>8:30 – 8:45</b>	<b>Welcome &amp; Opening Remarks</b> <i>Grand Ballroom – 1<sup>st</sup> Floor</i>  <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><i>Martin E. Rosen</i> Partner <i>Hinshaw &amp; Culbertson LLP</i></td> <td style="width: 50%; border: none;"><i>Robert E. Hess</i> Partner <i>Hinshaw &amp; Culbertson LLP</i></td> </tr> </table>		<i>Martin E. Rosen</i> Partner <i>Hinshaw &amp; Culbertson LLP</i>	<i>Robert E. Hess</i> Partner <i>Hinshaw &amp; Culbertson LLP</i>
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<b>8:45 - 9:45</b>	<b>Keynote: Be a Green Apple</b> <i>Grand Ballroom – 1<sup>st</sup> Floor</i>  <p>John Garrett is a nationally recognized corporate speaker, comedian and emcee who draws on his condition as a recovering Big Four CPA to deliver messages that hit home with corporate audiences.</p>			
	<b>Track A in Salons G-L</b>	<b>Track B in Salons A-F</b>		
<b>10:00 – 10:45</b>	<b>Assessing Complexity of Disability Claims</b>  <i>Jason Hollis</i> <i>Claim Director</i> <i>Principal Financial Group</i>  <p>Getting the right claim, to the right person, at the right time can be a daunting task. In this session we will cover one carrier’s approach to identifying the complexity of claims and how to get them in the right hands. We will cover how the complexity factors were developed, the creation of the model to assign claims and how we are currently leveraging the results to assess performance and identify potential process improvements within the claims function.</p>	<b>Mental Illness/Substance Abuse Disability Claims and Benefit Limitations</b>  <i>Bryan Bolton</i> <i>Chairman</i> <i>Funk &amp; Bolton, P.A.</i>  <p>A primer for LTD and IDI lawyers and claims professionals addressing definitions of mental illness, policy/plan language, co-morbid conditions, retaining the right reviewer/IME provider, and claim documentation.</p>		
<b>10:55 – 11:40</b>	<b>Productive Aging: How to Avoid Prolonged Disability on the Road to Retirement</b>  <i>Kristin Tugman</i> <i>Vice President, Health and Productivity Analytics</i> <i>Prudential</i>  <p>We are in the midst of a new workforce. Employees are delaying retirement and the workforce is aging. Research suggests that employees tend to self-modify their tasks in order to remain productive. Learn how to capitalize on this research as you work with claimants on return to work strategies.</p>	<b>Arbitration, Church Plans, and Other Developing ERISA Issues</b>  <i>Mark E. Schmidtke</i> <i>Shareholder</i> <i>Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C.</i>  <p>The presenter, an expert on all aspects of disability law, will discuss arbitration, church plans, as well as other cutting edge issues that will likely impact the litigation of ERISA-governed disability claims for years to come.</p>		

# Thursday, October 17, 2019 (Con't)

11:45 – 1:15	<b>Networking Luncheon</b> <i>Palm Garden Room – 2<sup>nd</sup> Floor</i>	
	<b>Track A in Salons G-L</b>	<b>Track B in Salons A-F</b>
1:15 – 2:00	<b>Effective Disability Claim Management: Escape Room Edition!</b>  <i>Rick Denman</i> <i>Assistant Vice President – Claims</i> <i>Munich American Reassurance Company</i>  <p>If you have participated in an Escape room event ... have you ever thought about how there is an amazing similarity to managing disability claims? You are the central person with a team of people working together within a timeframe for a common goal. Everyone is contributing from different perspectives and backgrounds. There is story involved and you must pull together all of the clues to get the solution. Sound like an escape room team....or a claim team? We will explore this fun and thought-provoking comparison but more importantly reinforce key attributes needed for effective claim management for you and your team.</p>	<b>The Art of Fighting Disability Fraud</b>  <i>Steven Del Mauro</i> <i>Senior Partner</i> <i>McElroy, Deutsch, Mulvaney &amp; Carpenter LLP</i>  <p>A successful outcome begins with a thorough claim and underwriting investigation. This presentation will provide guidance to claim persons, underwriters and counsel in matters involving the fraudulent procurement of disability insurance and the remedies available to redress such wrongs.</p>
2:10 – 2:55	<b>Data Science Brings Innovation to Claims Management: Are We Ready?</b>  <i>Ian Bridgman</i> <i>Executive Director</i> <i>The Claim Lab</i>  <p>With the amazing progress in data science, with more and more sophisticated tools available, how can your claims operation benefit from this innovation? This session suggests methods of applying analytical tools in the claims management process, and just how far this can go. This is a big change for the industry. In an environment of forever being expected to do-more-with-less, we need to work smarter.</p>	<b>Individual Disability Income Case Law Update</b>  <i>Daniel K. Ryan</i> <i>Partner &amp; Chair, Business Litigation Practice</i> <i>Hinshaw &amp; Culbertson LLP</i>  <p>50 different states, many with bad faith remedies, interpreting anything and everything related to IDI claims. What could possibly go wrong? Come find out what several courts around the country have focused on in this area during the recent past.</p>
2:55 – 3:15	<b>Networking Break</b> <i>Grand Ballroom Foyer – 1<sup>st</sup> Floor</i>	

# Thursday, October 17, 2019 (Con't)

	Track A in Salons G-L	Track B in Salons A-F
3:15 – 4:00	<p><b>Care and Treatment Considerations for Chronic Pain: Emerging Science and the Opioid Crisis</b></p> <p><i>Kari Briscoe</i>            Director, Claims Consultant            Reinsurance Group of America</p> <p>With the opioid crisis, increased use of medical marijuana and more acceptance of ‘eastern medicine’ modalities, it is difficult for LTD insurers to define what appropriate care currently means for claimants with chronic pain conditions. This session will provide an overview of traditional beliefs and treatment and the emerging science around chronic pain being a neurophysiological disorder that requires a multi-dimensional treatment approach.</p>	<p><b>ERISA’s New Disability Claim Handling Regs: Requirements, Impact on Claims, and Litigation Strategy</b></p> <p><i>Adam E. Formus</i>            2nd VP Counsel            The Guardian Life Insurance Company</p> <p><i>Theodore Glockner</i>            2nd VP &amp; Chief Compliance Officer            The Guardian Life Insurance Company</p> <p><i>Melanie Wiltrout</i>            Appeals &amp; Compliance Manager            The Guardian Life Insurance Company</p> <p>In 2018, the United States Department of Labor’s amendments to the claims handling regulations applicable to ERISA covered disability claims became effective. The panel will discuss the impact of these important changes from a regulatory, litigation, and claims adjudication perspective. The panel will discuss the amendment in detail, explore its impact within the industry, examine creative solutions through detailed claims scenarios, and review case law addressing its impact.</p>
4:10 – 4:55	<p><b>Mediation: Why Should I Trust You?</b></p> <p><i>Cliff Hendler</i>            Mediator            ADR Chambers Inc.</p> <p>Trust is a fundamental aspect to all successful negotiations. The same holds true when dealing with a mediator. What and when do you divulge to the mediator. This session will cover effective ways to use the mediator and the mediation process.</p>	<p><b>Current Trends in ERISA Attorneys' Fee Claims</b></p> <p><i>Steve Lehner</i>            Partner            Hinshaw &amp; Culbertson LLP</p> <p>In this segment, the presenter will explore recent cases addressing key points in attorneys’ fee claims including what constitutes success on the merits under <i>Hardt</i>, the continued viability of the Catalyst Theory for recovery and the courts’ views of proportionality when assessing the amount of fees being sought.</p>
5:30 – 6:30	<p><b>Networking Reception</b>            Palm Garden Room – 2<sup>nd</sup> Floor</p>	

# Friday, October 18, 2019

7:30 - 8:30	<b>Breakfast</b> <i>Palm Garden Room – 2<sup>nd</sup> Floor</i>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"></div> <div style="width: 35%; text-align: center;"><b>Track A in Salons G-L</b></div> <div style="width: 35%; text-align: center;"><b>Track B in Salons A-F</b></div> </div>		
8:30 - 9:15	<p><b>#JustGoogleIt &amp; Beyond: Leveraging Social Media and Internal Resources in the Claim Investigation Process</b></p> <p><i>Dawn DiBiase</i>  <i>Assistant Vice President, Claims</i>  <i>Disability RMS</i></p> <p><i>Ryan Welch, ALMI</i>  <i>Senior Case Manager, Special Investigations</i>  <i>Disability RMS</i></p> <p>Social media is here and there is no indication it is going away. Carriers must leverage their resources to integrate social media investigations as a best practice. This session will highlight the importance of social media investigations including:</p> <ul style="list-style-type: none"> <li>• Developing an internal social media investigation program</li> <li>• Integrating the program into day-to-day operations</li> <li>• Maintaining relevancy. The viral nature of social media requires carriers to stay abreast and adapt to the evolving landscape.</li> </ul>	<p><b>Traps for the Unwary: The Attorney-Client Privilege in the ERISA Context</b></p> <p><i>Victoria L. Gorokhovich</i>  <i>Senior Managing Counsel</i>  <i>Cigna Legal</i></p> <p>The attorney-client privilege exists so people can speak freely when obtaining and giving legal advice. But, when you are handling a claim under ERISA and acting as a fiduciary, you may or may not be the real “client” when you consult an attorney about the claim. How do you know whether those communications may be part of the administrative record or otherwise be discoverable in litigation? What steps should be taken prior to seeking or providing legal advice, so that everyone understands what rules apply? Those questions and more will be answered during this session.</p>
9:25 - 10:10	<p><b>Say What You Mean, Mean What You Say: Keeping it Simple in Claim Communications</b></p> <p><i>Lisa A. Newell</i>  <i>Vice President, Claim Operations</i>  <i>Disability Management Services, Inc.</i></p> <p>Professional, accurate, and persuasive letter writing is essential to quality claim handling. Is your reasoning getting lost in translation? Is a simpler approach sometimes a better approach? This presentation will offer tips for effective communication and encourage attendees to think about claim letter writing from a new perspective.</p>	<p><b>ERISA Disability Case Law Update</b></p> <p><i>Annie Santos</i>  <i>Partner</i>  <i>Hinshaw &amp; Culbertson LLP</i></p> <p>Legal opinions concerning ERISA-governed LTD claims are ubiquitous. We will cull out some of the more impactful recent decisions and discuss the lessons we might learn from them.</p>
10:10 – 10:30	<b>Networking Break</b> <i>Grand Ballroom Foyer – 1<sup>st</sup> Floor</i>	

## Friday, October 18, 2019 (Con't)

	Track A in Salons G-L	Track B in Salons A-F
10:30 – 11:15	<p><b>Getting It Right: Occupational Analysis for Physician Claims</b></p> <p><i>John Hoffman, CPA, CFF, CITP</i> Partner <i>Nawrocki Smith LLP</i></p> <p>This session will take the mystery out of what a CPT/RVU analysis is and why they are helpful in analyzing a physician's occupational duties. With real case examples, we will show how to analyze and interpret the RVU data. We will explain how it provides crucial information needed to understand the physician's occupation as it relates to his or her policy.</p>	<p><b>Developing a Strategy for the Corporate Deposition Witness</b></p> <p><i>Deb Conner</i> <i>Life and Disability Consultant</i></p> <p>The testimony of a corporate deposition witness can be critical. Not only can it impact the prospects for prevailing at trial, it may also impact settlement negotiations and could further cause additional discovery and depositions. In this session we'll discuss various aspects of the corporate deposition process and how to work with the witness to achieve the best possible testimony and resolution. Accountability is key!</p>
11:25 - 12:10	<p><b>Understanding and Evaluating Claims of Mild Cognitive Impairment</b></p> <p><i>Frederick Kadushin, Ph.D., ABN</i> <i>Neuropsychological Consultant</i> <i>Disability Management Services, Inc.</i></p> <p>Cognitive impairment may be claimed as the primary impairing symptom in a wide range of disorders (e.g., Traumatic brain injury (TBI), MS, CFS, Alzheimer's and psychiatric disorders). Mild TBI alone accounts for over 2 million cases a year and with our aging population the number of mild cognitive disorders has been increasing. This session will offer valuable recommendations on how to evaluate claims that involve cognitive complaints (e.g., methods of assessment, symptom validity, co-morbidities, treatments, and methods of monitoring).</p>	<p><b>What to Expect Regarding Recent Regulatory Changes to Social Security Disability</b></p> <p><i>Christopher Doherty, Esq.</i> Partner <i>Doherty, Cella, Keane &amp; Associates, LLP</i></p> <p><i>Barbara Mountain</i> <i>National Director of Business Development</i> <i>Doherty, Cella, Keane &amp; Associates, LLP</i></p> <p>This session will provide an overview on how recent regulatory changes and the current political climate are affecting Social Security disability benefits. This will include information regarding the current state of the Social Security disability program, with a discussion about award rates, processing times trends and changes in the law.</p>
12:15 PM	Conference Adjourns	