



# Advanced Topics of Workers' Compensation

## 2020 Workers' Compensation Section Fall CLE

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Friday, November 13, 2020  
Live Webcast

**North Carolina: 5.50 MCLE Hours**

**Includes:**

**1.00 Ethics/Professional Responsibility**

**1.00 Technology Training**

**Qualifies for NC State Bar Workers' Compensation Law Specialization**

**Planned by the NCBA Workers' Compensation Section**

From the ethical entanglements of working remotely from home, to the amended rules and procedures of practicing before the North Carolina Industrial Commission, COVID-19 has transformed the practice of workers' compensation law.

The *Advanced Topics of Workers' Compensation* program helps you navigate and overcome challenges presented by the pandemic, offering valuable insight, reviewing pertinent statutes and 2020 case law, and sharing best practices and strategies on the following topics:

- Medicare set-asides in admitted and denied cases
- Subrogation in workers' compensation claims
- Extended-benefits litigation
- Hearing and deposition planning
- Changes to the Uniform Pre-Trial Order

# Advanced Topics of Workers' Compensation

FRIDAY, NOVEMBER 13, 2020

8:55 A.M.–3:40 P.M.

- 8:55 Welcome and Introductions**
- 9:00 Ethical Entanglements on the Internet\*\*  
Oten**  
Explore ways technology impacts our professional responsibility, including a lawyer's interaction with social media, working remotely from home and security threats facing today's law office.
- 10:00 Break**
- 10:10 Case Law Update  
Payton**  
Delve into the important workers' compensation decisions of 2020 thus far.
- 10:55 Break**
- 11:05 Litigating Extended-Benefits Cases  
Poisson**  
Examine the Industrial Commission statutes and requirements for extended-benefits cases. Then discuss the applicable law on disability, planning for hearing and depositions, and case strategy.
- 11:50 Break**
- 12:00 How to Navigate Medicare Set-Asides in Admitted and Denied Cases  
Hayes**  
After reviewing the basics of Medicare conditional payment verification, attendees walk through best practices for considering Medicare's future interests in workers' compensation settlements, including voluntary Centers for Medicare & Medicaid Services submissions, non-submit Medicare set-asides, zero-dollar allocations and legal opinion letters.
- 1:00 Lunch Break**
- 1:30 Subrogation in Workers' Compensation Claims  
Pettigrew**  
Take an in-depth look at N.C.G.S. § 97-10.2 with a focus on key statutory provisions and recent case decisions impacting practitioners. A subrogation attorney shares key insights to avoid pitfalls and common mistakes when navigating N.C.G.S. § 97-10.2

- 2:30 Break**
- 2:40 Practice Before the Industrial Commission During COVID-19  
Gillen and Santa Rosa**  
Receive an overview of the impact of COVID-19 on the Industrial Commission. Then gain insight into the pandemic's effects on commission hearings and current policies concerning remote and in-person hearings, including changes to the Uniform Pre-Trial Order.
- 3:40 Adjourn**

\* Indicates portion providing Ethics/Professional Responsibility credit

‡ Indicates portion providing Technology Training credit

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## SPEAKERS

- James C. "Jim" Gillen, North Carolina Industrial Commission, Hendersonville
- Daniel W. Hayes, Teague Campbell Dennis & Gorham LLP, Asheville
- Brian P. Oten, North Carolina State Bar, Raleigh
- S. Camille Payton, Hunter & Everage, Charlotte
- Roy G. Pettigrew, Cranfill Sumner & Hartzog LLP, Raleigh
- E. Stewart Poisson, Poisson Poisson & Bower PLLC, Wadesboro
- Layla T. Santa Rosa, North Carolina Industrial Commission, Raleigh

## PLANNERS

- Anna R. Hamrick, Grimes Teich Anderson LLP, Asheville
- Dawn C. Lane, Cranfill Sumner & Hartzog LLP, Raleigh