

# AWCP

Association of Workers'  
Compensation Professionals

## 2010 AWCP Board

### President

Richard Marconi  
City of Sacramento  
Direct: (916) 808-8543  
[RMarconi@cityofsacramento.org](mailto:RMarconi@cityofsacramento.org)

### Vice President & Gold Tournament Co-Chair

Bert Andersson  
Andersson Converse LLP  
Phone: (916) 844-9338  
[bga@compdefense.net](mailto:bga@compdefense.net)

### Past President

Van Haas  
Peak Cost Containment  
Phone: (916) 417-0863  
Office: (916) 993-3199  
[van.haas@peakcc.com](mailto:van.haas@peakcc.com)

### Secretary/Treasurer

Christine Allen  
Coleman, Chavez, Allen, LLP  
Phone: (916) 787-2300  
[callen@cca-law.com](mailto:callen@cca-law.com)

### Academy Co-Chair

Debra Real  
County of Sacramento  
Phone: (916) 876-5031  
[reald@sacounty.net](mailto:reald@sacounty.net)

### Academy Co-Chair

Sherry Taylor  
Designated/Certified Sr. Examiner  
Phone: (916) 803-8910  
[sherryktaylor@yahoo.com](mailto:sherryktaylor@yahoo.com)

### Educational Conference Co-Chair

Joshua Bragg  
Bragg & Associates  
Phone: (916) 960-0952  
[joshua.bragg@gbbragg.com](mailto:joshua.bragg@gbbragg.com)

### Educational Conference Co-Chair

Peggy Sugarman  
Training Director  
Grancell, Lebovitz, Stander Reubens & Thomas  
Phone: (415) 892-7676  
[PSugarman@grancell-law.com](mailto:PSugarman@grancell-law.com)

### Golf Tournament Co-Chair

Mike Nichols  
Frasco, Inc.  
Phone: (916) 856-5788  
[mnichols@frasco.com](mailto:mnichols@frasco.com)

### Fun Night Chair

Janet Shepard  
Comprehensive Cost Solutions, Inc.  
Phone: (916) 670-6697  
[janet@2c4u.com](mailto:janet@2c4u.com)

### Holiday Party Chair

Suzy Delaney  
Kaiser On-the-Job  
Phone: (916) 817-5677 (Office)  
[susanna.h.delaney@kjp.org](mailto:susanna.h.delaney@kjp.org)

### Sponsorship Committee Co-Chair

Frank R. Bermudez, WCCP  
Phone: (916) 774-7218  
[fbermuda@yahoo.com](mailto:fbermuda@yahoo.com)

### Alternate

Vacant

### Staff:

Connie Conley  
Executive Director  
[connie@awcp.org](mailto:connie@awcp.org)

# Workers' Compensation MATTERS

A Publication for the Members of the Association of Workers' Compensation Professionals

MARCH 2010

## PRESIDENT'S MESSAGE *By Richard Marconi*

Dear Fellow Workers' Compensation Professionals;

2010 is off and running! We had a very successful ethics training class for attorneys on January 6 at National University and a very enjoyable networking event at Morton's of Chicago at the end of the month.

In attendance at our networking event were our premier platinum sponsors JR Robles of APEX Investigation as well as Sal Alvarez and Mike Cirillo of 3i. I want to thank them on behalf of our board of directors for their ongoing support of our association.

I had the pleasure of attending our lunch seminar at Crush 29 on February 17 with Mike McDonald Esq. of McDonald Law Corporation. Mike provided the group some valuable insights on reserving, especially for those of us who work with public entity claims.

We also had Don Barthel Esq. speaking in a mini conference format regarding the Almarez-Guzman and Ogilvie cases on February 24 at National University. Don provided practice tips on defending against attempts to inflate permanent impairment by using those cases. Bradford and Barthel is also writing the writ with the Court of Appeals on the Cervantes case regarding the second opinion spinal surgery process.

We will follow up with that subject on March 17 at the Shepherders Bar and Grille in Ranch Cordova. Our guest speaker will be Jerry Rempel Esq. of Grancell, Lebovitz, Ruebens and Thomas, and he will be discussing the spinal surgery second opinion process with practice tips. I want to thank his law firm for their continued support of AWCP as a platinum sponsor.

Several weeks ago I had the privilege of speaking with AWCP past presidents JR Robles, Diann Cohen, Karen Preston, Rebecca Hughes and Van Haas. They provided insight on how this association can better benefit both its members and supporters. The goal of our association of providing quality education at a reasonable cost continues and is a shared goal of both our past presidents as well as the current board of directors. We welcome all AWCP past presidents and board members to continue to provide feedback on how we can continue to be a dynamic, growing organization. We also extend a welcome to anyone who would like to serve on a committee in the future or even become a board member when there are openings.

On June 11 we will be having our golf tournament with a fun "back to college" theme at Lincoln Hills Golf Club. This event is already selling sponsorships and foursomes, and I would recommend if you are interested in purchasing a hole sponsorship that you do so soon as we are sure to sell out the event this year.

I look forward to seeing everyone at upcoming AWCP and industry events.



Sincerely Richard D. Marconi  
Claims Examiner, City of Sacramento  
AWCP President

# 2010 AWCP *Calendar of Events*

## JANUARY

6th

28th

"AWCP Academy"  
on Ethics Training:  
**"The Party's Over"**  
Mini Conference

Networking Event  
at **Morton's**

## FEBRUARY

17th

24th

Monthly Luncheon  
**"The Art of Reserving:  
Estimating Future Li-  
ability in Present WC  
Systems"** at Crush 29  
in Roseville

"AWCP Academy"  
on Permanent  
Disability: **"Almaraz/  
Guzman II & Ogilvie II:  
PD Disaster OR  
Defense Weapon?"**

## MARCH

17th\*\*

Monthly Luncheon  
**"FUSION CONFUSION: The State of Spinal  
Surgery Second Opinion Process"**

Shepherders Bar  
& Grille in Rancho Cordova

## APRIL

21st\*\*

AWCP Academy Mini Conference

**"It Takes A Community —  
Don't Be a Lone Ranger"**

National University

Four Hours of Continuing Education Credits

## MAY

13th

19th

Special  
Networking Event  
at Shepherders  
Bar & Grille

**"Vendor  
Appreciation Event"**

Monthly Luncheon  
at Crush 29  
in Roseville

## JUNE

11th\*\*

AWCP Annual Golf Tournament  
at Lincoln Hills Golf Club

## JULY

21st

Monthly Luncheon at Crush 29  
in Roseville

## AUGUST

18th

AWCP Annual Fun Night at Crawdad's

## SEPTEMBER

15th

Monthly Luncheon at Shepherders Bar  
& Grille in Rancho Cordova

## OCTOBER

15th

AWCP Annual Fall Education Conference  
**\*\*New day of the week\*\***  
Radisson Hotel Sacramento

## NOVEMBER

17th

Monthly Luncheon at Crush 29  
in Roseville

## DECEMBER

10th

AWCP Holiday Party  
**\*\*New day of the week\*\***  
Arden Hills Country Club

\*\* Current flyers available at [www.awcp.org](http://www.awcp.org)

Note: The Education Committee is finalizing AWCP's outstanding program for 2010. Updates will appear on the AWCP Calendar on the website and in email blasts. Also, thanks to their popularity, AWCP will be scheduling two more Networking Events throughout the year.

## PREMIER PLATINUM MEMBER

(\$10,000 or more in sponsorships in the previous fiscal year)



Sal Diego Alvarez  
338 S. Melrose Drive  
Vista, CA 92081  
Phone: (800) 311-6289  
Fax: (866) 903-4329  
sdalvarez@3icorp.net  
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11171 Sun Center Dr., Suite 120  
Rancho Cordova, CA 95670  
Phone: (916) 858-2999  
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www.apexpi.com  
jr@apexpi.com

### PLATINUM MEMBERS

#### **Andersson Converse, LLP**

Bert G. Andersson  
Attorney at Law  
P.O. Box 214701  
Sacramento, CA 95821-4701  
Phone: (916) 844-9338  
Fax: (916) 480-1279  
bga@compdefense.net  
www.compdefense.net

#### **Cuneo, Black, Ward & Missler**

James R. Missler  
700 University Ave., Ste. 110  
Sacramento, CA 95825  
Phone: (916) 363-8822  
Fax: (916) 363-8821  
jmissler@cbwmlaw.com  
www.cbwmlaw.com

#### **Grancell, Lebovitz, Stander, Reubens & Thomas**

Ted Richards  
1455 Response Road, Suite 185  
Sacramento, CA 95815  
Phone: (916) 922-7390  
Fax: (916) 922-7392  
TRichards@grancell-law.com

#### **Radiological Associates of Sacramento Medical Group, Inc.**

Julie Heffner  
1500 Expo Parkway  
Sacramento, CA 95815  
Phone: (916) 646-8573 or (916) 955-7355  
Fax: (866) 727-9267  
HeffnerJ@radiological.com  
www.radiological.com

### DIAMOND MEMBERS BY CATEGORY

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*Member Listings... continued from previous page...*

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**Sutter Health**

  
*Debra Real & Sherry Taylor*  
*Co-Chairs*

We are pleased to announce the “AWCP Academy.” What is the Academy? As a result of the community’s many requests we are launching new ideas and broadening our educational spectrum through educational mini-conferences/seminars. The luncheons at Crush 29 in Roseville and Shepherders in Sacramento have been well received and we will continue to provide quality speakers at these venues.

Our goal is to continuously provide the “Community” with up to date and relevant continuing education topics that will assist with timely and cost-effective administration of workers compensation claims.

We understand that the effective administration of workers compensation claims is not solely assigned to the claims adjuster. That’s where the “Community” comes in. It takes the employer, the doctor, the nurse case manager, the claims administrator, the investigator, and other auxiliary partners to bring about effective and cost-controlling measures for the proper application of workers’ compensation benefits.

The Academy goals include presentation of topics of interest to brokers, employers, lawyers, doctors, nurses as well as the claims adjuster and any other interested party.

The Academy is committed to excellence in continuing education through pertinent topics presented by various workers compensation professionals who are knowledgeable of those topics and continuing education credits.

Please join us not only for education but also for fun and networking so the “Community” can get to know one another and share ideas. Volunteers and speakers are welcome. Please feel free to contact Sherry Taylor @ [sherryktaylor@sbcglobal.com](mailto:sherryktaylor@sbcglobal.com) or Debra Real @ [reald@sbcglobal.net](mailto:reald@sbcglobal.net)

Thank you.

## THE CHSWC ANNUAL REPORT: "A CULTURE OF SAFETY"

The California Commission on Health & Safety & Workers' Compensation has been a forum in which debate over the efficiency and adequacy of the system has been informed and influenced by empirical research. Studies performed or funded by CHSWC range far and wide on all aspects of the workers' compensation system: costs, rates, benefits, process, oversight, and the impact of all on system participants. Most of the legislation passed in this area has been the subject of inquiry by the Commission and many are the direct result of their recommendations.

Little publicity is given to CHSWC's work in the health and safety arena, but their recently-released annual report contained an important recommendation:

*"... CHSWC strongly recommends that the State of California move toward developing an overall 'culture of safety' in the workplace."*

So, what is "a culture of safety" and how could it be implemented? CHSWC roundtable participants perceived that *"cultural changes promoting social norms that place a higher emphasis on safety could be particularly important . . . that it would be difficult to develop a policy that could mandate such changes"*<sup>1</sup>.

Organization theorists continue to hotly debate the definition of organization culture, but a common view can be summarized as "the way things are done around here" in an organization; a shared set of assumptions and beliefs that are passed on to new members<sup>2</sup>. You can get an idea of an organization's culture, for example, by examining websites and searching for their symbols, values and beliefs. You probably don't pay much attention to the culture of your organization until there is a dramatic attempt to change it, such as when there is a corporate merger or a change of executive management.

However, individual organizational culture changes can be successful where organization leaders:

1. Place value upon and model the change;
2. Regularly communicate what is expected within the organization;
3. Provide training to personal;
4. Highlight and communicate successes and accomplishments.
5. Incorporate it as a variable during all corporate decision-making.

The Worker Occupational Safety and Health Training and Education Program developed by CHSWC provides statewide training to workers who can then assist employers with their safety programs, plus curriculum materials aimed at helping small businesses create safer workplaces. This is indeed a step towards creating a shared set of assumptions in the workplace.

For more information, see the WOSHTEP program at: [www.dir.ca.gov/chswc](http://www.dir.ca.gov/chswc)

<sup>1</sup> LaTourrette, Loughran, and Seabury (2008). *Occupational safety and health for public safety employees: Assessing the evidence and implications for public policy*. Rand Institute for Civil Justice and Infrastructure, Safety and Environment. P. 105.

<sup>2</sup> Adapted from Schein, E. (1993) *Defining Organization Culture*.