



**California Chapter - 2017 Summer Seminar
Saturday, June 24 2017**

Newport Beach Marriott Bayview * Newport Beach, CA

***CEU's by the Beach
Draft Agenda***

SATURDAY, JUNE 24, 2017

7:30AM

Registration

7:15AM – 8:15AM

Continental Breakfast

8:00AM – 8:15AM

President's Welcome Address

- Alejandro Calderon, CRC, Sr. Rehabilitation Counselor, Canizalez Associates Inc.
 - President, California Chapter of International Rehabilitation Professionals
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8:15AM – 9:30AM

The 12 Key Questions VR Experts Need to Answer

A Discussion of Current Standards of Evidence, the Expert's Role, Vocational Evaluation Methodology, and the Uses of Literature to Support Expert Opinion

- Robert Hall, Ph.D., CRC, Hall Mortimer Associates

This presentation will provide a review and primer of the key questions experts must prepare to answer to provide testimony that can stand the test of time. Issues of expert qualification, use of a consistent methodology, and evidentiary standards will be discussed. Participants will be provided references and guidelines for case evaluation that include uses of standardized information and professional literature that help the expert strengthen and defend their opinions.

8:15AM – 9:30AM

The 12 Key Questions VR Experts Need to Answer (Continued)

Learning Objectives:

1. Review and discuss standards of evidence as it relates to expert testimony;
 2. Review a template of 12 key questions experts must prepare for prior to testimony;
 3. Review and discuss expert reports and their purpose and use;
 4. Review and discuss literature types, purpose, and use to support expert opinion;
 5. Apply and illustrate the above with brief case examples.
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9:30AM – 9:40AM

Break

9:45AM – 11:00AM

Understanding Functional Capacity Evaluations: Is there a Gold Standard?

- Lisa Fitzpatrick, DrOT, CHT, CAE, CEAS, Ergo Links

Functional capacity evaluations are one of the greatest tools people can use to determine an individual's level of disability. This evaluation is able to identify an individual's strengths and weaknesses. It helps set goals for what needs to be addressed for physical and emotional wellbeing. Additionally, it can document limitations that should be adhered to for helping to ensure safety in the workplace for a patient who has suffered an injury or disability.

Some key points to consider when reviewing a Functional Capacity Evaluation:

- Are the measures being utilized sensitive enough to accurately pinpoint the level of disability?
 - During testing, are there enough distracted vs. non-distracted testing elements; or other measureable indicators to confirm validity of results, and to document valid, consistent efforts from the patient?
 - While a Functional Capacity Evaluation can seem overwhelming to a layperson at first glance, if the report is clearly written with attention to supporting detail, it can be readily understood.
 - This presentation will cover these points to foster better understanding of what goes into a successful Functional Capacity Evaluation.
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11:00AM - 12:15PM

Employment Trends Amongst the Forgotten

- Felicia French, Los Angeles South Bay District-Lead Employment Coordinator
Department of Rehabilitation

It takes a village to work in partnership with job seekers and other stakeholders to attract, develop and retain a competent and highly motivated workforce. However, in order to build an inclusive workforce we must first learn about the current employment trends, identify the challenges and barriers of the job search process through multiple perspectives, learn about the variety of services offered through the Department of Rehabilitation and discover the myriad of resources and proactive business strategies that work to ensure a diverse and inclusive workplace for those who have been forgotten. This will be an audio/visual PowerPoint presentation with information gathered through the Department of Rehabilitation, the Department of Labor, the Employment Development Department and years of professional experience.

12:15PM – 1:30PM (Lunch, will be provided)

1:45PM – 3:00PM

Evidence-Based Vocational Evaluations; Medical factors of disability –Vocational factors of disability

- Roderick Stoneburner, M.S., CRC
- Steven L. Rockett, M.S., M.P.A, CRC, Retired District Administrator Inland Empire District—CA Department of Rehabilitation, Vocational Evaluator—Independent Contractor

We want to present information regarding the difference between Evidence Based Forensic Vocational Evaluations and career development vocational evaluations, and the necessity to accurately evaluate medical factors of disability for conversion to vocational factors of disability. A general summary of the evidence-based model will be presented with a description of how the vocational evaluation is used to determine vocational disability. Specific information regarding impact of opioids from a medical and vocational perspective will be presented. The authors will discuss Causation and Apportionment, Amenability to vocational rehabilitation, and the use of software programs in this process.

1:45PM – 3:00PM

Evidence-Based Vocational Evaluations; Medical factors of disability –Vocational factors of disability (Continued)

Goals:

1. Discuss the purpose and process of evidence-based vocational evaluations.
 2. Identification of medical factors of disability and how they convert to vocational factors of disability.
 3. Discuss the medical and vocational impact of opioid medications as documented in medical reports regarding treatment and subsequent medical impairments resulting in vocational impact.
 4. Address the issue of physician documented work restrictions and how they apply to vocational factors of disability.
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3:00PM - 3:15PM

Break

3:15PM – 4:45PM

Practice Tips for 2017 Emerging Evidentiary Developments (eDiscovery and Hearsay)

- Lynne Tracy, MA, LMFT, CRC, CDMS, ABVE/D, Vocational Counseling
- Cari M. Pines, Esquire, Pines Law Group
- Kevin J. Mooney, Esquire, Minyard Morris Family Law

With the ever increasing importance of eDiscovery in litigation matters and recent implications of the new look at EC 801 (hearsay) by the California State Supreme, this presentation will provide thought provoking conversation on what experts will face in California with the emerging trends.

We will discuss:

Avoiding pitfalls when responding to ESI document production; Opening your eyes to how to prepare for this and the requirements of the CCP 3024.

What experts should expect in a courtroom and deposition in light of People v. Sanchez and its progeny with respect to hearsay evidence. Should VEs adapt their methodology and procedures to accommodate the changing application of the law under Sanchez and to protect themselves from being caught in the crossfire?
