

FACULTY



Anita L. Austin, MPA is the IME Project Manager for the Washington Department of Labor and Industries. She is a 23 year veteran of L & I and was the leader of the recent rewriting of the Washington Administrative Code (WAC) regulations governing independent medical examiners.



Steven Babitsky, Esq. is the President of SEAK, Inc. He was a workers' compensation trial attorney for twenty years and is the former managing partner of the firm Kistin, Babitsky, Latimer & Beitman. He is the founder of the National Organization of Social Security Claimants' Representatives, the co-founder of the American Board of Independent Medical Examiners, and the creator of

the *AMA Guides Newsletter*. Mr. Babitsky is the co-author of the texts *Writing and Defending Your IME Report: The Comprehensive Guide*, *Understanding the AMA Guides in Workers' Compensation*, *Litigating Stress Cases in Workers' Compensation*, *Cross-Examination: The Comprehensive Guide for Experts*, *Writing and Defending Your Expert Report: The Step-by-Step Guide with Models*, *How to Excel During Cross-Examination: Techniques for Experts That Work*, *The A-Z Guide to Expert Witnessing*, and *How to Excel During Depositions: Techniques for Experts That Work*. He trains hundreds of physicians every year.



Anthony J. Dorto, MD, FAADPEP is a past president of the American Academy of Disability Evaluating Physicians. Dr. Dorto serves as the Medical Director of the Disability Assessment Center in Miami, Florida, which performs Independent Medical Evaluations, second opinions, functional capacity, and earning capacity assessments. Dr. Dorto is certified by the

American Board of Independent Medical Examiners, is a Fellow of the American Academy of Disability Evaluation Physicians, and is Board Certified in Physical Medicine and Rehabilitation. Dr. Dorto has lectured and written extensively on IMEs, symptom magnification and malingering, disability evaluation, and impairment rating. Prior to medical school Dr. Dorto was in private practice as a chiropractic physician for five years. Dr. Dorto is an experienced and entertaining trainer and has been on the SEAK IME faculty for the past 5 years.

COMMENTS FROM PAST ATTENDEES:

**"excellent—one of the best I have been to in 20 years"
"absolutely superb"**

**"extremely well run, informative, and entertaining"
"faculty very competent and good teachers"
"more than excellent"**

**"excellent preparation and presentation"
"very practical"**

**"excellent way of learning in shortest period of time"
"full of usable information"**

"outstanding seminar with multiple practical tips"

Registration Information: Tuition is at the special rate of \$695. Tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. Space is strictly limited, so you are encouraged to register as soon as possible.

Continuing Medical Education: SEAK, Inc. is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians. SEAK, Inc. designates this educational activity for a maximum of 14 *AMA PRA Category 1 Credits™*. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Location/Hotel Accommodations/Travel Information. The seminar will be held at the Seattle Airport Marriott, 3201 S. 176th St., Seattle, WA 98188 (206-241-2000). Sleeping rooms are available on site at a reasonable rate. We have negotiated for free parking for SEAK attendees. Please ask for a validation sticker each day while at the conference. The hotel provides a free airport shuttle.

Conference Cancellations. Conference cancellations received in writing prior to October 15, 2009 will receive a full refund. Cancellations received after this date will not receive a refund.

REGISTRATION FORM

Priority Code: WA091

MAIL TO: SEAK, Inc., P.O. Box 729, Falmouth, MA 02541

OR FAX TO: 508.540.8304 OR CALL: 508.457.1111

Please charge my MasterCard Visa AMEX
or Check enclosed, payable to SEAK, Inc.

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Please print or type all items to assure accuracy.

All confirmations will be sent to the individual indicated.

Check here if you require special accommodations to fully participate.

First Name (as it will appear on name badge) _____

Last Name _____ Title _____

Name Of Company, Firm or Organization _____

Mailing Address _____

City _____ State _____ Zip _____

Phone (Area Code / Number) _____ Fax (Area Code / Number) _____

E-mail (Please print neatly—your confirmation will be sent via e-mail) _____



**SEAK, Inc. in cooperation with the
Washington State Department of
Labor and Industries Presents**

2009 Independent Medical Examination Best Practices

New Location! Registration Open!

**Seattle Airport Marriott
3201 S. 176th St., Seattle, WA 98188**

November 7–8, 2009

The finest continuing medical education on IMEs.

WHAT YOU WILL ACCOMPLISH BY ATTENDING:

- Understand specifically what providers are looking for from IME physicians
- Understand the IME selection process
- Avoid the biggest mistakes IME physicians make
- Write more persuasive, defensible IME reports
- Reduce your legal risks
- Improve the efficiency and work product of your IME practice
- Solve vexing problems such as issues arising with cultural differences and interpreters
- Testify far more effectively at depositions and hearings
- Effectively deal with the most difficult ethical problems associated with IMEs
- Solve most or all of your IME problems
- Build a premier IME practice with a superb reputation
- Understand how the new WAC rules regarding IMEs effect examiners

SPACE IS LIMITED, REGISTER TODAY!

Executive Summary

This is the finest continuing education available on the topic of independent medical evaluations. It has been brought to Washington in cooperation with the Department of Labor and Industries. Past attendees have greatly improved the quality of their evaluations and reports, substantially increased the success of their IME practices and have vastly improved their IME practices. The faculty have over 60 years of IME experience and are dynamic presenters. The learning methodology will utilize the latest research obtained specifically for this course to identify and solve the most pressing problems facing the seminar participants. Participants will be involved in a series of unique interactive learning experiences including mock direct and cross-examinations and demonstrations.

2009 Independent Medical Examination Best Practices

Saturday November 7, 2009

Seattle Airport Marriott

3201 S. 176th St., Seattle, WA 98188

7:30-8:00 Registration and Continental Breakfast

8:00-8:15 Introduction

The faculty introduces themselves, explains the goals for the course and the interactive teaching methodology that will be utilized.

8:15-9:15 The Biggest Mistakes IME Physicians Make and How to Avoid Them

In this segment the faculty will utilize their experience to identify and discuss the most common and significant IME mistakes physicians make: administratively, gathering and reviewing the medical records, conducting the examination, interacting with the examinee, report writing, testifying at deposition and hearing, and in other aspects of the process. **Questions and Answers**

9:15-9:45 Pleasing the Clients: The Latest Research on What Clients Really Want and Can You Deliver It

Faculty will review with attendees the results of their research into what IME clients are looking for from IME physicians and how these influence their selection process. Included in the discussion will be: credentials, specialization, cooperativeness, report writing ability, and ability and willingness to testify at deposition or hearing. **Questions and Answers**

9:45-10:30 Advanced Physical Examination Techniques and the Quality IME Demonstrated

In this segment the faculty will discuss and demonstrate an exceptional IME exam. Discussion and demonstration will include: interview and history, questionnaires, review of records, diagnostic studies, physical orthopedic/neurological evaluation, testing in numerous examination positions, tools of the trade, report writing and comment sections of the report. Faculty also will discuss and demonstrate with the use of videos, the proper symptom magnification definitions, injury red flags, nonorganic signs and their meanings, how to identify and demonstrate any inconsistencies, specific tests for symptom magnification, the proper use of functional capacity evaluation, and the role of surveillance. **Demonstrations. Questions and Answers**

10:30-10:45 BREAK AND NETWORKING OPPORTUNITY

10:45-12:00 Advanced Physical Examination Techniques and the Quality IME Demonstrated (Continued). Questions and Answers

12:00-12:45 LUNCH PROVIDED WITH FACULTY

12:45-2:00 Writing the Bulletproof IME Report and Defending It At Deposition and Hearing: Exceeding Expectations

In this segment, the faculty will discuss and demonstrate how to draft an IME report that will stand up under scrutiny and cross-examination. Attendees will be called upon to defend their pre-submitted IME reports. Attendees will be provided with instructions on how to submit a sample report after they register. **Demonstrations. Questions and Answers**

2:00-2:30 Efficiently and Effectively Dealing with Medical and Other Records and Materials Provided: Solving the Most Common Problems

The faculty will explain the most efficient techniques for obtaining, organizing, and reviewing the medical and other records provided. Emphasis will be placed on missing and disorganized records. **Questions and Answers**

2:30-2:45 BREAK AND NETWORKING OPPORTUNITY

2:45-3:30 IME Ethical Dilemmas: Avoiding Pitfalls and Minefields

In this segment the faculty will identify the most common and difficult IME dilemmas faced by IME physicians and will offer practical suggestions for resolving them. **Questions and Answers**

3:30-4:15 Cultural Sensitivity & The Effective Use Of Interpreters For IME Exams

The faculty will identify and discuss the role that informed awareness of cultural sensitivity can play in the history, examination and reporting for an effective IME. Discussion and examples will include identification of: stereotype, prejudice, ethnocentrism, heterosexism, sexism, ethnicity, discrimination, and culture. The faculty will demonstrate methods to improve the reliability of IMEs through cultural awareness and the proper use of interpreters to achieve accurate language interpretation and accuracy in reporting. **Questions and Answers**

4:15-5:00 Working with Defense Attorneys: What They are Really Looking For

The attendees will be provided insight into what defense attorneys are really looking for from IME physicians. Videos of defense attorneys explaining their needs and issues will be presented. **Questions and Answers**

2009 Independent Medical Examination Best Practices

Sunday November 8, 2009

Seattle Airport Marriott

3201 S. 176th St., Seattle, WA 98188

7:30-8:00 Continental Breakfast

8:00-8:30 Update on the New Washington L & I Regulations Dealing with IMEs

L & I's IME Project Manager will explain the new regulations dealing with IMEs with an emphasis on how they effect independent medical examiners. **Questions and Answers**

8:30-9:15 Advanced Practice Management: Maximizing the Efficiency of Your IME Practice.

The faculty explains how to make your IME practice more efficient and more successful and how to produce higher quality IMEs. **Questions and Answers**

9:15-10:00 Disability, Impairment and Ability to Work

In this segment the faculty will review with the attendees what their role should be in evaluating and defining the disability, impairment and ability to work of examinees. Particular emphasis will be placed on the precise wording of opinions and reports. **Questions and Answers**

10:00-10:15 BREAK & NETWORKING OPPORTUNITY

10:15-11:00 Causal Relationship and the IME Physician: What You Need to Know

Attendees will be presented with a detailed review of the numerous causal relationship issues they face and will be provided techniques and explanations for dealing with them. Demonstrations with attendees will be conducted to illustrate key points of contention. **Demonstrations. Questions and Answers**

11:00-12:00 The IME Physician Deposition: How to Excel

The faculty will provide a detailed checklist containing many of the issues physicians will face at deposition. Special emphasis will be placed on particular IME issues and questions. Demonstrations based on pre-submitted reports will highlight key points. **Demonstrations. Questions and Answers**

12:00-12:45 LUNCH PROVIDED WITH FACULTY

12:45-1:15 How to Deal With Requests for "Modifications," "Alterations," or "Corrections" to Your Report

Attendees will express the most troubling issues they face in the cat and mouse requests of attorney and clients for modifications, alterations and corrections of their reports. The faculty will offer practical, ethical, and time tested solutions to these vexing issues. **Questions and Answers**

1:15-2:00 Independent Medical Examination Risk Management: What Can Go Wrong and How to Avoid It

The faculty will identify the most potentially troubling and dangerous risk management issues for IME physicians and offer safe protocols for dealing with these issues. Particular emphasis will be placed on avoiding unnecessary risk. **Questions and Answers**

2:00-2:15 BREAK AND NETWORKING OPPORTUNITY

2:15-3:15 Trick and Difficult Questions for the IME Physician

The faculty will provide an interactive demonstration of the most difficult questions IME physicians face and how to answer them truthfully and artfully. Insight will be provided into the significance of the questions and the replies. **Demonstrations. Questions and Answers**

3:15-3:30 Takeaways, Conclusion and Evaluation

The faculty will review key points and open the floor for a free-flowing discussion of the issues covered in the entire two day conference.