

2010 ATLANTA CLAIMS CONVENTION

“BUILDING A BETTER WORLD”

The Atlanta Claims Convention will be held at the Gwinnett Center on April 14-16, 2010. Work is underway by the convention committee to again ensure another successful event. Candice Kirkpatrick of Proof of the Pudding will be sending letters to the Hospitality Suite holders in December and Candice advises me that she already has some bookings for the 2010 convention. As in the past the exhibitors letter and information will be posted on our web site starting in December. The information from Freeman Decorating will also be posted on our web site enabling our exhibitors to gather all the information they require from one source. We hope to have a record number of exhibitors in 2010.

The Hampton Inn will be our convention hotel. Their rate is \$114/per night and the telephone number is 678-407-0018. The Holiday Inn and the Homewood Suites are backup hotels. The Holiday Inn rate is also \$114/per night and the telephone number 770-476-2022. Homewood Suites rates are \$119/per night and their telephone number is 770-277-1243. When booking your rooms please mention Atlanta Claims Association so you receive our convention rates.

Please feel free to contact any of the convention committee members if you need any additional information.

Rodean Wilson - Chair: 404-300-0943
Juanita Keltner - Co-Chair: 678-427-1069
Ginger Ewerth - Co-Chair: 678-473-3920
Candice Kirkpatrick - Hospitality Suites: 770-813-7657
Joan White - Exhibitors: 770-442-1317
Violet Mobley - Ticket Sales: 770-413-4992

New Members

Duane L. Cochenour - Hall, Booth, Smith & Slover
Atlanta, GA
Kevin Twiss - Global Aerospace
Atlanta, GA

New Sponsors

J. Robert Lauman - LWG Consulting
Lawrenceville, GA

Mark Your Calendars

Annual Joint Meeting with CPCU Society: Atlanta Chapter
<http://www.cpcusociety.org>

Is scheduled for January 12, 2010 at Villa Christina
Please make note of this date as this joint meeting will serve as our regular monthly meeting for the Atlanta Claims Association.

Cost: \$25.00

Look for additional details soon.

Disputed Medical Conditions and the MSA

Law Offices of Beverly Manley & Associates, P.C.

The dispute over whether a particular medical condition will be covered by a WC claim is, sometimes, the very issue that drives a claim to settlement. Once the decision is made to settle the claim, however, the disputed condition can resurface through the process of establishing the Medicare Set Aside (MSA) and become a major stumbling block.

When the MSA is submitted to CMS for review, we are required by CMS to send the last two years of treatment records with our proposal. Should the records reference medical conditions that are in dispute, there are at least two ways of determining whether the MSA must include future treatment costs for that condition.

If there has been a pertinent ruling by the governing body for Workers' Compensation in your state, a copy of the decision should be sent to us with your request for completion of the MSA. If the condition has been ruled as work injury related, future treatment costs must be included in the MSA. If the ruling is that the condition is unrelated, no costs need be added to the MSA. When the MSA is submitted to CMS, a copy of the ruling will be sent in the proposal package.

If the issue has not been litigated, though, CMS will expect future treatment costs for the disputed medical condition to be included in the MSA unless the Employer/Insurer has never paid any medical or indemnity benefits for the condition. When we submit the MSA, we can provide a sample statement to be put on letterhead and signed by the claims handler or the defense attorney to verify this. Such a statement is then included in the proposal package.

We recently worked on a claim that involved a claimant with a cardiac condition. His original respiratory injury was caused by gas fume inhalation, and he contended that the subsequent cardiac condition was a complication of his injury; the insurer disagreed. We asked if the insurer had ever paid benefits (medical or