

# Claimscene

A publication of the Atlanta Claims Association



## Upcoming Webinars

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Workers' Compensation Webinar hosted by ACA and Georgia Spine & Orthopaedics

Thursday, September 24<sup>th</sup>, 2020 | 12:00 p.m.- 1:00 p.m.

"Intracorp Procedure for Low Back Pain"

presented by Dr. Erik Bendiks.

**[REGISTER](#)**

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Liability/Casualty Webinar presented by the Atlanta Claims Association and Hosted by

James Hankins and Samantha Mullis

from Goodman McGuffey LLP

Tuesday, October 6<sup>th</sup>, 2020 | 12:00 p.m.- 1:00 p.m.

"Medical Funding Updates"

**[REGISTER](#)**

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- One CEU credit will be available for those that attend the entire hour.
- For non-members, there will be a nominal charge for attendance that will be credited toward ACA membership.
- After registering, you will receive a confirmation email containing information about joining the webinar.



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For submissions to the Claimscene, Please contact Valerie Cannady at: [vfcannady@aol.com](mailto:vfcannady@aol.com)



## Letter from The President Angela M. Patman

**“It doesn’t matter what road you take, hill you climb, or path you’re on, you will always end up in the same place, learning.” – Ralph Stevenson**

As we say our final goodbye to summer, there is an opportunity for reflection. 2020 continues to be a year of learning. Many of us have children, grandchildren, or have friends that have discovered that learning can be done virtually and telephonically with creativity and patience. Reflecting on this, many of us as claim professionals have been doing this for many years. We have had an opportunity to learn from each claim we handle – dealing with internal and external customers, and each year within the claim community, gaining more experience and insight into the profession that we have chosen.

Over the summer, the Board and various Committee Chairs have been hard at work in an effort to ensure an educational and fun year for our members.

The first ACA workers’ compensation (WC) educational seminar hosted by Physio/Emory Outpatient Rehabilitation – Select medical on August 19<sup>th</sup> was successful. There was tremendous content presented to assist all levels of workers’ compensation professionals in reviewing physical therapy (PT) terminology.

Mark your calendars for September 24<sup>th</sup> from 12:00 PM – 1:00 PM for the second ACA ZOOM workers’ compensational educational seminar, “Intracapt Procedure for Low Back Pain”, presented by Dr. Erik Bendiks of Georgia Spine & Orthopaedics. Please visit the ACA website for additional information.

On October 6<sup>th</sup>, from 12:00 PM to 1:00 PM liability professionals will be front and center for a ZOOM webinar presented by Goodman McGuffey LLP.

The Summer break is over, and we are moving toward our new reality of learning and networking. Atlanta Claims Association is ready to ring in Fall with cooler temperatures and providing upcoming opportunities. Please be sure to check out the website for updates in regard to events, membership, news and notifications.

Best Regards,

Angela M. Patman, CWCP  
President  
Atlanta Claims Association



# Patty Bakmaz

Vernis & Bowling  
Regional Director of Client Services  
and Development

[pbakmaz@national-law.com](mailto:pbakmaz@national-law.com)

678-687-0198



## ACA Involvement

Date of ACA Membership: 2009

Have served as Education Chair, Membership Chair, and presently as Industry Liaison.

## Work History

Vernis & Bowling

Title/Occupation: Regional Director of Client Services and Development 2009 - present. A lot of people know me from my previous WC Coordinator position with Physiotherapy Associates 9 years prior to joining Vernis & Bowling and as a GA WC Rehabilitation Supplier from 1983-1996.

## Personal

Marital Status: Divorced

Children: Andy Evans age 35, Commercial Electrician and Matt Evans age 31, Risk Management Coordinator for Alston Construction.

Hobbies: Boating, Water Activities, Cooking, and Travel.

## College Attended

Special Education degree from Slippery Rock (PA) State College, Slippery Rock, PA, 1976, Master's degree in Rehabilitation Counseling from Kent (OH) State University, Kent, OH.

## What would you like to share with ACA Members?

I truly appreciate the friendships and networking opportunities I developed by being a member of Atlanta Claims Association. The insurance industry is a close-knit community where we can learn and grow professionally and personally. So, take advantage of the wisdom we gain from the founding members of our industry and listen to the fresh ideas emerging from this new generation of insurance professionals.

## If you could have lunch with a famous person, who would it be and why?

I started off saying it would be the Pope, and then decided no, it would be so much more fun to take my brother to lunch at McDonalds. I was 14 when he died unexpectedly at 16. Peter John, "Petey", had Downs Syndrome. He was silly and stubborn and was loved by all. He greatly influenced my beliefs and values, as well as my life choices to go into special education and rehabilitation. His world was not the world of today where there is acceptance, inclusion, services, and rights for those with special needs. I wish he could experience this progress. At lunch in today's McDonalds, his warm greetings and smiles would likely be returned. I would let him order as much as he wanted, and I would be sure to tell him, "Thank you for being my brother."



## 2020 GEORGIA LEGISLATIVE WRAP UP

By Gregory T. Presmanes  
Bovis Kyle Burch & Medlin, LLC

The Georgia legislature, delayed for 3 months due to the COVID 19 virus, wrapped up the 2019-2020 session, slashing the budget, and passing bills addressing, among many other issues, hate crimes, police protection, surprise medical billing restrictions, and two proposed constitutional amendments.

Some highlights include:

### **COVID 19 SAFE HARBOR BILL**

Georgia has now joined a short list of states that are proactively protecting businesses and health care providers, from COVID 19 related civil liability by enacting the COVID-19 Pandemic Business Safety Act. Senate bill 359 blocks negligence suits as long as companies follow social distancing, disinfection and other safety protocols outlined by public health officials. Customers, members of the public, and employees can still file cases, if they can prove “gross negligence, willful and wanton misconduct, reckless infliction of harm, or intentional infliction of harm”. The new law does not affect employees’ right to bring workers’ compensation claims or file complaints with OSHA regarding workplace safety. It clarifies that businesses should post signs warning that people entering the premises are waiving their civil liability and creates a rebuttable presumption of assumption of risk provided there is a statutorily prescribed warning. It will sunset on July 14, 2021.

### **HATE CRIMES**

Georgia is now no longer one of 4 states without a hate crimes law. After a 2000 hate crimes law was struck down by the Georgia Supreme Court in 2004 for being “unconstitutionally vague”, Governor Brian Kemp signed into law an historic hate crimes bill, HB 426, allowing tough criminal penalties against those who target their victims on the basis of race, gender, sexual orientation, sex, national origin, religion, physical or mental disability. It marks the first time Georgia has passed a bill that protects the LGBT community. It also mandates that law enforcement track instances of hate crimes, to understand how pervasive bias-motivated offenses are in any given community.

### **POLICE AND FIRST RESPONDER PROTECTION**

Separately from the hate crimes law, a police protection law, HB 838, was a compromise with the hate crimes bill, that created the new offense of “bias motivated intimidation” of a police officer or other first responder. Punishment for committing a crime against a first responder, defined as a firefighter, police officer or paramedic, specifically because of their occupation would face between one and five years in prison, and a fine of up to \$5,000. It also allows first responders to sue anyone who files a false complaint against them. However, Governor Kemp recommended that the new law be revisited in the next session, to be sure it did not inadvertently weaken some protections for police officers, e.g., reducing the maximum punishment for injuring or killing a police officer from life in prison or the death penalty, to just 5 years imprisonment.

**SENIOR CARE HOME REFORM**

Senior Care homes will see dramatic changes to assisted living communities (HB 987), and large personal care homes, to address widespread neglect and abuse. For example, memory care units will be required to get certification, add staff, and directors will be required to pass a competency test to get licensed, or face higher fines. Assisted living homes will be required to have nurse staffing, and to disclose financial problems to residents and families. For state's nursing homes, it requires that residents who have not been tested already, to be tested for COVID 19 within 90 days of the law's enactment and engage in planning and preparedness for a pandemic.

**SURPRISE MEDICAL BILLING**

Governor Kemp signed HB 888 to address surprise medical billing, e.g., doctors out of network who treat the patient on an emergency basis, and bill the patient directly, who has no insurance coverage for out of network medical treatment. The law would require patients to pay no more than their deductible, co-pay or other in network payment determined by their plan. It creates an arbitration process for medical providers and the insurers to resolve billing disputes without involving the patient. A companion bill, HB 789, curbs surprise medical billing by promoting truth in advertising and creating a rating system for hospitals based on how many medical specialty groups are contracted. Senate bill 395 prohibits insurance copayments for health benefits plans from being set in a way that could "unfairly deny health-care services."

**ALCOHOL HOME DELIVERY**

Because of the COVID 19, many shoppers want home delivery. HB 879 allows the sale of beer, wine, and liquor, for home delivery. However, the alcohol cannot be left on the front porch like Amazon deliveries. The delivery person would have to check IDs to make sure the buyer is old enough to purchase alcohol. The law allows local municipalities to opt out of allowing alcoholic beverage delivery.

**INTERNET & RIDE SHARING TAXES**

House bill 276 increases sales tax collections from customers of internet and app-based businesses, including Uber and Airbnb. It has been estimated that the state is losing nearly \$750 million a year in sales taxes not collected from such online "marketplace facilitators" of sales.

**PROPOSED CONSTITUTIONAL AMENDMENTS**

Two proposed constitutional amendments were passed. This November, Georgia voters will vote on whether to give lawmakers the power to require fees be spent for the purpose that they were originally dedicated, and whether to make it easier to sue the state and local governments. The proposed amendment on fee dedication would allow lawmakers the power to specifically dedicate certain tax dollars to specific uses. The proposed sovereign immunity amendment is a reaction, at least in part, to a state Supreme Court decision that state and local governments can only be sued if they have waived a legal doctrine known as sovereign immunity. The amendment would allow Georgians to sue in state court to protect their rights and ensure governments follow the law but would not allow judges to award damages or attorney's fees and would prohibit people from suing individual officials with a government.

**LEGAL CORNER**

Please note that the Legal Corner article in the July newsletter, "Intentional Attacks: Are we getting too personal?" was written by: Attorney Harry Tear, Attorney Bryan Janflone and Attorney Sharee Tumbling. Mr. Tear was listed as the sole writer, but all three authors were shown in the photo.

## ACA Welcomes Zoom and the new Virtual World!

Covid-19 has changed what we regard as “normal”. It has affected many aspects of our lives including the way we work, conduct meetings, interviews, training, and more. Virtual meetings are the new norm and are a must-have to achieve social distancing.

By utilizing Zoom, we can continue our monthly board meetings and create online events for our members. It also allows us to provide our members with ongoing educational opportunities. Please join us and register for one of our upcoming webinars. You will find registration links on the next two pages.

## A Big Thank You to the ACA Webinar Providers!

Thank you for your ongoing assistance in helping us provide continuing education courses for our members! We look forward to continuing this partnership with you and others who wish to participate.

Some of our providers are:

- Manley & Associates
- Physio/Emory Outpatient Rehabilitation
- GENEX
- One Call
- Georgia Spine & Orthopaedics
- Goodman McGuffey
- Physio
- Swift, Currie, McGhee & Hiers
- Moore Ingram Johnson & Steele



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President



Knowledge is **Power**



### **Upcoming ACA Event!**

Workers' Compensation Webinar  
hosted by ACA and Georgia Spine & Ortho.  
Thursday, September 24th  
12:00 PM - 1:00 PM

You are invited to a Zoom Workers' Compensation Webinar Presented by the Atlanta Claims Association and Georgia Spine & Orthopaedics.

"Intracapt Procedure for Low Back Pain", presented by Dr. Erik Bendiks.

One CEU credit for GA WC Adjusters or CRC/CCM will be available for those that attend the entire hour.

For non-members, there will be a nominal charge for attendance that will be credited toward ACA membership.

After registering, you will receive a confirmation email containing information about joining the webinar.

[Register Now](#)



W • E • B • I • N • A • R

ACA Liability/Casualty Webinar  
**“Medical Funding Updates”**

Tuesday, October 6th  
12:00 PM - 1:00 PM

You are invited to a Zoom Liability/Casualty Webinar presented by the Atlanta Claims Association and Hosted by James Hankins and Samantha Mullis from Goodman McGuffey LLP

One CEU credit will be available for those that attend the entire hour.

For non-members, there will be a nominal charge for attendance that will be credited toward ACA membership.

After registering, you will receive a confirmation email containing information about joining the webinar.

[Register Now](#)



**YOU'RE INVITED!**

## The Georgia Workers' Compensation Symposium has gone virtual!

**Two hour sessions over three days with all different speakers and topics! Register for each session you want to attend separately using the links below. Two CEU credits are available for each session for GA adjusters, CRC, CMC and nurses. You must attend a session in its entirety to receive credit.**

### Day 1

**October 8, 2020  
11:00 a.m. - 1:00 p.m.**

11:00 a.m.: Dr. Michael Schurdell, The Physicians "The Painful Truths About Pain Injections"

12pm Laura Ogg, Eraclides "Avoiding Common Litigation Mistakes"

**Register: [link](#)**

### Day 2

**October 13, 2020  
3:00 p.m. - 5:00 p.m.**

3:00 p.m. Dr. Shane Mangrum, Polaris Spine and Neurosurgery "Evidence Informed Approach To Return To Work"

4:00 p.m. Katie McBee, P.T., DPT, OCS, M.S., Select Medical, "Motivational Interviewing"

**Register: [link](#)**

### Day 3

**October 15, 2020  
9:00 p.m. - 11:00 a.m.**

9:00 a.m. Anastasia Settle, Eckman Freeman & Associates "Violence in the Workplace"

10:00 a.m. Karen Barber, P.T., Physio "COVID-19 Recovery and Reconditioning"

**Register: [link](#)**



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