

**Workers' Compensation Section Executive Council Meeting**  
**Joe's Stone Crab**  
**Miami Beach**  
**January 27, 2012 at 11:30 a.m.**

I. Presiding Chair: Jeffrey I. Jacobs

A. Welcome - Introduction of Guests

ATTENDEES: Jeff Jacob, Brian Carter, Joann Prescott, Alison Scheffer, Jacque Steele, Bill Berke, Glen Wieland, Rick Thompson, Robert Strunin, Geoff Bichler, Tim Dunbrecht, Paul Anderson, Mark Touby, Richard Chait, George Cappy, Dawn Traverso, Chris Petrucelli, Chris Smith, Mike Winer, Leo Garcia, Bill Rogner, Paolo Longo, Alan Kalinoski, Rich Berman, Phillip Augustine, Alison Hauser, Neil Falk, Ric Morales, Brian Sutter, Jeff Appel, Mike Rudolph, Fausto Gomez, Carla Hart

II. Approval of Minutes from the

August 23, 2011 Meeting: Jacqueline Blanton Steele, Secretary

Minutes from the August 23, 2011 Meeting are attached. Minutes were approved.

III. Treasurer's Report: Alan Kalinoski, Treasurer

Financial Statement is attached. Current fiscal year on track. Proposed budget in the works. Section dues revenue reduced because of projected section member loss. Budget is projected to be \$10k over projected revenue.

Dues increase discussed because of deficit. Motion made and seconded to increase section dues by \$10.00. Motion passed.

IV. Committee Reports:

A. Section CLE: Dawn Traverso and Chris Petrucelli, Co-Chairs.

Ski seminar coming up in February and it is currently sold-out. There should be some revenue. 17 is current number of registered attendees.

Learn at Lunch program is being taken over by Chris.

B. HB 903 Relief Committee: Brian Sutter, Chair.

Still trying to address the ongoing statutory issues.

- C. Legislative Committee: Paul Anderson, Chair, Fausto Gomez, Section Lobbyist

Summary of bills sent - pharmaceutical repackaging bill and re-employment bill eliminating 440.491. Committee really wants to address voc rehab to get federal funding and not do away with it. Eliminating Dept of Educations role in it.

Bill is

being redrafted.

Heart Lung Bill - discussed and concern about pension bill.

Redistricting on floor for next week. Budget coming out of House today and Senate in two weeks.

Excess Profit Bill and Reporting Bill also discussed. Removal of independent actuary reviewing NCCI numbers was also discussed.

- D. News & 440 Report: Mike Winer, Editor.

and

Mike is turning over the editor position. After next edition, the editor will now be taken over by Jeff Appel. Most recent guest editor. Also nominated for News 440 committee. Moved and seconded for him to be added to committee. Next issue out mid February. Deadline Feb. 1st.

- E. Appellate Issues Committee: Bill Rogner, Chair.

Claimants' lawyers are concerned over having fees denied by First DCA. There are 5 cases sent to DCA at issue. No response to date. Judge Hawkes has resigned and a new Judge has been appointed Swanson (Former Pensacola Circuit Court Judge).

- F. Membership Committee: Paulo Longo and Timothy Dunbrack, Co-Chairs.

Still has concern over decreasing membership.

Report on Council of Sections meeting - other section representatives mentioned being impressed by our News and 440 Report and technology communications.

Will get a list of non-renewing members to see where the membership fall off is taking place. Will also place a sign up at the Forum.

- G. Forum Committee: Allison H. Hauser, Chair.

Great committee working on the seminar. 63 people registered so far and hotel reservations being made and reduced rate ends March 12th or when full. Need people to introduce speakers as well.

Need sponsors law firm and vendors. WCCP will send out sponsorship packages. Wieland Golf Tournament is the Wednesday before the Forum.

Tee off, 12:30. Entry fee is \$100.00.

H. Rules Committee: Christopher Smith, Chair.

Mediators have jurisdiction to address issues outside workers' compensation arena.

Rules to create simultaneous e-filing service

Telephonic appearance - green rule

Address safe harbor of a minimum level of costs that wouldn't require JCC approval.

Creation of judgment on the pleadings rule.

I. Judiciary Committee: Leo Garcia, Chair. Amended the professionalism guidelines.

Amendment proposals coming in. May meeting should have recommendations. Judge Portuallo will submit for approval by JCCs and new guidelines.

J. Board Certification Committee: Philip Augustine, Chair.

There has been some concern about board certification qualifications - some discussions have been held with Board of Legal Specialization about the requirements. 25 hearings practicing for at least 5 years. Substantial equivalents are available.

K. Technology Committee: Martin Leibowitz, Chair.

New Website coming online shortly. Any committee chair can have input on website.

Online store may be a part of website if cost effective. Module for ads can be run on website as well. Possible revenue generation. Also will be search optimized and some website training will be given as well. Need new ideas within the next 10 days. No flash technology likely. Redo site cost if \$5,500.00.

V. Chair's Report: Jeffrey I. Jacobs, Chair

- A. Nomination of Martin Leibowitz to the Executive Council for the 1<sup>st</sup> DCA's defense seat to replace Tara Sa'id who has resigned. Moved, seconded and approved.

Tuwanna McMillan resigned so 5th DCA defense seat available.

- B. Nomination of Herb Langston to receive Frierson-Colling Professionalism Award. Moved, seconded and passed.

C. Eugene Pettis of Fort Lauderdale has been elected President Elect Designate of The Florida Bar. Mr. Pettis will be sworn in as President Elect in June 2012 when Tampa attorney Gwynne Young is sworn in as President.

- D. Executive Council Retreat from May 17 to May 20, 2012 in New York City.

Hotel rate negotiated near 5th Avenue, Times Square and Grand Central. Also no Yankees game in town, but Mets game is a possibility. Private group tour possible at Grand Central or Metropolitan Museum on Friday in the a.m.

Judge Langham unable to attend sent his apologies. Announcement of new EJCC in final testing and working on electronic service. Melbourne trials by video.

and Governor calling for reduction of two judges and two mediators.

House

VI. Chair-Elect's Report: Dawn Traverso, Chair Elect

- A. Long range planning committee. Retreat suggestions welcome. Possible US Virgin Islands considered.

VII. New Business:

- A. Vote on request for excused absences. None requested. First DCA Seminar put on by Section in Tallahassee. Contact to be made by Chait and Thompson to discuss.

- B. Future Meetings: Saturday, May 19, 2012, New York City