

MINUTES OF THE EXECUTIVE COMMITTEE  
WORKERS' COMPENSATION SECTION  
CONNECTICUT BAR ASSOCIATION  
MARCH 25, 2009

Location: Hawthorne Inn

Present: Bob Enright, Mark Leighton, Donna Civitello, Tracey Green Cleary, Victor Ferrante, Barry Moller, Luke Strunk, Kristen Sotnik Falls, Jason Dodge, A. Paul Berté, Joe Passaretti, Barbara Collins, Bud Drapeau, Cori-Lynn Webber, David Weil, Jack Clarkson, Maribeth McGloin, Timothy Welsh, Frank May, Ken Katz, Betsy Zaccardi, Dave Morrissey, Larry Pellett, Angelo Paul Sevarino, Diane Duhamel, Andrew Hern, Ralph Russo.

The meeting commenced at 6:10 P.M. The minutes from the last meeting were accepted.

Website committee

Cory-Lynn Webber reported for the Website Committee, noting changes which have been made to the site, and handed out instructions on how to reach and use the web-page for the Workers' Compensation Section. She also outlined what the committee is working on: making Compensation Quarterly available on-line, updating the index for CQ and putting that on-line, a list of board-certified attorneys which will be able to be reached by clicking on a Certification Process link, posting of meeting minutes, and a calendar of upcoming events. Angelo Sevarino wrote a history of the section, and that will be available on the website as well. The Committee was commended for its terrific work on the webpage.

Report on legislative testimony

Bob Enright reported that he testified for the legislature on behalf of the section in favor of a bill which is intended to remove workers' compensation claims from the purview of the final judgment rule. The bill is Raised Bill 1099.

Report on legislative developments

Luke Strunk updated his March 3<sup>rd</sup> written report on bills pending in the legislature. He will issue a supplemental report. Since his March 3<sup>rd</sup> report there are several new bills, among them:

- a bill proposing rebuttable presumptions for various classes of employees for compensability of MRSA infections and other communicable diseases;
- a bill to allow the State to act as a workers' compensation insurer for its employees and to insure private employers as well;
- a bill to allow commissioners to appeal directly to the Supreme Court any decision of the Judicial Review Council;
- a bill requiring an intervening respondent in civil suits to pay a portion of the claimant's attorney's fee.

CLE Committee

David Weil and Mark Leighton reported for the CLE Committee. The section will likely offer an all day seminar on heart and hypertension issues next fall.

### Certification

Diane Duhamel reported that she has been elected as the chair of the Examining Committee, as Doug Drayton has stepped down. Nine individuals applied, but only six have filed applications. The Examining Committee will meet on April 16<sup>th</sup> to determine which of the six have met the requirements of the application. The exam will not be administered this year if there are not six qualified applicants.

Frank May reported for the Standing Committee. Rules changes now require those seeking certification and re-certification as of June 2009 to provide certificates of attendance to document fulfillment of the CLE requirement. The rules have also expanded the ability to use medical seminars to fill the CLE requirement; up to forty of the sixty credits earned over five years may be related to medical issues. Ten credits must be related to ethics. The requirement to submit references has been increased to seven; formerly it was five.

### Compensation Quarterly

Donna Civitello reported that the winter issue is published and the spring issue is in the works. She invited the submission of articles and ideas for articles. Requests to submit articles and ideas for articles can be sent to her at [dc.cartercivitello@snet.net](mailto:dc.cartercivitello@snet.net).

### Exotic Seminar

Mark Leighton reported in Kevin Coombes' absence. Eighteen people are registered to attend thus far, with fourteen rooms reserved. The deadline for the reduced room charge is April 1<sup>st</sup>. There will likely be rooms available after April 1<sup>st</sup>.

### Workers' Compensation Committees

Bob Enright led a general and short discussion regarding the number of sub-committees in the section. It was proposed that those committees dealing with social events should be consolidated into one committee.

### Pomeranz-O'Brien Award

Mark Leighton discussed the latest version of the award requirements he drafted to reflect changes suggested by other members. He explained the basis for the most recent changes. After some discussion, the requirements were adjusted to reflect Frank May's suggestion that they more directly state that work on a Certification Committee (Standing or Examining) should be considered in making the award.

### House of Delegates

Mark Leighton reported on recent activity in the House of Delegates, including the failure of Real Estate certification. The next Board of Governors meeting is April 13<sup>th</sup>. He also reported that CBA interim director Norman James has advised that Janice Jerman and Hillary Stevens will be laid off from the CBA staff.

Upcoming meetings

Bob Enright reported that the next meeting will be on April 7<sup>th</sup>, and it will be a full section meeting. Commissioners Gregg and Goldberg have been invited to attend and speak. The CBA annual meeting will be June 8<sup>th</sup>.

The meeting adjourned at 6:55 P.M.

Submitted by Donna Civitello, Secretary