



# 2021 PROFESSIONAL LIABILITY ROUNDTABLE



*Two Program  
Tracks Available!*

Professional Liability  
Medical Liability

*Details inside.*

**AUGUST 19**  
**FAIRMONT CHICAGO**  
**CHICAGO, ILLINOIS USA**

# Professional Liability Roundtable with Medical Liability Track Option

Sponsored by the IADC Professional Liability Committee, the Professional Liability Roundtable (PLR) is a half day CLE program. Through a series of interactive panel discussions, PLR creates a forum for in-house counsel, outside counsel, and insurance claims representatives to learn together and discuss new developments in the professional liability arena. Beyond the educational opportunity, PLR participants are able to network with lawyers and industry professionals from multiple jurisdictions both during the program and at a concluding reception.

A second program track has been added to the PLR. Sponsored by the IADC Medical Defense and Health Law Committee, the medical liability track option will offer presentations that feature effective tips on strategies and tactics for maximizing defense verdicts and minimizing damages in complex, large exposure lawsuits regardless of jurisdiction. Outside counsel and industry professionals will share the insights that they've learned through experience with very challenging claims and lawsuits.

## Registration and Fees

Registration is available online only. To register for the Professional Liability Roundtable:

[www.iadclaw.org/events/2021-professional-liability-roundtable](http://www.iadclaw.org/events/2021-professional-liability-roundtable)

### **Registration Fees:**

#### Outside Counsel:

- \$350 (Member/Non-Member if not attending 2021 Annual Meeting)
- \$99 (Member/Non-Member if attending 2021 Annual Meeting)

#### Insurance Executives/Corporate Counsel:

- Complimentary

If you plan on attending the 2021 Annual Meeting, you will receive discounted registration fees for the 2021 Professional Liability Roundtable as noted above. Please add "Professional Liability Roundtable" to your Annual Meeting registration when you register. If you have already registered for the Annual Meeting and would like to add the Professional Liability Roundtable event to your existing registration, email Maria Juarez, Registrar, at [mjuarez@iadclaw.org](mailto:mjuarez@iadclaw.org).

To register for the Annual Meeting and the Professional Liability Roundtable with a discounted registration fee:

[www.iadclaw.org/events/2021-annual-meeting](http://www.iadclaw.org/events/2021-annual-meeting)

# Professional Liability Track Schedule

12:00 - 12:45 P.M.

## REGISTRATION OPEN

12:45 - 1:00 P.M.

## WELCOME AND INTRODUCTIONS

**Melissa Dorman Matthews**, Program Chair, Hartline Barger LLP, Dallas, TX USA

**Andrew S. Chamberlin**, 2020-2021 IADC President, Ellis & Winters LLP, Greensboro, NC USA

1:00 - 2:00 P.M.

## CYBER SECURITY FACING LAW FIRMS

Regardless of the size of a business or law firm, the threat of a cyber breach is real and must be taken seriously. COVID's impacts reverberate throughout the legal community, and an increase in cyber exposures can be felt throughout the world. Notably, cybercrimes have evolved over the years, and extremely sophisticated operations targeted towards law firms and businesses alike are causing catastrophic losses today. This panel of experts will discuss the latest schemes and COVID's impacts, while also sharing with you their ideas for how to mitigate risks and institute the best practices for defending your businesses and firms.

Moderator: **Kathleen V. Buck**, Vice President – Claims, Minnesota Lawyers Mutual Insurance Company, Minneapolis, MN USA

Panelists: **Tara Nayak**, Senior Claims Counsel, AXA XL, Chicago, IL USA; **Todd C. Scott**, Vice President of Risk Management, Minnesota Lawyers Mutual Insurance Company, Minneapolis, MN USA; **Lisa Tulk**, Kessler Collins, Dallas, TX USA

2:00 - 2:15 P.M.

## REFRESHMENT BREAK

2:15 - 3:15 P.M.

## DIVERSITY INITIATIVES FOR THE LEGAL FIELD

*\*THIS PROGRAM IS ELIGIBLE FOR ELIMINATION OF BIAS/DIVERSITY AND INCLUSION CREDIT.*

As part of the IADC's commitment to diversity, we strive to create an Association and collegial environment that reflects the diverse backgrounds of those in the profession and educate ourselves on initiatives underway to enhance opportunities to diversify all aspects of the legal field. In order to achieve the goal of inclusion, it is critical to understand why our profession is the nation's least diverse. Sybil Dunlop, an award-winning speaker, presents to audiences nationally on issues impacting diversity and inclusion. She will share her knowledge, drawing from neuroscience and behavioral psychology, to shed light on some of the problems while offering helpful tips on ways to effectuate change.

Panelist: **Sybil L. Dunlop**, Greene Espel PLLP, Minneapolis, MN USA

# Professional Liability Track Schedule

3:15 - 3:30 P.M.

## REFRESHMENT BREAK

3:30 - 4:30 P.M.

## MODERN TRENDS IN THE BUSINESS OF LAW

Is the sun setting on the traditional model of only lawyers being allowed to provide legal services? A growing number of jurisdictions are considering and even allowing non-lawyers to own law firms and to provide services to the public traditionally performed exclusively by lawyers. But while some states are considering broadening who can practice law, the first state to adopt such a program slammed on the brakes after just ten years. This panel will discuss the current status of such activities and explore the legal, ethical, and business implications of this growing trend, along with pros and cons for the profession and the wider community.

Moderator: **David C. Anderson**, *Collins Einhorn Farrell, P.C., Southfield, MI USA*

Panelists: **Deborah Bjes**, *Head of Small and Mid-Sized Lawyers Group, Swiss Re Corporate Solutions, Chicago, IL USA*; **Lori Worthington Hurl**, *Forsberg & Umlauf, P.S., Seattle, WA USA*; **Andrea Schillaci**, *Hurwitz & Fine, P.C., Buffalo, NY USA*

4:30 - 4:40 P.M.

## CLOSING REMARKS

**Melissa Dorman Matthews**, *Program Chair, Hartline Barger LLP, Dallas, TX USA*

4:40 - 5:40 P.M.

## COCKTAIL RECEPTION



# Medical Liability Track Schedule

12:00 - 12:45 P.M.

## REGISTRATION OPEN

12:45 - 12:50 P.M.

## WELCOME AND INTRODUCTIONS

*Douglas Vaughn, Program Chair, Deutsch Kerrigan, LLP, Gulfport, MS USA*

12:50 - 1:50 P.M.

## STRATEGIES FOR THE DEFENSE OF MEDICAL TRANSPORTATION AND PRE-HOSPITAL CARE

The panel will describe the challenges and provide strategies for the defense of pre-hospital care in the medical transportation industry. Under discussion will be the types of cases that subject defendants in the medical transportation industry to the most significant liability including airway management, traumatic brain injury, patient elopement, equipment failures (such as ambu bags and defibrillators), medication issues (particularly with mental health patients and patients with possible “excited delirium” that may receive ketamine in the field), failure to transport patients, and dealing with patients who have recently encountered law enforcement. Issues addressed may include defining the patient - provider relationship and duties, when to reach out to family related to issues, the performance of immediate investigations with serious safety events, and an exploration of causation defenses.

Moderator: **Jill M. Steinberg**, *Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Memphis, TN USA*

Panelists: **Ellen Harmon**, *Associate General Counsel, Global Medical Response, O’Fallon, MO USA;*

**Stanley T. Proctor**, *Senior Vice President, Western Litigation, Inc., Houston, TX USA*

1:50 - 2:00 P.M.

## IADC PRESIDENT’S WELCOME

*Andrew S. Chamberlin, 2020-2021 IADC President, Ellis & Winters LLP, Greensboro, NC USA*

2:00 - 2:15 P.M.

## REFRESHMENT BREAK

2:15 - 3:15 P.M.

## ARE HUMANS BECOMING OBSOLETE? ROBOTS, DRONES, AND 3D PRINTING - A WELCOME ADDITION OR THREAT TO JOB SECURITY?

Integration of medical technology is required to meet evidence-based medicine standards. Robots are being used to support, assist, and extend healthcare services. Robots, mostly known for their use in surgery, are also responsible for a 70% drop in hospital acquired infections with their fast and effective systematic disinfection of healthcare facilities. In jobs of repetitive nature, they are predicted to completely replace humans. Similarly, drones are being used in lieu of humans to transport blood for transfusions or to deliver medicine to rural areas, among numerous other uses. 3D printing, or additive manufacturing, enables the construction of human tissue used for burn victims, or organ prosthetics for those in need of transplants. Again, lessening the manpower required to deliver healthcare. Such innovations are mandated by evidenced-based standards, yet, there exists a pushback from healthcare clinicians who are fearful that such integration of technology will make their positions obsolete. This session will address the available technology, the legal requirements involved in providing evidence-based medicine, the potential risk exposure, and analysis of case law which suggests that the failure to incorporate technology, even in the face of minority support, can constitute a breach of the standard of care.

# Medical Liability Track Schedule

Moderator: **Constance A. Endelicato**, Wood Smith Henning & Berman LLP, Los Angeles, CA USA

Panelist: **Bill Bower**, Senior Vice President, Director of Healthcare, Gallagher Bassett, Houston, TX USA

3:15 - 3:30 P.M.

## **REFRESHMENT BREAK**

3:30 - 4:30 P.M.

## **CORONAVIRUS HITS HOME – HOW DO NURSING HOMES AND LONG-TERM CARE FACILITIES SWOT CLAIMS RELATE TO COVID-19?**

Using a real-world example, the panel will discuss the strengths, weaknesses, opportunities, and threats (SWOT) nursing homes and long-term care facilities face as claims related to COVID-19 make their way through the court system. Issues discussed will include immunity laws, defenses, exposure timelines, staff training, documentation issues, employee exposures, insurance coverage concerns, and arbitration vs. litigation.

Moderator: **W.M. Bains Fleming, III**, Norman, Wood, Kendrick & Turner, Birmingham, AL USA

Panelists: **Reed R. Bates**, Starnes Davis Florie LLP, Birmingham, AL USA; **Joel Koppenhoefer**, Claims Consultant, MedPro Group, Chicago, IL USA

4:30 - 4:40 P.M.

## **CLOSING REMARKS**

**Douglas Vaughn**, Program Chair, Deutsch Kerrigan, LLP, Gulfport, MS USA

4:40 - 5:40 P.M.

## **COCKTAIL RECEPTION**

**Registration is available online only. To register for the Professional Liability Roundtable:**

**[www.iadclaw.org/events/2021-professional-liability-roundtable](http://www.iadclaw.org/events/2021-professional-liability-roundtable)**

## **QUESTIONS?**

For questions on registration, email Maria Juarez, Registrar, at [mjuarez@iadclaw.org](mailto:mjuarez@iadclaw.org).  
For all other questions, email Amy O'Maley McGuire, Assistant Director of Legal Programming, at [aomaley@iadclaw.org](mailto:aomaley@iadclaw.org).

# General Information

## LOCATION AND DIRECTIONS

Fairmont Chicago, Millennium Park  
200 North Columbus Drive, Chicago, IL USA

The Fairmont Chicago is located in the heart of downtown Chicago. For a map and directions: [www.fairmontchicago.com/explore/map-directions](http://www.fairmontchicago.com/explore/map-directions)

## HOTEL RESERVATIONS

In order to make your hotel reservation, you **must first** register for the meeting with the IADC. Once registered, the IADC will send you a hotel code and website link, along with your registration confirmation, that will allow you to secure your hotel room(s) at the Fairmont Chicago. **Please note that rooms within IADC's contracted room block are for registered attendees only.** Rooms at the group rates are subject to availability in the IADC room block. Unused rooms in the room block will be released by Wednesday, July 14, 2021. Reservation requests after the room block is full or after July 14 will be accepted on a space available basis at the group rate. **Please note the room block may fill before July 14, 2021 so we encourage you to register with the IADC so you can make your hotel reservation early.**

Check-in time is 3:00 p.m. and check-out is 12:00 p.m.

## HOTEL RATES AND CANCELLATION POLICY

Group room rates at the Fairmont Chicago are:

- **Fairmont Room:** \$195.00 USD single/double occupancy
- **Deluxe Room:** \$225.00 USD single/double occupancy
- **Signature Room:** \$330.00 USD single/double occupancy

Group rates are subject to current taxes and will apply three days prior and three days after the main meeting dates, subject to availability.

For a description on the various room types: [www.fairmont.com/chicago](http://www.fairmont.com/chicago).

Additional Room Occupants: Each additional adult (beyond two occupants) sharing a room will be charged an additional \$30.00 USD/per night. There is no charge for children 18 years and younger who share a room with their parents.

The hotel requires a major credit card to guarantee a guest's room when a reservation is made. Guests may cancel their reservation up to 24-hours prior to arrival without penalty. Guests who cancel their reservation within 24-hours of arrival or no-show will incur a penalty equal to one night's room and tax charged to their credit card on file.

In-Room Wireless Internet Access: To enjoy complimentary wireless internet access in your sleeping room, be sure to join ALL – Accor Live Limitless Loyalty Program prior to checking-in onsite at the hotel. For more information: [www.all.accor.com/loyalty-program/reasonstojoin/index.en.shtml](http://www.all.accor.com/loyalty-program/reasonstojoin/index.en.shtml)

## PARKING ON PROPERTY

The Fairmont Chicago's current valet parking charges are as follows:

- Up to two hours: \$31.00 USD
- Two to six hours: \$43.00 USD
- Six to 24 hours: \$77.00 USD

**IADC attendees will receive 20% off the hotel's current published valet parking charges.**

## CLIMATE AND DRESS

When packing for your trip, please note that average temperatures in Chicago this time of year range from a high of 81°F/27°C to a low of 70°F/21°C. Business and business casual attire are appropriate for the conference.

# General Information

## CLE CREDITS

Approximately 3.0 hours of general CLE credit in 60-minute states and 3.6 hours of general CLE credit in 50-minute states will be requested for accreditation from all mandatory continuing legal education jurisdictions where registered attendees are licensed.

## CPD CREDIT (CANADA)

The IADC is a Pre-Approved Provider of CPD Credit with the Law Society of British Columbia. The Quebec CPD Committee recognizes courses approved by other Canadian bars as approved in Quebec. For those in attendance at the Professional Liability Roundtable, 3 CPD credits are available.

## SPECIAL NEEDS

If you will have special needs during the meeting (i.e. diet or accessibility), please let the IADC office know in advance of the meeting by contacting Amy O'Maley McGuire, Assistant Director of Legal Programming, at [aomaley@iadclaw.org](mailto:aomaley@iadclaw.org).

## DATA PRIVACY AND COLLECTION

Data is collected on attendees through registration for the purposes of executing the meeting and communicating with attendees about the meeting. Meeting sponsors have access to the registration list provided to all attendees.

If any attendee has questions on data use and privacy, please contact Mary Beth Kurzak, Executive Director, at [mkurzak@iadclaw.org](mailto:mkurzak@iadclaw.org).

## IADC CANCELLATION POLICY

A CASH REFUND, less a \$50 processing fee, will be made if a written notice of cancellation is received by the IADC office more than thirty (30) days prior to the first day of the meeting. No reason for the cancellation need be provided for a timely notice of cancellation.

NO CASH REFUND will be made if notice of cancellation is received by the IADC office thirty (30) days or less prior to the first day of the meeting. However, if special circumstances arise before the meeting which prevent attendance, a member may request a future meeting credit. The request needs to be in writing and submitted to the IADC office. It should be directed to the Finance Committee's attention and note the special circumstances which caused cancellation. The credit request can only apply to meeting registration fees (not air, hotel, activity, tour, or special event fees) and, if approved, will be valid for use toward any IADC meeting for one (1) year from the date of the meeting for which credit is requested. A \$50 processing fee will be deducted from the total future meeting credit.

All future meeting credit requests will be considered by the Finance Committee and the decision of that Committee will be final.

## GENERAL EVENT SPONSOR



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# PROFESSIONAL LIABILITY ROUNDTABLE

## AUGUST 19, 2021

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### THANK YOU

Thank you to the members of the Professional Liability Roundtable Planning Committee and the Medical Liability Track Planning Team for their work to make this meeting possible.

#### PROFESSIONAL LIABILITY ROUNDTABLE PLANNING COMMITTEE

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