

The American Rehabilitation Economics Association

This virtual format may be ongoingly updated with the latest conference details. Please note the version date posted here to ensure that you are reviewing the most current information:

May 16, 2023

Achieving Reasonable Certainty in Uncertain Markets

2023 Annual Conference May 18-20

Eldorado Reno Hotel & Casino

345 N. Virginia Street, Reno, NV 89501

Achieving Reasonable Certainty in Uncertain Markets

Dear AREA Members and Friends:

I write to you as the preparations for AREA's Annual Conference are in full swing! For us, it is a very busy and exciting time of the year, where the Association leadership, membership, speakers, and attendees alike get to put our best foot forward in a collaborative labor of love (we do this for free!!) and for the common good of one another. But, hey, we are again Reno bound and so much looking forward to one another's friendly company there! (And yes, "Breakfast is Back" after last year's severe budget crunch that regrettably necessitated the temporary elimination of that item. In spite of that, we have gone on to prosper for another day!)

Once again, there already have been rave reviews regarding the committed speaker line-up as organized by Ron Smolarski; our Secretary/Treasurer, Margy Ashby, has been fielding questions, organizing the program, getting CEU's in line, all at the same time as handling the annual Membership renewals and drive; the Board has been budgeting and menu planning (with special mention going to Rachel Duchon and Nora Ostrofe for that), and Christina Hughes has been organizing information and plans as the Hall of Presidents' initiative moves forward. This conference brochure will detail all the educational topics and more that we hold in store for you! And the room rates are excellent, if you have not already seen them.

I want to look forward to seeing YOU in Reno, and guarantee that the venue and program are among the best that we have to offer to a hoped-for record-setting attendance! One of our highlights, as you have known, is formally establishing a Hall of Presidents in honor of AREA's near-2 dozen leaders who have brought us to this day. While still not certain as to exactly how many may join us then or there, we look forward to giving each an honorable mention, at the least, and a hearty welcome and thanks, at best. All the while, I and all Presidents know that we do not work alone, and that our Board members are the ones who make it all come together in the end. Thank you to all who have served selflessly in that capacity. Having established "The Hall," hopefully we may also find a fitting way to give them associated tribute in the near future, too.



Welcome to the High Sierra foothills on the eastern side of the Sierra Nevada, which is also known as "one of the sunniest cities in America!" Warm smiles to all. And in case you and I have not met yet, please be sure to introduce yourself to me as you arrive. We are looking forward to seeing you there!

Sincerely, Bob Paré, FVE—AREA President 2021-23

About AREA ...

The **American Rehabilitation Economics Association** is an association of vocational, economic, rehabilitation, and life care planning professionals. Our members are located throughout the United States, Canada and the Virgin Islands.

AREA has two MISSIONS:

- Recognizing the integrative use of vocational rehabilitation and economic loss assessment as a distinct discipline, and
- Providing a peer-exchange forum for vocational, economic, rehabilitation, and life care planning experts.

AREA supports professional growth by offering opportunities for **continuing education** at its Annual Conference. AREA interfaces with other vocational, economic, rehabilitation, and life care planning organizations to encourage the sharing of knowledge among related forensic professionals.

Established in 1989, AREA is the only **international certifying body** that has this unique blend of professions in loss assessment. AREA is the first professional association to establish a Registry of both Forensic Vocational and Forensic Economic Experts.

FRIENDS OF THE ASSOCIATION

CLICK **HERE** TO ADD YOUR LOGO TO THIS PAGE





THURSDAY, MAY 18

DUAL-TRACK BOOT CAMP

8:45-9:00 am-Announcements & Intros

9:00 am - 5:00 pm

Snack Breaks: 10:15–10:30 am; 3:00–3:15 pm Lunch (on your own): 11:30 am–1:30 pm

INTERMEDIATE 5.5 CEUs

Fundamentals of Earnings Loss

Calculations: α to Ω (Moderator: Matt Sims) George Barrett MBA MSRC FVE '11 CRC CVE FRC Brookshire Barrett LLC

Shannon H. Shipp PhD, CEA '00, MAFF Shipp Needham Economic Analysis LLC

ADVANCED 5.5 CEUs

Estimating the Economic Damages of the Self-Employed: Lost Profits or Lost Earning Capacity

Allyn B. Needham PhD, CEA '00 Shipp Needham Economic Analysis LLC

FRIDAY, MAY 19

MAIN CONFERENCE BEGINS

7:45-8:00 am-Announcements & Intros

<u>8:00 am - 9:30 am</u>

A Review of Medical Care Inflation, What an Economist and a Vocational Expert Should Know

Denis Boudreaux PhD - Univ. of LA, Lafayette

BEVERAGE BREAK-9:30-9:45 am

<u>9:45 am - 10:45 am</u>

SESSION 2 1.0 CEU Job Analysis for the Vocational Evaluator

Roger A. Thrush PhD, CRE '93

SNACK BREAK-10:45-11:00 am

Past Presidents' Commemoration & Reception

Friday, May 19 - 6:45-8:45 pm

NoVi (Eldorado Resort Casino)

2023 AREA Conference Schedule

REGISTRATION [CVC Main Foyer] ~ Opens 7:00 am

THURSDAY: Breakfast [Chardonnay] ~ Breaks [Tuscany] ~ 2 Boot Camps [1Bordeaux | 2Claret] FRIDAY: Breakfast & Breaks [Tuscany] ~ General Sessions [Bordeaux/Claret] ~ RECEPTION [NoVi] SATURDAY: Breakfast & Breaks [Tuscany] ~ General Sessions | Business Meeting [Bordeaux/Claret]

Thursday, May 18Boot Camps8:45 am-5:00 pmFriday, May 19Main Conference (General Session)7:45 am-6:30 pmPast Presidents' Commemoration & Reception6:45-8:15 pmSaturday, May 20Main Conference (General Session)7:45 am-4:00 pm2023 Annual Business Meeting4:15-5:15 pmSunday, May 21CEA Examination8:00 am

FRIDAY, MAY 19 (continued)

<u>11:00 am - 12:00 pm</u>

SESSION 3 1.0 CEU Ethical Practice in Forensic Testimony: Considerations for the Expert Witness Anthony Andrews PhD, LCMHC-S, LCAS, CRC Andrews Counseling & Consulting, PLLC

Travis Andrews PhD, LCMHC-S (NC), LPCC (KY), NCC, CRC, BC-TMH

Andrews Counseling & Consulting, PLLC and University of Kentucky, Dept of Counselor Education

<u>12:00 pm - 1:00 pm</u>

Business Ownership & Risk in Economic Damages to an Individual Kevin M. Blair ASA Desmond, Marcello & Amster (California)

LUNCH ON YOUR OWN-1:00-3:00 pm

<u>3:00 pm - 4:00 pm</u>

Session	5	1.0 CEU
OLUGION	•	

Forensic Economics and Class Actions: Private Provision of Probation Services Philip J. Cross PhD - Kenyon Consulting LLC

BEVERAGE BREAK-4:00-4:15 pm

<u>4:15 pm - 5:15 pm</u>

SESSION 6	

Calculation of Economic Damages in Matters Involving Allegations of Employment Discrimination and Sexual Harassment – Special Considerations Dubravka Tosic PhD - Berkeley Research Group

IDFAVKA TOSIC PhD - Berkeley Research Grou

SNACK BREAK—5:15-5:30 pm

<u>5:30 pm - 6:30 pm</u>

Analyzing Employment Termination Damages in Special Cases: A View from Plaintiff & Defense Perspectives

Dwight L. Steward PhD - EmployStats

SATURDAY, MAY 20

7:45-8:00 am - ANNOUNCEMENTS & INTROS

<u>8:00 am - 9:30 am</u>

SESSION 8..... 1.5 CEUs

Medical Coverage, Reasonable Value, and Economic Valuation in Life Care Plans: A Case Study

Jerome S. Paige PhD - *TD&P Consulting* Thomas Dawson III, Esq., MPH, MA

BEVERAGE BREAK—9:30-9:45 am

<u>9:45 am - 10:45 am</u>

Ses	SION	9.		 		1.0 CEU
The		-	- I. <i>.</i>	 10	Markfor	

The Ever-Evolving U.S. Workforce

Kevin E. Cahill PhD - ECONorthwest & Center on Aging & Work at Boston College

SNACK BREAK—10:45-11:00 am

<u>11:00 am - 12:00 pm</u>

<u>12:00 pm - 1:00 pm</u>

Session 11	1.0 CEU
Lost Income/Fringe Benefit Valua	tion Svcs
David G. Pitts FSA MAAA - Independen	t Actuarial Svcs

LUNCH ON YOUR OWN-1:00-3:00 pm

<u>3:00 pm - 4:00 pm</u>

BEVERAGE BREAK-4:00-4:15 pm

2023 Annual Business Meeting & 2024 Conference Planning

~~ 4:15 to 5:15 pm ~~

All are welcome to attend.

Evaluation Forms | Continuing Education Credit

Important Information re- CEU credit and Evaluation Forms for 2023 AREA Conference

AREA has been approved by ABVE, CLCP, and CRC for up to 13.0 contact hours for the Main Conference and up to 5.5 contact hours for attendance at the Boot Camp. This includes 1.0 Ethics credit from CRCC for attendance at Friday morning's Session #3 of the Main Conference.

As always, CEUs are also available for AREA's certifications (CEA, CRE, EA). If you are an AREA certified member and attend our conferences annually, you are sure to fulfill your requirement for 45 units per 3-year certification period.*

* IMPORTANT REMINDERS *

AREA members holding a **CEA or CRE credential** must attend at least 1 AREA Main Conference <u>and</u> Boot Camp every 3 years in order to recertify. *Upon written request, CEAs and CREs may ask for a* 1-time 1-year extension of this requirement for a fee of \$100.

AREA members holding a **EA credential** must attend at least 3 AREA Main Conferences and 3 AREA Boot Camps every 4 years; participate in at least 2 out of 4 of any graduate degree-accredited educational programs that AREA offers (if any); and accumulate at least 45 accredited CEUs every 3-year period, a minimum of 30 of which must be from AREA conferences.

IF YOU SEEK <u>CEU CREDIT</u> FOR YOUR CONFERENCE ATTENDANCE, SUBMITTING PROGRAM/ACTIVITY EVALUATION FORMS IS <u>REQUIRED</u>!

Attendees access the *fillable* Evaluation Forms from the *Speaker Materials* webpage (also available in Microsoft Word format). We ask that you type your comments directly into the forms rather than handwriting them.

The DEADLINE to submit completed Evaluation Forms is MONDAY, JUNE 19TH



2022 Conference photos compliments of Steve Bast, EA '22

BOOT CAMPS

THURSDAY, MAY 18 ... 8:45-9:00 am—Announcements & Introductions

8:45 ам - 5:00 рм

CONCURRENT SESSIONS

5.5 CEUs

INTERMEDIATE BOOT CAMP

Fundamentals of Earnings Loss Calculations: α to Ω



George Barrett M.B.A., MSRC, FVE '11, CRC, CVE, FRC Brookshire Barrett LLC



Shannon Shipp Ph.D., CEA '00, MAFF Shipp Needham Economic Analysis LLC

Alpha to Omega ... from the beginning to the end. Session participants will be engaged in an immersive experience

gathering data and assembling supporting file materials during hands-on economic damages modeling of lost earnings resulting from personal injury. Participants are encouraged to bring a laptop computer with MS Excel to take full advantage of the activities designed for this dedicated case study boot camp.

MODERATOR: J. Matthew Sims, MS, FVE '09, RFE '09 Sims & White, PLLC Advanced Boot Camp

Estimating the Economic Damages of the Self-Employed: Lost Profits or Lost Earning Capacity



Allyn B. Needham Ph.D., CEA '00 Shipp Needham Economic Analysis LLC

This workshop will discuss the methodology for assessing the lost earning capacity of the self-employed. While the analysis is basically the same as the one for assessing the loss of a traditional wage or salary worker, the ways of going about the analysis are different. The discussion will include valuing the loss for a self-employed individual that owns a sole proprietorship, a member of a partnership, or a principal in a subchapter S corporation. We will also discuss why the loss cannot be based just upon W-2s and/or paystubs but must include Schedule Cs. K-1s from 1065 filings, or K-1s from 1120S filings. This workshop will also deal with nuances in assessing the level of business income to include in a lost earning capacity analysis. At the end of the workshop, attendees will be able to assess the data needed for analyzing the injured self-employed person's lost earning capacity, calculate the injured person's losses, and explain the rationale and methods used in arriving at the loss estimates.



FRIDAY, MAY 19 ... 7:45-8:00 am—Announcements & Introductions

SESSION 1 ... 8:00 AM - 9:30 AM 1.5 CEUS

A Review of Medical Care Inflation, What an Economist and a Vocational Expert Should Know

Denis Boudreaux, Ph.D.

Topics to be covered include Definition, Medical Care items covered by BLS, graphs, tables, a small difference in an assumed Inflation Rate can mean a large dollar difference in Loss, recent Medical Care Inflation Rates, stationarity in Medical Care Inflation, Interest Rates and Medical Care Inflation historically, Interest Rates and Medical Care Inflation currently, proposed table to consider, the Speaker's recent experience, and Participants' experience.

BREAK-9:30-9:45 am

Session 2 ... 9:45 AM - 10:45 AM 1.0 CEU

Job Analysis for the Vocational Evaluator

Roger A. Thrush, Ph.D., CRE '93

Do you want to learn how to perform an on-site Job Analysis and document the specific characteristics of a worker's job (position)?

This lecture will present a step-by-step methodology for observation, quantification and documentation when performing on-site job analyses. You will be introduced to the Three Areas of Manipulation; a conceptual model for observation and quantification of the physical characteristics of a job.

A timeless manuscript, ADA Essential Function Identification, written by Dr. Thrush, is introduced to the vocational evaluator as a reference guide for performing and documenting an on-site job analysis.

BREAK-10:45-11:00 am

SESSION 3 ... 11:00 AM - 12:00 PM 1.0 CEU

Ethical Practice in Forensic Testimony: Considerations for the Expert Witness

Anthony Andrews, Ph.D., LCMHC-S, LCAS, CRC Andrews Counseling & Consulting, PLLC

Travis Andrews, Ph.D., LCMHC-S (NC), LPCC (KY), NCC, CRC, BC-TMH Andrews Counseling & Consulting, PLLC and University of Kentucky, Department of Counselor Education

This presentation presents an updated systematic decision-making model based upon positive ethics that expert witnesses can use to address ...

- 1. conflicting roles and responsibilities,
- 2. balance competing for ethical and legal requirements, and
- 3. maintain high standards of ethical practice and professional competence.

<u>Session 4 ... 12:00 рм - 1:00 рм 1.0 CEU</u> Business Ownership & Risk in

Economic Damages to an Individual

Kevin M. Blair, ASA Desmond, Marcello & Amster (California)

How do the methodologies and assumptions in a damages model change when the individual is an owner of a business? The approaches of developing and selecting a discount rate and cash flows will be discussed, as will the taxation assumptions implicit in the selected discount rate and cash flows.

LUNCH ON YOUR OWN-1:00-3:00 pm

Session 5 ... 3:00 pm - 4:00 pm

1.0 CEU

Forensic Economics and Class Actions: Private Provision of Probation Services

Philip J. Cross, Ph.D.

In a class action matter against a private provider of probation services, the tools of forensic economics are appropriate for estimating damages, much as they are in standard personal injury and wrongful death matters. Putative class members are supervisees on probation who are monetarily injured both (i) directly by having to surrender monies to the defendant, and (ii) indirectly through the monetary value of time surrendered attending court hearings and spending time in jail for probation violations.

BREAK-4:00-4:15 pm

FRIDAY, MAY 19 (cont'd)

SESSION 6 ... 4:15 PM - 5:15 PM

1.0 CEU

Calculation of Economic Damages in Matters Involving Allegations of Employment Discrimination and Sexual Harassment – Special Considerations

Dubravka Tosic, Ph.D.

In litigation matters involving allegations of employment discrimination and sexual harassment, estimating the Plaintiff's economic damages may be a particularly complex process. In such cases, the economist often has to address the potential short term and long term impact of the allegations on the Plaintiff's estimated economic damages. This presentation will cover various issues that may come up in the estimation of Plaintiff's but-for earnings and mitigating earnings, and how the economist may work with medical doctors and vocational experts to address the potential impact of the alleged discrimination and harassment and to provide a reasonable estimate of Plaintiff's economic damages.

BREAK-5:15-5:30 pm

SESSION 7 ... 5:30 PM- 6:30 PM1.0 CEU

Analyzing Employment Termination Damages in Special Cases: A View from Plaintiff & Defense Perspectives

Dwight L. Steward Ph.D.

This session will look at the economic damage methodologies that are utilized, and the issues that arise, in unique employment cases such as those involving highly compensated executives and individuals with sporadic employment histories. The session will discuss a number of unique case studies from the perspectives of the plaintiff and defendant economists.



Past Presidents' Commemoration & Reception Friday, May 19 - 6:45-8:15 pm



Located in the Eldorado Resort Casino (Casual dress code, cowboy attire welcome)

Preliminary version: AREA Hall of Presidents

Robert Metcalf David Toppino Robert Male Dawn Boyd David Orlowski **Terry Dinneen Thomas Weiford** Mary Barros-Bailey Tom Ireland Barbara Dunlap Larry Deneen Gene Trevino Allyn Needham **Kevin Marshall** Shannon Shipp William Reed Rod Durgin **Darryl Zengler** George Barrett Lisa Clapp Jeroen Walstra Judith Parker Neil Bennett Nora Ostrofe Steve Bast Allvn Needham

Congratulations and Thank You!

SATURDAY, MAY 20 ... 7:45-8:00 am—Announcements & Introductions

Session 8 ... 8:00 am - 9:30 am

1.5 CEUs

Medical Coverage, Reasonable Value & Economic Valuation In Life Care Plans: A Case Study

Jerome S. Paige, Ph.D. Thomas J. Dawson, III, Esq., MPH, MA

An array of public and private programs exists to compensate an injured person. When it comes to litigation, sorting through the applicability of programs, the coverage of needed services, the pricing of those services, and the discounting of their future value create competing considerations for plaintiff and defense attorneys. One major issue is "reasonable value." Recent court rulings have caused us to reassess our approach to the pricing of medical goods and services in life care plans. The world of creating and pricing life care plans is changing. We turned one of our cases into a study that illustrates our approach to guiding our client's decision-making for settlement discussions and litigation strategies in the new environment. We'll share lessons we learned so you can apply them in your practice.

BREAK-9:30-9:45 am

1.0 CEU

The Ever-Evolving U.S. Workforce

Session 9 ... 9:45 AM - 10:45 AM

Kevin E. Cahill, Ph.D.

Technological innovation and the flexibility of the U.S. labor market has enabled a multitude of work arrangements, before, during, and now after the Covid-19 pandemic. This session will explore some of the key characteristics of the U.S. workforce and some important changes over the past several years.

BREAK-10:45-11:00 am



Session 10 ... 11:00 am - 12:00 pm

DOT vs. ORS - Critical Differences in Data Collection | Reporting | Usage

Jeffrey A. Truthan, MSRC, CVE - SKILLTRAN

Session 11 ... 12:00 pm - 1:00 pm

Data collection for the new Occupational Requirements Survey (ORS) has been underway since 2016. This session will outline the differing techniques in data collection and share some examples and comparisons of DOT data by Standard Occupational Group (SOC). More importantly, this session will feature key deficiencies in the current reported ORS 2022 data set. Extreme caution is urged when incorporating this data into your forensic analysis and subsequent testimony.

1.0 CEU

1.0 CEU

Lost Income/Fringe Benefit Valuation Services

David G. Pitts, FSA, MAAA

The speaker will be guided by a recent Society of Actuaries (SOA) presentation on the impact of COVID on future mortality, as seen through the lens of actuarial practitioners.

LUNCH ON YOUR OWN-1:00-3:00 pm

<u>Session 12 ... 3:00 pm - 4:00 pm</u>

1.0 CEU

A Practitioner's Lesson on Life Care Plan Valuation: The Basics of the Inputs, Formulas, and Presentation

Edward T. Garcia, MS, MAFF

The speaker's plan is to present an easy-to-understand lesson on present value inputs and formulas in relation to life care plan valuation. It will include a couple of ways to present and value life care plans, the necessary inputs for life care plan valuation, and a short discussion regarding life expectancy statistics post-Covid.



9 AREA Annual Conference 2023

2022 Conference photos compliments of Steve Bast, EA '22

ANNUAL BUSINESS MEETING | 2024 PLANNING SESSION

	SATURDAY, MAY 20 4:15-5:15 pm	
NOTES:		ALL ARE INVITED TO ATTEND!
		ZwF



Achieving Reasonable Certainty in Uncertain Markets

ELDORADO RENO HOTEL & CASINO - RENO, NEVADA • MAY 18-20, 2023

<u>CLICK HERE</u> for Complete Conference Information

INFORMATION FOR CONFERENCE BADGE & ATTENDEE LIST (PLEASE PRINT OR TYPE YOUR INFORMATION BELOW.)

FIRST NAME	MIDDLE INI	TIAL	LAST NAME		HIGHEST	DEGREE & CREDE	NTIALS
PROFESSIONAL TITLE			COMPANY N	IAME			
ADDRESS			CITY				
STATE/PROVINCE			ZIP/POSTAL	CODE	COUNTR	Y (if not U.S.)	
OFFICE #	CELL ;	CHECK IF YOU DC PUBLISHED IN TH				IF YOU <u>DON'T</u> WANT FA HED IN THE LIST OF AT	
E-MAIL		FIRST NA	ME FOR BADG	E			
Attendees MUST bring a	laptop as Conference m	naterials will ONLY be	provided ONLI	NE. Online acc	ess will be ava	ilable ahead of time.	
ATTENTION THIS REG area@ga	WE ENCOURAGE YOU (INFO ABC AREA M SISTRATION F asvcs.net FAX: COMBINED	JR AREA MEMBERS OUT THE CEA EXAM embers enjoy a re ORM MUST 619.839.3817	ALSO AVAILA	IERE FOR AP BLE AT THE L rence Regist	PLICANT INF INK ABOVE.) ration Fee!	ATTENTIO	IAIL
EARLY-BIRD	CONFERENCE				IN CONFERENCE		
DEADLINE APRIL 21st!		Early-Bird <u>until 4/21</u> 00	After 4/21	ONLY Early-Bird until 4/21	After 4/21	Registration - Mbr	\$
Non-Member	\$9 FICE: 800.317.2732 619.		MOBILE: 619.30	2.3257 • <u>area@</u>	gasvcs.net	Registration - Non-M <u>First-time</u> AREA Conference attende take 10% discount .	es,
ANNUAL FRIEND C	OF THE ASSOCIAT	FION SPONSOR	SHIP 🗌 🖇	250 THANK	YOU!	Friend of the Assn	+
		METHOD O	F PAYMENT (circ	le one): PayPal	US Mail —>	GRAND TOTAL	\$
Please checkmark your Bo	oot Camp choice below:						al
	DOT CAMP • Fundamenta CAMP • Estimating the E	-			-), CEA '00

REFUND POLICY: CANCELLATIONS must be requested *in writing* and emailed to the AREA office *for receipt* according to the following schedule: Full refund for cancellations rec'd on or before **April 23.** • Refund less \$100 rec'd on or before **May 5.** • No Refunds after **May 5.** • No Refunds for No-Shows.