



DON'T STOP BELIEVING

A New Subno Journey

2023 SHA ANNUAL CONFERENCE

THE SEELBACH HOTEL - LOUISVILLE, KY

NOVEMBER 12-14, 2023

CONFERENCE SPEAKERS

2023 SHA ANNUAL CONFERENCE

CONFERENCE SPEAKERS & SESSION DETAILS

A SPECIAL THANK YOU TO ALL OF OUR CONFERENCE PRESENTERS!

We extend our sincere appreciation to all of our distinguished conference speakers for their outstanding contributions. Your expertise, insights, and engaging presentations will elevate the quality of our event, enriching the knowledge and experience of all participants. Your dedication to sharing your wisdom and expertise is instrumental in making this conference a remarkable success. Thank you for your valuable participation and the lasting impact you've had on our conference.

2023 SHA ANNUAL CONFERENCE

CONFERENCE SPEAKERS & SESSION DETAILS



MATT MONYHAN - CARELON SUBROGATION

SHA PRESIDENT

ABOUT MATT

Matt Monyhan, the Director of Financial Operations at Carelon Subrogation, boasts a 25-year career in healthcare subrogation across various vendors and plans. Starting as a recovery analyst, he now oversees subrogation operations for 36M lives. Based in Louisville, KY, he's married to Stacy for 28 years and has two accomplished adult sons, Caleb and Cameron. With dedication and strategic prowess, Matt leaves an impactful footprint in healthcare subrogation.

MATT'S SESSION TIMES

DAY TWO | 9:00 A.M. - 9:10 A.M. | SESSION ONE: WELCOME TO SHA

DAY TWO | 9:35 A.M. - 10:00 A.M. | SESSION ONE: REVIEW OF AGENDA

CONFERENCE SPEAKERS & SESSION DETAILS



BRIAN BARGENDER - HUMANA

SHA VICE PRESIDENT

ABOUT BRIAN

Brian Bargender is an internal consultant with Humana, one of the country's largest Medicare Advantage organizations. He has more than 20 years of experience in health benefit subrogation and Medicare Secondary Payer (MSP) enforcement operations including case file management, advisory, and leadership roles. His current responsibilities include researching trends and legal developments that influence coordination of benefits and payment recovery for group health, Medicare Advantage, and Medicaid managed care plans. He also develops new cost avoidance and payment recovery projects, advises health plan leaders, and collaborates with Humana's Law Department on Medicare Secondary Payer enforcement strategy. In addition, he is frequently invited to conduct presentations on MSP and health subrogation issues for audiences that include health plans, injury insurance carriers, and plaintiff attorneys. Brian holds a Master of Science degree in Legal Studies and Applied Legal Research from Purdue University and has received a Certified Subrogation Recovery Professional (CSR) designation from the National Association of Subrogation Professionals (NASP). He also previously served as a co-chair of NASP's Wisconsin chapter and as a Health Subrogation education track leader for NASP's annual conference.

BRIAN'S SESSION TIMES & SUMMARY

DAY TWO | 9:00 A.M. - 9:10 A.M. | SESSION ONE: WELCOME TO SHA

DAY TWO | 2:00 P.M. - 2:55 P.M. | SESSION FOUR: "MEDICARE: THE PAST, PRESENT, AND FUTURE"

The presentation delves into the intricate domain of Medicare Secondary Payer (MSP) rules, elucidating their core principles for the coordination of benefits and payment recovery. It explores the evolutionary journey of these rules in tandem with the evolution of the Medicare program itself. Furthermore, the presentation outlines the pivotal roles played by Medicare Advantage and Medicare Prescription Drug program plans within the broader Medicare framework. It sheds light on their crucial responsibilities in enforcing MSP rules, ensuring that Medicare remains the secondary payer when alternative insurance coverage is available. The presentation also spotlights the influence of key case law and legislative developments that have shaped the landscape of MSP rules, emphasizing the legal and regulatory changes that have impacted plans' authority and obligations. Lastly, it anticipates and identifies emerging issues that could potentially affect the ability of plans to enforce MSP rules in the near future, taking into account evolving healthcare policies, shifts in insurance markets, and advances in medical care delivery. This comprehensive presentation equips attendees with a thorough understanding of the dynamic MSP rules and their evolving role within the Medicare program.

CONFERENCE SPEAKERS & SESSION DETAILS



MICHAEL JOSEPH LAFFEY -

**LAFFEY & ASSOCIATES, P.C. /
OTHER PARTY LIABILITY, INC.**

ABOUT MICHAEL

Michael Joseph Laffey, a notable legal professional, established his firm in 2002 after a 15-year trajectory in Health Care and Insurance law. Former Special Counsel at Tucker Arensberg, P.C., he now leads Laffey & Associates and Other Party Liability Inc. Renowned for his subrogation expertise, he's built a premier subrogation department focused on Employee Benefit Plans. With prior roles at Highmark Blue Cross Blue Shield, Mike has plenty of experience managing health care systems. He represents Indemnity Health Plans, HMOs, PPOs, self-insured entities, and Third Party Administrators. Notably, Mike's litigation achievements include multi-million-dollar recoveries and pivotal roles in key cases like McKinney v. PHA. A leader in law circles, he's affiliated with Pennsylvania Association for Justice, NASP, and more. A lecturer and seasoned practitioner, Mike's admissions cover various courts. His memberships affirm his esteemed position in the legal community.

MICHAEL'S SESSION TIME & SUMMARY

DAY TWO | 9:10 A.M. - 9:35 A.M. | SESSION ONE: "SUBRO 101 WORKSHOP & PROFESSIONAL CERTIFICATION 2024"

This session/workshop will be a detailed review of the upcoming 2024 Professional Certification. This session will go over what requirements will be needed in 2024, to obtain the professional certification. We will also briefly discuss some of the critical areas that will be part of the professional certification testing. For example, the certification materials will cover basic concepts like Make-Whole and Common Fund Doctrine, but it will also cover more complex areas such as tracing assets, recovering when there's been a bankruptcy filed or subrogation with minors. This session is a real chance for the attendee to prepare for the upcoming SHA professional certification process.

CONFERENCE SPEAKERS & SESSION DETAILS



JOHN KOLB - KOLB CLARE & ARNOLD, PSC

ABOUT JOHN

John Kolb is recognized as one of the nation's foremost authorities on health subrogation law. John has represented insurers and self-funded health plans in recovery matters since 1998. John started his legal career in the in-house law firm of a large recovery vendor. While there, John devised the vendor's nation-wide litigation strategy in response to the United States Supreme Court's decision in *Great-West Life & Annuity Ins. Co. v. Knudson* (2002). John went on to found Kolb Clare & Arnold, PSC. John has successfully argued healthcare subrogation cases before the Third, Sixth and Eleventh Circuit Courts of Appeals, and before numerous federal district courts. John is proud of his ability to explain complicated matters so that they make sense to non-lawyers and is often invited to speak at national conferences and his clients' in-house training sessions. In addition, John has served the subrogation industry by authoring and co-authoring briefs on behalf of the National Association of Subrogation Professionals ("NASP") and the Self-Insurance Association of America ("SIAA").

JOHN'S SESSION TIME & SUMMARY

DAY TWO | 10:10 A.M. - 11:05 A.M. | SESSION TWO: "SHA 2023-2024 LEGAL UPDATE"

This session provides a comprehensive overview of the legal developments in the subrogation healthcare industry for the upcoming year. It covers the latest changes, regulations, and trends that will impact the subrogation landscape. The speaker will tie in many of the landmark subrogation cases with all of the new cases of 2023, so the attendees will be ready for higher recoveries in 2024.

CONFERENCE SPEAKERS & SESSION DETAILS



LANCE K. OLIVER - RUSSELL, OLIVER & STEPHENS, PLC

ABOUT LANCE

Lance K. Oliver is a founding member of the national subrogation law firm, Russell, Oliver & Stephens, PLC. With over 22 years of experience, Lance has handled subrogation and reimbursement matters across state and federal courts throughout the United States. Lance's formidable experience also includes a pivotal role as a law clerk assisting with the *Great-West Life v. Knudson*, 534 U.S. 204 (2002) case, underscoring his commitment to shaping legal precedent. His dedication extends beyond the courtroom as he takes the stage as a frequent speaker, discussing healthcare subrogation issues for all industry experts. For over two decades, Lance's other achievements include creating Subworks, an interactive national subrogation database that revolutionizes the field. In addition to his professional achievements, Lance is a proud parent to three children, Lily Rose, Luke, and Sawyer.



EMILY GOODMAN - RUSSELL, OLIVER & STEPHENS, PLC

ABOUT EMILY

Emily Goodman leads the National Marketing and Member Relations teams for SHA. She holds a degree in Public Relations from Auburn University and began her career at ROS as a case manager within the overflow team. During her four-year tenure, Emily honed her skills in subrogation case management, fully immersing herself in the intricacies of this specialized field. Simultaneously, while sharpening her expertise as a case manager, Emily enhanced her marketing skills by assisting on multiple national marketing projects. Emily's passion for marketing eventually propelled her into the role of Head of National Marketing and Member Relations for SHA. Assuming this leadership role, Emily has had a significant impact on the branding of SHA since its beginning. Outside of her professional life, Emily enjoys spending time with her fiancé, Matt Lewis, and their two beloved dogs, Jojo and Roxie.

LANCE & EMILY'S SESSION TIME & SUMMARY

DAY TWO | 11:30 A.M. - 12:20 A.M. | SESSION THREE: "WHAT HAPPENS WHEN THE WATER COOLER IS GONE"

This session delves into the pros and cons of working from home versus working in a traditional office setting within the subrogation healthcare industry. It explores how remote work has reshaped the workplace dynamic, examining the benefits, such as increased flexibility and reduced commute times, as well as the challenges, including potential isolation and communication hurdles. By shedding light on these aspects, the presentation offers valuable insights to help subrogation professionals adapt to the changing work landscape and make informed decisions about their work environment.

CONFERENCE SPEAKERS & SESSION DETAILS



J. MATTHEW STEPHENS - RUSSELL, OLIVER & STEPHENS, PLC

ABOUT MATT

Matt Stephens is a Shareholder and the Managing Partner of Litigation, Operations, and Finance for Russell, Oliver & Stephens, PLC. He has practiced law for over 21 years and has been with the firm for almost 20 years handling health plan reimbursement matters on behalf of employers, plan fiduciaries, and third-party administrators. Before joining Russell, Oliver & Stephens, he served as a law clerk to the Honorable W. Frank Crawford, former Presiding Judge of the Tennessee Court of Appeals, and worked with one of the country's largest labor and employment law firms. Matt frequent speaker on ERISA, FEHBA, Medicare, and other health plan subrogation and reimbursement topics at conferences around the country. In fact, since 2007, he has been a Presenter at the National Other Party Liability Group Annual Conference. He is also a published author. His article, "Becoming the Best Healthcare Gunslinger in the Ninth Circuit," was published in the Winter 2006 Edition of Subrogator by the National Association of Subrogation Professionals. Additionally, he co-authored "Healthcare Subrogation Trilogy: Sorting Out the Three Cases Decided by the Supreme Court in 2006 in Order to Maximize Subrogation Recoveries in 2007 and Beyond," published in the Blue Cross Blue Shield Association, Legal Affairs Bulletin, No. 974 (March 2007). In 1998, Matt graduated cum laude from The University of Memphis with a Bachelor of Professional Studies, and in 2001, he earned his law degree from The University of Memphis, Cecil C. Humphreys School of Law.

MATT'S SESSION TIME & SUMMARY

DAY TWO | 3:00 P.M. - 3:55 P.M. | SESSION FIVE: "TOP TEN BEST LINES TO USE DURING NEGOTIATIONS"

This session provides a strategic guide on leveraging the ten most effective negotiation lines to optimize healthcare subrogation settlements. It equips professionals in the subrogation industry with powerful communication tools to enhance recovery outcomes. By highlighting these top lines, the presentation empowers negotiators to navigate the complex landscape of healthcare subrogation, improve their skills, and ultimately secure more favorable settlements, boosting the financial recovery for their organizations.

CONFERENCE SPEAKERS & SESSION DETAILS



DARAN KIEFER - KREINER & PETERS, CO., L.P.A

ABOUT DARAN

Daran P. Kiefer is a principal with the law firm of Kreiner & Peters CO. L.P.A. and limits his practice to subrogation matters for property and casualty insurers, health insurers, TPA, and self-funded plans. Daran is a licensed attorney in good standing in both Ohio and Kentucky. Daran started with Kreiner & Peters directly out of law school handling subrogation and reimbursement matters for his entire professional career. Daran has tried cases in Ohio state courts and argued before the Ohio Courts of Appeal and the U.S. Sixth Circuit. Daran received his BA from Centre College in 1991 and his Jurist Doctor Magna Cum Laude and Order of the Coif from Case Western Reserve University in 1994 including serving on its Law Review and Journal for International law. Professionally, Daran served as board member (2008-2015) and president for the National Association of Subrogation Professionals. (2012-2014). Daran was honored to receive the President's Award in 2006 and received the "Board Member of the Year" award in 2008. Daran also has been active in defense of subrogation rights appearing before several state legislatures on behalf of NASP and the subrogation industry to defend such legal rights and illustrate their benefits for society.



LAURA D. SCHMIDT - KELLY, SMITH & SCHMIDT, PC

ABOUT LAURA

Laura is a partner at KELLY, SMITH & SCHMIDT, PC. She obtained her Bachelor's degree with honors from Texas Tech University and her J.D. from Texas Tech University School of Law. Laura is licensed in Texas and Oklahoma; admitted in all state and federal courts in both states, the Fifth Circuit, and the United States Supreme Court. Her legal practice focuses on subrogation and complex litigation. She is board certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, and a Certified Subrogation Recovery Professional. She has more than 50 first-chair jury trials to her credit, and is a frequent speaker on subrogation issues at local, state and national seminars. She served on the Board of Directors for NASP for 5 years and as a Co-Chair for the Amicus Committee for 4 years.

DARAN & LAURA'S SESSION TIME & SUMMARY

DAY THREE | 9:00 A.M. - 9:55 A.M. | SESSION SIX:

"CATCH ME IF YOU CAN": TRACING ASSETS 21 YEARS AFTER *GREAT-WEST LIFE v. KNUDSON* (2002)

ERISA requires parties to seek "equitable remedies" when trying to recover for medical payments through reimbursement rights. When the injured person's attorney disburses the settlement money, your claim takes on a new task of "tracing" those funds from the settlement into new items or accounts. The presentation will step through the process to trace settlement funds that have been disbursed. Can you really get the member's house or car? What other alternatives are available?

CONFERENCE SPEAKERS & SESSION DETAILS



CHRIS AGUIAR - ATTORNEY

ABOUT CHRIS

Chris has focused his legal career on subrogation and reimbursement recoveries, by working with some of the country's largest Third Party Administrator's and self-funded benefit plans. Chris has overseen tens of thousands of cases all over the country and spearheads negotiations between plan participants, plaintiffs' counsel, and plan administrators on matters of State and Federal Law as well as ERISA Preemption. He has recovered tens of millions of dollars on behalf of benefit plans. Chris spent several years dabbling in areas of benefit plan cost containment other than Subrogation, including plan drafting as well as plan consulting matters ranging from plan language analysis, claims appeal assistance, balance billing defense, overpayment recovery, stop loss, PPO, and administrative service agreement dispute. Chris refocused his efforts in Subrogation and Reimbursement in 2016 following the Montanile decision. He is a regular contributor to many industry publications such as the Self-Insurer, Benefits Pro, and Money Inc., and is a highly sought after presenter and trainer for national organizations and conferences.

CHRIS' SESSION TIME & SUMMARY

DAY THREE | 10:00 A.M. - 10:55 A.M. | SESSION SEVEN:

"WRAP IT UP, ILL TAKE IT": HOW TO READ A FORM 5500 AND OTHER PLAN DOCUMENTS

This session offers essential guidance for healthcare subrogation professionals on effectively analyzing a Form 5500 and other plan documents. It provides insights into the key components and critical details within these documents, enabling professionals to enhance their recovery strategies. By mastering the art of reading and understanding Form 5500 and related plan materials, attendees can make informed decisions that lead to more successful and optimized recoveries in the healthcare subrogation field.

CONFERENCE SPEAKERS & SESSION DETAILS



RYAN WOODY - MATTHIESEN, WICKERT & LEHRER, S.C.

ABOUT RYAN

Ryan Woody is a partner at Matthiesen Wickert & Lehrer and concentrates his practice on subrogation and defense for health plans and insurers alike. He is recognized for his work in the ERISA field, including defense of fiduciaries and plan administrators, as well as his contributions to subrogation, reimbursement, lien resolution issues. More recently, he has spearheaded national defense of plan participants and reference-based pricing plans from hospital billing and collection actions. Ryan represents clients in numerous federal courts around the country. He is a frequent speaker and has contributed to numerous articles and national treatises on insurance coverage, workers' compensation subrogation and ERISA and federal health insurance including FEHBA and Medicare Advantage.



STEPHEN A. SMITH - MATTHIESEN, WICKERT & LEHRER, S.C.

ABOUT STEPHEN

Stephen A. Smith is an insurance litigation attorney and partner at Matthiesen, Wickert & Lehrer, S.C. His practice focuses on insurance litigation and subrogation, including automobile, property, and workers' compensation, and product liability. Steve is licensed in and admitted to practice in Illinois, Minnesota, and Wisconsin, as well as all federal courts in Wisconsin, Illinois, and Indiana.

CONFERENCE SPEAKERS & SESSION DETAILS



PAUL POULOS - MATTHIESEN, WICKERT & LEHRER, S.C.

ABOUT PAUL

Paul is a lien hearing representative in our California office who specializes in workers' compensation reimbursement for ERISA and health insurance medical liens under court (WCAB) jurisdiction. Having spent many years in California workers' compensation defense, prior of coming to MWL, Paul strategically put his experience from the other side of the aisle, and the expertise of MWL, to work in helping clients maximize their recoveries. Paul enjoys spending his spare time with his wife Ashley, and two kids, Landon and Aria, along with their dog Walter, the pug. He currently lives in Huntington Beach, enjoys going to the beach with his family and taking family trips. Paul also loves playing drums for the worship band at his church.

RYAN, STEPHEN & PAUL'S SESSION TIME & SUMMARY

DAY THREE | 11:20 A.M. - 12:15 P.M. | SESSION EIGHT: "WE CAN WORK IT OUT": WORK COMP 2023

This session focuses on providing healthcare subrogation industry professionals with insights into the complex landscape of workers' compensation across the United States. It highlights the necessity for a deep understanding of the diverse and ununiformed workers' compensation board laws in each state. The presentation delves into the latest updates and changes in workers' compensation for 2023, shedding light on how these developments will impact the future of subrogation efforts. By addressing these issues, attendees gain valuable knowledge to navigate the intricacies of workers' compensation, enabling them to optimize their recovery strategies in this evolving field.

CONFERENCE SPEAKERS & SESSION DETAILS



MATTHEW FALK - FALK LEGAL GROUP

ABOUT MATTHEW

Matt is a trial attorney and the founding member of the firm. Matt's practice areas include subrogation, personal injury, catastrophic loss, business and commercial litigation with an emphasis on contracts, collections, covenants not to compete and business torts including fraud, misrepresentation and construction law, mechanics/construction liens, bond claims and trade secrets. Matt possesses significant trial and litigation experience. His clients include individuals, families, business owners, developers, engineering firms, contractors, subcontractors, material suppliers and large regional insurers and third party administrators. Matt is admitted to practice in Wisconsin and Illinois. Matt graduated from the University of Wisconsin Green Bay in 1990. He then attended graduate School at Catholic University in Quito, Ecuador in 1990-91. Matt obtained his law degree from the University of Wisconsin in 1994. Matt is a certified recovery professional by the National Association of Subrogation Professionals. Matt is a past President of the Milwaukee Bar Association where he also served on the board executive committee. Matt is also active in the Milwaukee Inner City Congregations Allied for Hope or MICAHA and his service has included participation in the MICAHA finance committee. He also lectures at various trial and related professional organizations including the State Bar of Wisconsin; the National Association of Subrogation Professionals (National and Regional Conferences); The Thomas Fairchild American Inns of Court; the Wisconsin Association for Justice, The Serjeants Inn and the Subrogation Healthcare Alliance (Speaker). He is the Co-Author of the Wisconsin State Bar Publication on Subrogation. Matt resides in Wauwatosa, Wisconsin with his wife Deb. Matt and Deb have two adult daughters, Anna and Zoe.



LISA BOERO - SECURITY HEALTH PLAN

ABOUT LISA

Lisa Boero is the Chief Legal and Compliance Officer for Security Health Plan, part of the Marshfield Clinic Health System, located in Central and Northern Wisconsin. Lisa has led the in-house subrogation program at Security Health Plan since 2009 and is a past speaker at the NASP Annual Conference. She is licensed to practice law in Missouri, Illinois and Wisconsin and graduated from Washington University in Saint Louis, J.D. 2000, and B.A. 1995. In her free time Lisa is also the author of seven novels and several short stories.

CONFERENCE SPEAKERS & SESSION DETAILS



SARA SKRZECZKOSKI - SECURITY HEALTH PLAN

ABOUT SARA

Sara Skrzeczkoski has been with Security Health Plan working in subrogation for over 25 years. She has been Subrogation and Third Party Manager for the last 13 years.



JOEL TILLESON - FALK LEGAL GROUP

ABOUT JOEL

Joel Tilleson is a Partner at Falk Legal Group located in Milwaukee, Wisconsin, having been with the firm since its inception in 2013. Joel is experienced in litigating health recovery and auto/property subrogation, as well as prosecuting breach of contract and collections claims. He has been licensed to practice law in Wisconsin since 2007. In addition to his law career, Joel is an elected city councilman in the city of Wauwatosa, Wisconsin and chairs the Council's ordinance-drafting committee.

MATTHEW, LISA, SARA, AND JOEL'S SESSION TIME & SUMMARY

DAY THREE | 2:00 P.M. - 2:55 P.M. | SESSION NINE: "HOW TO MAKE SUBROGATION FUN AGAIN": THE SHA PEP RALLY

This session is designed to reignite the enthusiasm of healthcare subrogation professionals for their work. It aims to infuse a sense of excitement and motivation into the subrogation field by highlighting the promising legal future of healthcare subrogation. The presentation emphasizes the message that with dedication and perseverance, success is attainable, using the sentiment of "Don't Stop Believing." By fostering a positive and enthusiastic atmosphere, this pep rally-style presentation encourages professionals to embrace their role in subrogation and look forward to a bright future in the industry.

CONFERENCE PANELIST



HOLLAN HOLM - CARELON SUBROGATION

ABOUT HOLLAN

Hollan graduated from Western Kentucky University in 2005 with bachelor's degree in History and Political Science. He next attended the University of Louisville - Brandeis School of Law, graduating in 2008. He began his legal career in private practice at the law firm of Dilbeck, Myers & Harris, PLLC, where for over five years he litigated insurance defense and subrogation cases. Hollan left private practice to serve as Associate General Counsel to The Rawlings Company, LLC, for over six years in research, training, and subrogation team support roles handling ERISA, FEHBA, Medicare Advantage, and Medicaid lines of business, among others. He joined Meridian Resource Company, LLC (now Carelon Subrogation) in 2020. Hollan and his wife, Kate, live in Louisville, Kentucky. He enjoys running with his dogs Luna and Pippa and biking with his children Sylvia, age 11, and George, age 9.



ADRIENNE KIM - CARELON SUBROGATION

ABOUT ADRIENNE

Adrienne W. Kim is a Louisville, Kentucky native and graduated from University of Louisville Brandeis School of Law in 2006. She began her career as a litigator with a Plaintiff's firm that specialized in litigating complex medical malpractice cases resulting in numerous multi-million-dollar settlements. After nearly ten years in private practice, Adrienne transitioned to an in-house counsel position with the Rawlings Company for which she remained in for eight years before moving to Carelon Subrogation in January of 2023. Utilizing her prior medical malpractice experience, she supervised all medical malpractice claim disputes for the subrogation department at The Rawlings Company and represented her clients in hundreds of large claim mediations. Traveling across the nation, she successfully negotiated resolutions in her clients' most valuable and complex claims. Her current responsibilities with Carelon Subrogation include providing legal guidance in workers compensation and medical malpractice matters as it relates to subrogation, along with her general counsel duties. She has a passion for educating and helping analysts understand difficult legal issues and breaking them down, so they are easily digestible and applied to increase recoveries. Outside of work, she utilizes her finest negotiating skills on her three very spirited children. She also loves to travel and is an avid reader.