in the Medical Legal Arena: Pearls & Pitfalls

Friday, September 30, 2016
Novotel Downtown
45 The Esplanade, Toronto
Learning Objectives:
- To understand the current science of chronic pain and its clinical and legal application
- To recognize the challenges and pitfalls of medico-legal assessment of persons with subjective symptoms of pain.
- To acquire up to date knowledge of current standards for functional assessment of persons with pain.
- To understand issues pertinent to the litigation process involving chronic pain.

7:30am  REGISTRATION & BREAKFAST
8:00am  WELCOME & OPENING REMARKS: Dr. Avi Orner, MD, MBA, CCFP, CIME
8:15 am  INTRODUCTION: Dr. David Lipson, MD FRCPC, Physical Medicine and Rehabilitation
8:30am  Introduction to Chronic Pain: Physical Medicine Perspective
Dr. David Lipson, MD FRCPC, Physical Medicine and Rehabilitation
9:00am  Fibromyalgia 2016 Updates: Dr. Mary Ann Fitzcharles, MD, Clinical Rheumatologist
9:30am  Introduction to Chronic Pain—Psychological Perspective: Dr. Rhonda Nemeth, Ph.D., C.Psych. Psychologist.
10:00am  Interdisciplinary Management of Chronic Pain with Dr. David Corey, Ph.D.,
10:30am  MORNING NETWORKING / COFFEE BREAK
10:45am  The IME Pearls and Pitfalls in Chronic Pain Settings:
Action: Cristina will reach out to Dr. Arthur Ameis or Dr. Michel Lacerte (TBC)
11:15am  INTERACTIVE DISCUSSION
12:00pm  LUNCH / NETWORKING
1:00am  Litigating Chronic Pain from—Plaintiff Perspective: Action: David Bertschi will reach out to his contacts TBC
1:30pm  Litigating Chronic Pain from—Defense Perspective David Bertschi, Partner, Bertschi Orth Solicitors & Barristers LLP
2:00 pm  Ontario Accident Benefits 2016 Updates: Top Recent Decisions: Debbie Orth, Partner, Bertschi Orth Solicitors and Barristers LLP
2:30pm  From the Bench: Action: David Bertschi will reach out to his contacts TBC
3:00pm  AFTERNOON NETWORKING / COFFEE BREAK
Mock Cross Examination Physical and Mental Expert:
Dr. Rhonda Nemeth, Ph.D., C.Psych. Psychologist (Physical Expert)
3:15pm  Dr. Mary Ann Fitzcharles, MD, Clinical Rheumatologist (Mental Expert)
David Bertschi, Partner, Bertschi Orth Solicitors & Barristers LLP (Defence)
Plaintiff — Action: David Bertschi will reach out to his contacts TBC
4:15 pm  INTERACTIVE DISCUSSION
4:30pm  CONCLUSION / SUBMISSION OF EVALUATION FORMS

TO FOLLOW SOON - The program in its final stages!
In the meantime, take a glance at the draft agenda and preview the topics for the upcoming program.
Meet Your Speakers and Moderators

David Bertschi, Partner
Bertschi Orth Solicitors and Barristers LLP

David is a founding Partner and Trial counsel at the Ottawa Insurance Litigation Boutique firm of Bertschi Orth Solicitors and Barristers LLP. David is the past President of the Canadian Defence Lawyers. He is also Legal counsel and a Director on several Board of Directors including Quickstart. Quickstart is a not for profit organization dedicated to the early detection and treatment of children in the Autistic spectrum.

For over 31 years David has represented his clients in Jury and non-Jury Trials in catastrophic personal injury, product liability, commercial general liability, property, casualty, fidelity, excess and reinsurance cases. David also advises BOS Law’s clients including insurers and self-insured institutions on coverage issues.

A former Assistant Crown Attorney and Human Rights Prosecutor, David is also an Accredited Mediator.

David is fully bilingual (English and French) and he has had the privilege of speaking extensively on a myriad of insurance law matters before industry and legal organizations including inter alia:


For more information on David, please visit www.boslaw.ca or contact him @ 613-749-4700 or dbertschi@boslaw.ca

Dr. Mary-Ann Fitzcharles, MD
Clinical Rheumatologist

Dr. Mary-Ann Fitzcharles is a clinical rheumatologist with an interest in pain management in the rheumatic diseases. Undergraduate and postgraduate medical training was at the University of Cape Town in South Africa, and the London Hospital, Whitechapel, London, England. She has been a rheumatologist at McGill University, Montreal Canada since 1982. She has published in the area of rheumatic pain and fibromyalgia, and has acted as an advisor to Health Canada and the FDA in the area of pain in rheumatic diseases. She was the guest editor for the Rheumatic Disease Clinics of North America May, 2008 volume devoted to Pain Management in the Rheumatic diseases and is currently a member of the following working groups: Co-Chair American College of Rheumatology Pain and Fibromyalgia 2012 abstract committee; lead author of 2012 Canadian Guidelines for the diagnosis and management of fibromyalgia syndrome; American College of Rheumatology committee to develop updated criteria for the diagnosis of fibromyalgia; Royal College of Physicians of Canada specialty core committee for the introduction of Pain Medicine as a specialist discipline and Program Chair for the Quebec Pain society annual general meeting.

David Lipson, MD., FRCPC
Physical Medicine and Rehabilitation

Dr. Lipson completed medical school at The University of Western Ontario and Residency in Physical Medicine and Rehabilitation at McMaster University. He completed additional fellowship training in Traumatic Brain Injury Rehabilitation. He is a certified specialist in Physical Medicine and Rehabilitation by the Royal College of Physicians and Surgeons of Canada and the American Board of Physical Medicine and Rehabilitation.

His professional time is primarily devoted to clinical work at Providence Healthcare, where he is the team Physiatrist and consultant on the Complex Neuro Inpatient Rehab Ward. He also has a hospital-based outpatient practice in which he manages a wide range of neurological and musculoskeletal disorders, complex pain issues, and provides EMG electrodiagnostic consultation. He is also team Physiatrist of the multidisciplinary outpatient amputee clinic at Providence Healthcare. He holds an academic appointment of Lecturer at the University of Toronto, Faculty of Medicine through the division of Physiatry, and he is often involved in the preceptorship and training of medical students, residents, and clinical fellows, particularly those preparing for their Royal College certification examinations in Physical Medicine and Rehabilitation. At Providence Healthcare, Dr. Lipson is actively involved in clinical practice quality improvement committees, and he chairs the Medical Best Practice Committee at this hospital. He is a designated manuscript reviewer for the American Journal of Physical Medicine and Rehabilitation, and he advises on publication of submitted manuscripts in his areas of clinical practice. Dr. Lipson is also actively

David Corey Ph.D., Clinical Director

Dr. Corey received his doctorate in psychology at York University and postdoctoral training in behavioural medicine at McMaster University. In 1980, he founded Health Recovery Group, the first private interdisciplinary pain rehabilitation facility in Ontario. Dr. Corey has written a best-selling self-help book on chronic pain entitled “Pain: Learning to Live Without It”, has published clinical research in pain management and has participated in several task forces and panels such as the WSIB’s Chronic Pain Policy Advisory Panel.
involved in 3rd Party assessments. He has completed addition training and certification examination in permanent impairment rating for catastrophic determination, and he is a member of the American Board of Forensic Professionals.

Rhonda Nemeth, Ph.D., C.Psych. Psychologist
Dr. Rhonda Nemeth is a psychologist with expertise in rehabilitation. For over 20 years she treated patients suffering with chronic pain, and is currently affiliated with the Function and Pain Program at Mount Sinai Hospital. www.functionandpain.ca She was a member of the WSIB’s Expert Advisory Panel regarding the care of those disabled by chronic pain, enjoys lecturing on the psychological sequelae of traumatic injuries, and is a member of organizations dedicated to the research and management of pain. Currently residing in Prince Edward County, Dr. Nemeth conducts Insurer Evaluations as well as Plaintiff and Defense Examinations in Toronto, Belleville, Kingston and Ottawa. www.nemethpsychology.com

Debbie Orth, Partner, Bertschi Orth Solicitors and Barristers LLP
Debbie is a founding partner at BOS Law. She restricts her practice to Insurance litigation and defence work including, fatalities, catastrophic personal injury, accident benefit, professional liability, commercial general liability, life and disability and defamation claims.

She also represents higher educational institutions on Insurance educational malfeasance and other related matters.

Debbie has acted as Trial Counsel on catastrophic losses and has provided coverage opinions on insurance matters including, on complex jurisdictional issues which involve the interplay between the Accident Benefit scheme in Ontario with the WSIB .Debbie is often retained to defend insurers regarding the inter relationship between Ontario's S.A.B.S's and out of country and out of province insurers regarding their exposure to first party benefits. Loss Transfer and Priority of Payment claims

Debbie successfully defended a representative property damage claim arising out of the natural disaster of the 1998 ice storm.

She recently successfully defeated a fatality claim in which her clients Release was held to be enforceable. In another action she successfully defended multiple parties in a Libel and Slander suit.

Debbie is a recognized a fierce advocate in the field of insurance and insured services. She has written extensive papers and spoken to trial lawyers, insurers, reciprocal insurance exchanges, self-insured corporations, universities and professional associations. She has frequently lectured for the Canadian Society of Medical Evaluators, local, provincial and national insurers and professional organizations including Canadian Defense Lawyers.
To register, simply mail, fax the registration form or simply register online at www.csme.org. Need more information—contact our office 416 487 4040 | 888 672 9999 and speak with Cristina

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Please complete all information

First Name ___________________________ Last Name ___________________________

Name of Organization ___________________________ Area of Specialty ___________________________

Address ___________________________ ___________________________ ___________________________

City ___________________________ Province ___________________________ Postal Code ___________________________

Telephone ___________________________ Ext. ___________________________ Fax ___________________________

Email (for your final registration confirmation) ___________________________

Special Dietary Needs: (provide prior to the day) ___________________________

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Cancellations & Substitutions: Substitution of registrants is permitted at anytime. A full refund will be issued for cancellations received in writing 10 business days prior to the start of the program. Any cancellations received after 5 days prior will be less 25%. No refunds on the date of the programs.