

St. Louis Chapter Newsletter



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Important Links

- <u>Chapter Website</u>
- <u>Chapter Documents</u>
- <u>Current Job Postings</u>
- Like Us on Facebook
- Follow us on Twitter
- <u>Connect on LinkedIn</u>

Check to see if a new job posting may be perfect for you! <u>Job openings</u>!

<u> April Chapter Meeting - Monday, April 14</u>

Topic: Navigating the DOT World

Understanding the confusion and explaining the components of a successful DOT program

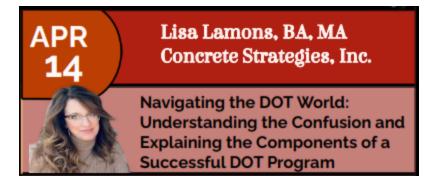
Speaker: Lisa Lamons, BA, MA

Concrete Strategies, Inc.

Where: Syberg's, 2430 Old Dorsett Rd, Maryland Heights, MO 63043 When: Registration @11, Lunch @11:30, Presentation @12

Register for Meeting:

https://stl.assp.org/events/april-lunch-meeting/



Registration is open through the Wednesday before the chapter meeting. Please register by then so we can provide an attendance count to Sybergs, and you will be entered into the attendance prize drawing. Walk-in registrations *are* accepted but should be limited whenever possible.

May Chapter Meeting - Monday, May 12

Topic: Tight Spaces, Big Risks

Confined Space Safety and Rescue

Speaker: Matt Wilcox

Assistant Fire Chief, Maplewood Fire Department

Where: Syberg's, 2430 Old Dorsett Rd, Maryland Heights, MO 63043 When: Registration @11, Lunch @11:30, Presentation @12

Register for Meeting:

https://stl.assp.org/events/may-lunch-meeting/

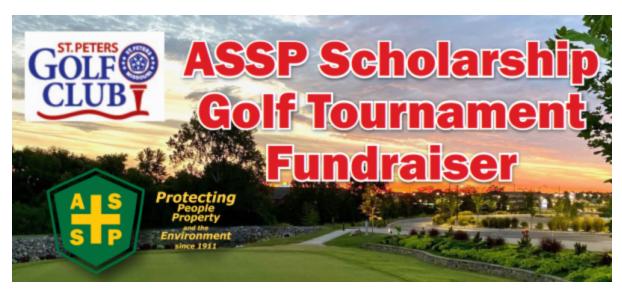


Registration is open through the Wednesday before the chapter meeting. Please register by then so we can provide an attendance count to Sybergs, and you will be entered into the attendance prize drawing. Walk-in registrations *are* accepted but should be limited whenever possible.

Scholarship Golf Tournament Fundraiser

<u>Register now</u> for the ASSP Scholarship Golf Tournament to ensure you get a spot. We are limited to 144 players. Money raised by this event funds three scholarships for local students working towards safety related degrees. Don't wait and register today:

https://stl.assp.org/events/2024-annual-golf-tournament-2/



RESERVATIONS

FRIDAY - JUNE 6, 2025

7:30 am - Registration

8:00 am - Shotgun Start

1:30 pm - Lunch and Awards

St. Peter's Golf Course 200 Salt Lick Road St. Peters, MO 63376 Phone: (636) 397-2227

Please complete the attached Registration Form promptly to guarantee your reservation.

Payment can be made online at: http://stl.assp.org/

MAKE YOUR RESERVATION EARLY!!! Limited to 144 PAID golfers! \$150 per person - \$600 for a team of four

PAYMENT is due in FULL by May 23, 2025

ALL PLAYERS will be entered into a drawing for prizes. Additional tickets may be purchased on event day.

SPONSORSHIP OPPORTUNITIES

- 1) Co-host for refreshments & meal for \$200
- 2) Sponsor ONE golf hole for \$150
- 3) Sponsor TWO golf holes for \$200 (One on the front 9 and one on the back 9)
- 4) Corporate Level Sponsor Includes a golf foursome with mulligans, skins, two hole signs, a large banner displayed at registration, lunch and awards ceremony for \$1,000
- 5) Donate raffle and "goodie bag" items Call Patte Ackermann at (314) 346-3079

All beverage and meal sponsors will be listed on a banner at registration and awards ceremony

For Questions, Contact:Nick ZahnerSteve HalleyP: 314.743.7558P: 314.239.8065E: NZahner@murphynet.comE: SHalley@murphynet.com





Registration is OPEN for attendees and exhibitors now: SAFECONEXPO | Learn Network Energize

CONFERENCE REGISTRATION

Tuesday:	3:00 PM - 5:00 PM
Wednesday:	7:00 AM - 3:00 PM

PRECONFERENCE SCHEDULE

Time	Tuesday Pre-Conference Sessions-May 12 & 13, 2025	
7:00AM - 9:00AM	Check in, morning registration – registration lobby	
No. 12 8.0010 6.0050	PRECONFERENCE 1	Room(s)
May 12 - 8:00AM - 5:00PM May 13 - 8:00 AM - 12:00PM	OSHA 10 Hour ET&D Class	
Hay 13 - 6:00 AH - 12:00FH	Frank Walecki & Pat Bush	TBD
	PRECONFERENCE 2	
May 13- 8:00AM - 12:00PM	Competent Person Confined Space	
	AJ Gajdosik & Scott Honer	Terrace 2
	PRECONFERENCE 3	
May 13 - 8:00AM to 12:00PM	Certified Fall Protection Class	
	Joe Brandel, J5 Consulting	Terrace 1
	PRECONFERENCE 4	
May 13 - 1:00PM - 5:00PM	Competent Person Trenching	
	AJ Gajdosik & Scott Honer	Terrace 2
	GOLF TOURNAMENT	
May 13 – 1:00PM Shotgun Start	The Cove (A Robert Trent Jones Golf Course)	

Time		Wednesday Sev	exions-May 14, 2025		
7:00AM - 8:00AM		Registration and B	Reakfast – Exhibit Hall		
8:00AM - 9:00AM	KEYNOTE: WISH – ASP - Domini Montgomery, MPH, ASP, CSP St Louis Zoo Director, Safety & Risk Management				
9:00AM - 9:30AM	Exhibitor Breek – Exhibit Hall				
Track	Safety Evolution Room : Malaga	Risk Management Room : Seachase	Environmental & Occupational Health Room : Valencia A	Construction Safety Room : Valencia B	
9:30AM - 10:20AM	SESSION 1 Future Safety Programs AJ Gajdosik	SESSION 2 IR Surveys- Is your preventative maintenance program where it should be? Bob Kristof & Anna Cleavinger	SESSION 3 AIHA statistical analysis tool Jeff Brinkmeyer	SESSION 4 Fall Protection	
	Acuity	Cincinnati Financial	Emory Consultants	J5 Consulting	
10:20AM - 10:50AM	Exhibitor Break – Exhibit Hall				
10:50AM 11:40AM	SESSION 5 HOP (Human & Organizational Performance)	SESSION 6 Workplace Violence California S 355	SESSION 7 Bowtie Dermal Risk Assessment Model	SESSION 8 NFPA 70 E	
	Rob Miller Keeley Construction	Scott Honer OneDigital	Dr. Georgi Popov University of Central Missouri	Caitlyn Wininger, CESCP Herzig Engineering	
11:40AM - 12:40PM	Lunch Break – Exhibit Hall				
12:40PM - 1:30PM	SESSION 9 Safety Management vs Safety Leadership Bick Wilson	SESSION 10 Loss control - is your Business utilizing Loss Control Carrier to it's Potential Aaron Kleecamo	SESSION 11 A Pathway to ISO Certification: Safety Management System Performance Benefits from following ISO Certification Rayea Brown	SESSION 12 DOT Update Wallace Abrens	
	Mallinckrodt Pharmaceuticals	Maron Meecamp MEM	Catalent Pharma Solutions	Missouri Highway Patrol	
1:30PM - 2:00PM	Exhibitor Break – Exhibit Hall				
2:00PM - 2:50PM	SESSION 13 Hazard / Energy Wheel	SESSION 14 Ergonomics – Preventing Injuries in the Workplace	SESSION 15 MSHA Silica Rule	SESSION 16 Hazards of pre startup work	
	Will Schauwacker Emery Sapp and Sons	Rocky Newsom, US Tool Group; Tyler Brown	Scott Honer, OneDigital	Rocky Rowlett Faith Technologies	
2:50PM - 3:20PM	Exhibitor Break – Exhibit Hall				

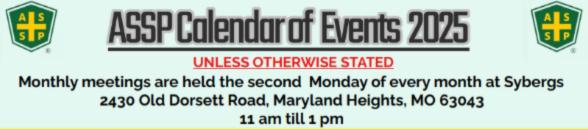
	SESSION 17	SESSION 18	SESSION 19	SESSION 20
3:20PM - 4:10PM	New Technology for Safety	Incident Reporting - Are you	Transitioning from Tradesman to	Work Zone Safety
		reporting to the Loss Control and	Safety Professional	
		OSHA correctly?		Scott Young
		AJ Gajdosik	Steve Ratliff	Capital Materials, Paving, and
		Acuity	RedCliff Consulting	Construction
		SESSION 21	- Valencia A & B	
	Medical Marijuana			
4:20PM - 5:15PM				
		Steve	McManus	
	MVP Law			
5:20PM - 6:20PM				
Time	Thursday Sessions-May 15, 2025			
7:30AM - 8:30AM	Breakfast – Exhibit Hall			
	Robert Roberts	Risk Management	Environmental & Occupational Health	Construction Safety
Track	Safety Evolution Room: Malaga	Room : Seachase	Room : Valencia A	Room : Valencia B

8:30AM - 9:20AM	Psychological Safety / Psychosocial Hazards / DEI	Fleet Safety & Driving - Increase your awareness and compliance with your fleet program	Preparing for the Future State: Occupational Risk	Why does OSHA recommend Helmets?	
	Justin Kurth		Bruce Lyon	Joe Brandel	
	Missouri State University	Russell Robinson, Cincinnati	Brown & Brown	J5 Consulting	
		Financial			
9:20AM - 10:20AM	Last Exhibitor Break– Exhibit Hall				
	SESSION 26	SESSION 27	SESSION 28	SESSION 29	
	Safety Program Success Stories	Safety Inspections	Risk Identification for Peers	What Makes a Fail Proof Driver Safety	
10:20AM - 11:10AM	Round table			Policy	
	Mike Schrand;	Scott Honer, One Digital	Heather Campbell	Michael Kono	
	Phil Shoemaker		Duke Manufacturing	Safety Culture Care	
	SESSION 30 : – Valencia A & B				
	OSHA Update				
11:15AM - 12:05PM					
	William (Bill) McDonald Area Director, USDOL / OSHA				

THE LODGE OF THE FOUR SEASONS NETWORK WITH SAFETY 315 FOUR SEASONS DR., LAKE OZARK, MO 65049 PROFESSIONALS FROM A VARIETY OF FIELDS ATTEND THE PRE-CONFERENCE, PLAY GOLF & OBTAIN CERTIFICATIONS YOU NEED EARN UP TO 1 CEU FOR ATTENDING COURSES **RELAX & EAT** AMAZING FOOD SAVE THE DATE TO ENJOY PARADISE & LEARNING! CONFERENCE **REGISTRATION AND HOTEL BOOKING COMING SOON.** FOR QUESTIONS CONTACT SAFETY & HEALTH COUNCIL 816-842-5223 SHC@SHCMOKS.COM

Calendar of Events

Take a look at what's coming up! Mark your calendar now.



PLEASE REGISTER IN ADVANCE!!!

https://stl.assp.org/event/



Always find the latest events at https://stl.assp.org/

Past Event Photos - PDC 2025 & WISH

Professional Development Conference

If you didn't make it to the PDC in March, you really missed out. An amazing team of professionals created a wonderful event with good food, great vendors, and insightful presentations. A special thanks to Domini Montgomery who provided leadership for the event but was unable to join us on the day.

Check out just a few pictures from the event below, and don't miss another year!





WISH Event

On Monday, 3/10, WISH and friends held a Fleet Safety Roundtable. Hosted by WISH member Keena Hildebrand at Hoffmann Bros, moderated by WISH bestie AJ Gajdosik and joined by many fleet safety experts, attendees learned tons of information on telematics, best practice, program ideas, and incentives. We learned from this discussion that we're just scratching the surface on all there is to know about Fleet Safety, in both regulated and unregulated fleets, DOT standards, insurance preferences, and overall program parameters. What a great way to kickoff the work week!



See you next time!

Mid-Missouri Updates



AMERICAN SOCIETY OF SAFETY PROFESSIONALS

Mid-Mo Section • STL Chapter

Do you live or work in the heart of Missouri? Get involved with the Mid-MO chapter and attend the next meeting at D. Rowe's in Columbia!

Reach out to Communications Chair Paul Krewson or Subscribe to ASSP Mid-MO Announcements

> President: David Atteberry Vice-President: Kristin Crayton Secretary/Treasurer: Will Schauwecker New Member Chair: Katie Brucks Communications Chair: Paul Krewson

Missouri WC Update from Brad Young

~ shared by friend-of-the-chapter Brad Young as part of his regular updates. For more info on Brad, visit <u>Harris Dowell Fisher & Young LC</u>

Court of Appeals rules that the Employer must pay for unauthorized medical care

Here is a situation that we all regularly face - - claimant's attorney wants immediate medical care for the claimant and the Employer wants time to investigate. After an initial authorized doctor's exam which finds the claimant at MMI, the claimant decides to proceed with unauthorized medical care and the Employer/Insurer denies that care, **thinking** that it cannot be held liable for unauthorized medical care.

The attached March 4 decision has just flipped the assumptions outlined above. 3 weeks ago, the Missouri Court of Appeals rendered the attached decision in <u>Erwin v. Midway arms</u>. Here are the facts of the <u>Erwin</u> claim:

- Compensable work incident, causing a lumbar disc injury with psychiatric overlay.
- Initial authorized treating doctor concluded that claimant reached MMI with minimal care.
- Claimant's attorney made multiple requests for additional medical care, stating that claimant's back was "*still very painful*" and stating that "*time is of the essence*" for further medical care. Employer denied further care based on the authorized doctor's MMI opinion.
- Counsel for the Employer wanted to depose the employee "to conclude the investigation".
- The original authorized treating doctor testified that had the Employer's attorney notified him (the doctor) of the claimant's pain and urgent need for care, he (the doctor) would have wanted to see the employee immediately and probably would have provided more care.

With this fact pattern, the Court of Appeals upheld an award of all unauthorized medical care against the Employer. While the Commission awarded penalties, the Court of Appeals took those penalties away because the Employer relied on the opinion of the initial authorized doctor. The Court of Appeals forced the Employer/Insurer to pay the unauthorized medical bills, stating:

"When "the employer has notice that the employee needs treatment, or a demand is made on the employer to furnish medical treatment, and the employer refuses or fails to provide the needed treatment" the employer will be held liable for any reasonable and necessary medical treatment procured by the employee."

WHAT DOES THIS MEAN?

For years, Employer/Insurers have been comfortable relying on an initial medical report that places claimant at MMI and ignoring requests for additional care, quoting to §287.140.1, which states: "*If the employee desires, he shall have the right to select his own physician, surgeon, or other such requirement at his own expense.*" **Based on this decision from the Court of Appeals, Employer and Insurers can no longer rest so comfortably on §287.140.1.** I expect EVERY claimant's attorney to now send letters and emails proclaiming the claimant's immense levels of pain and desperate need for medical care.

HOW TO HANDLE THIS SITUATION

Recognizing years ago that the Court of Appeals would eventually get around to slapping an Employer/Insurer for refusing additional medical after an initial exam, I started this practice - - telling opposing counsel that we are NOT denying further care...pointing out that there is no evidence that further care is needed and demanding additional medical evidence if the claimant obtains it on his own. Here is a short version of my "non-denial" letter:

<u>"This is not a denial of medical care in any way.</u> Please understand that the Employer/Insurer is not denying medical care. Rather, I am simply pointing out that there is no medical evidence that any need for additional medical care is medically- causally related to the work injury.

In the event your client obtains an opinion from any health care provider indicating that additional medical care is necessary, please forward same to my attention as soon as possible so that I may then provide that information to the authorized treating physicians to determine if additional medical care is warranted and whether the need for such care is medically-causally related to the work injury. If any authorized treating physicians indicate that additional care is needed and that the need for such care flows from the work accident, the Employer/Insurer will pay for all medical care that: "may reasonably be required after the injury or disability, to cure and relieve the effects of the injury." <u>Tillotson v. St. Joseph Medical Center</u>, 347 S.W.3d 511 (MoApp 2011).

Please treat this letter as my ongoing formal request for any evidence indicating that your client needs additional medical care and whether any such need flows from the work accident. In the event you obtain any such evidence, please forward same to my attention <u>BEFORE ONGOING</u>

<u>CARE IS PROVIDED</u> so that the Employer/Insurer can then authorize, direct, and control any medical care that may be reasonably required to cure and relieve the effects of the work injury.

Otherwise, if you do not contact me prior to your client receiving unauthorized medical care, I will assume that any and all further or additional medical care that your client obtains is unauthorized medical care that your client is pursuing on his own pursuant to §287.140.1, which states: "If the employee desires, he shall have the right to select his own physician, surgeon, or other such requirement at his own expense."

When I receive that medical evidence from opposing counsel, I then forward same to the authorized treating doctor and request a supplemental opinion.

WHY THIS METHOD WORKS

First, I don't deny medical care, and I clearly indicate that the Employer/Insurer will provide more care as is required under the Workers Compensation Act as the Act requires employers to do - - if there is evidence to necessitate said care.

Next, I place the burden on the claimant to provide that information to us.

Thirdly, I can introduce my letter as evidence at trial, showing that the Employer/Insurer did NOT deny medical care and, in fact, went far beyond the call of duty to make sure the claimant received all reasonable and necessary medical care.

Finally, I make sure that any information provided is then sent to the authorized treating physician in order to obtain a supplemental opinion - - a very small cost that avoid MAJOR costs in the future.

This method may result in the authorized treating doctor stating that additional medical care is needed. However, when that happens, I rest assured that the Employer/Insurer just "dodged a bullet" by not losing control of the medical and being able to control the medical costs - - which would NOT happen if we were later stuck paying the bills from an unauthorized treating doctor.

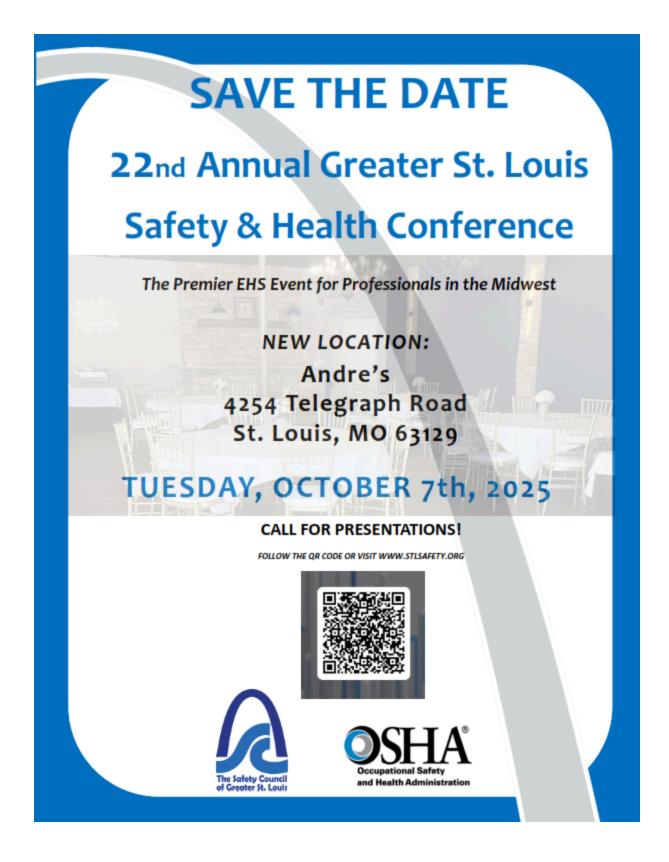
Please let me know if you have any questions about this approach, and please feel free to call me if you have any questions about how to proceed in any similar situations you are facing. I'm always happy to help.

~Brad

J. Bradley Young, Harris Dowell Fisher & Young L.C.

GSLA SHC- Save the Date - October 7

Mark your calendar now for the annual Greater St. Louis Area Safety and Health Conference, hosted by the Safety Council of Greater St. Louis. Answer the call for presenters now: <u>https://www.stlsafety.org/conference2025</u>



St. Louis Chapter Executive Board Contacts

President - Nate Richardson - nate.richardson.safety@gmail.com **Vice President** - Krista Hyde - kristahyde@kristahyde.com **Secretary -** Jessica Vaccaro - jessica.vaccaro@grainger.com **Treasurer -** Mae Patrick - stlassptreas20@att.net

Mid-Missouri Section Officers

President - David Attebery - david.attebery@labor.mo.gov Vice President - Kristin Crayton - kristin.crayton@vbmlaw.com Secretary/Treasurer - Will Schauwecker - will.schauwecker@emerysapp.com

Chapter Committee Chairs

Website – Dave Callies – dcallies@kelpe.com Maintains website with updated news, chapter events, and job postings PDC Chair – Domini Montgomery – dmontgomery@stlzoo.org Coordinates logistics of professional development activities **Membership** – Tim McNamee – timothy.mcnamee@grainger.com Ensures new members are recognized & introduced at membership meetings Public Relations – Steve Williams – swilliams@bellelectrical.com Promotes chapter activities to the general public. Coordinates poster contest **Newsletter** – Dan Bembower – dan.bembower@usi.com Publishes and distributes the chapter newsletter to all chapter members **Scholarship** – Rob Miller – robertmiller91@yahoo.com Promotes student scholarships & continuing education scholarships for members Golf Scholarship Jesse Taborsky – jesse.taborsky@crbusa.com Nick Zahner – nzahner@murphynet.com Organizes and runs the annual golf tournament supporting local safety focused students **Programs** – Patte Ackermann, PT – ackermap@ssm-select.com Plans the program time and needs for presentations & coordinates schedule Social Media – Paige Brogan - pbrogan@gualsafesolutions.com Maintains online social accounts promoting discussion with local membership Women In Safety Excellence (WISE) Coordinators JaNola Rigsby – jrigsby@qualsafesolutions.com Patte Ackermann, PT – ackermap@ssm-select.com Organizes the WISH events to promote the community of Women in Safety & Health

Please contact a board member or committee chair with comments or if you would like to participate in any of the chapter activities.

If you do not wish to receive these emails, please <u>click here</u> to unsubscribe from ASSP St. Louis Chapter messages.

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