

PUBLICATIONS

"Recalibrating Resilience", published on line by Workcompcentral.com,
<https://www.workcompcentral.com/columns/show/id/b9b0011ccf70b88a11405ef0e7376ca4095ba4f8> (July 2016)

"Better Recovery Through Neuroscience: Addressing Legislative and Regulatory Design, Injury Management and Resilience" (Won the Taylor Fry award for best paper at the 2015 Injury Schemes Design Conference), Actuaries Institute of Australia, 2015. Also published online by Workerscompensation.com under the title "Fixing the System that's Making People Sick"
<http://www.workerscompensation.com/compnewsnetwork/workers-comp-blogwire/23206-why-injured-people-don't-get-better-fixing-the-system-that's-making-them-sick.html>

"Is Cutting Costs Really the Answer?" Insurance Thought Leadership,
<http://insurancethoughtleadership.com/is-controlling-workers-comp-costs-really-the-answer-406/#sthash.BOeDv8Yw.dpbs>

"Your Largest Unmeasured Cost Driver", Insurance Thought Leadership,
<http://insurancethoughtleadership.com/your-biggest-unmeasured-cost/#sthash.9s1OskUJ.dpbs>

"Practical Individual Resilience: A Neuroplastic Approach" AMA Guides Newsletter, March-April, 2015, pp 3-11.

"The Stakeholders Speak: Outcomes of a National Stakeholder Engagement Series", Deakin Prime,
http://deakinprime.com/media/133717/The_Stakeholders_Speak.pdf

"Suppose Hippocrates Had Been a Lawyer" Psychological Injury and Law, (2013) 6:215-237.

"Breaking the Web of Needless Disability," Work 48(2014)591-608, DOI 10.3233/WOR-1419133
ISO Press

Co –Author (with Alan Clayton) "Conversion of Impairment to Disability: Why it Matters", Journal of the International Association of Industrial Accident Boards and Commissions, Volume 49, Number 1, Spring 2012, pp. 81-110.

"Dispute Resolution as a Creator of Needless Disability", AMA Guides Newsletter, July/August 2011, pp.1-11, American Medical Association, 2011.

Chapter Author, "Getting Justice: Unintended Consequences of the Dispute Resolution Process", Current Perspectives in Clinical Treatment and Management in Workers' Compensation Cases, edited by Chris E. Stout, Matt Kruger and Jeff Rogers, eISBN: 978-1-60805-251-6, 2011, electronically published by Bentham Scientific Publishers,
<http://www.benthamscience.com/ebooks/9781608052516/index.htm>

Co-author, with Robert Guthrie, “Workers’ Compensation Self Insurers in Australia; Insolvency and Worker Protection”, *Insurance Law Journal* Volume 21 Number 1, pp. 24-41.

Co-author, with Michael Ellner, “Hypnosis in Disability Settings”, *IAIABC Journal*, Volume 46, No. 2, Fall 2009.

Chapter Author, “The Legal System and Behavioral Health” and co-author “Case Management” in *The Handbook of Behavioral Health Disability: Innovations in Prevention and Management*, Edited by Dr. Pamela Warren, Springer Publishing, 2010.

Chapter co-author, with Robert Guthrie and Andrew Fronsco, “Workers’ Compensation and Economic Downturn: Predictions and Reflections” edited by Pauline Sadler, *Contemporary Issues in Law and Policy*, Curtin Business School, 2010, pp. 93-122. Reprinted in *International Journal of Social Security and Workers’ Compensation*, Volume 2, No. 1, 2010 pp.41-61, ISSN 1836-9022

Contributing Editor, *International Labor and Employment Law*, 3rd Edition, American Bar Association, 2008 (and 2009, 2010, 2011 updates). American Bar Association, Section on U.S. Workers’ Compensation law, Chicago, Illinois.

“From the DEW Line” – Editor’s column, *Journal of the International Association of Industrial Accident Boards and Commissions*, published twice a year from 2003 to present

Frequent contributor to "Return to Work Matters" RTWMatters.com.au – multiple blog contributions

Three part guest blog posting on bankruptcy issues and workers’ compensation, *Work Comp Insider*, January 12 through January 14, 2009

“Workers’ Compensation and Bankruptcy: Reconciling Systems in Conflict” *Workers’ Compensation Policy Review*, Volume 4 Issue 2 March/April 2004 (republished in the *Workers’ Compensation Compendium 2005-2006*, Volume 1).

“*Delgado v. Phelps Dodge Chino, Inc.* A Case Study in Judicial Legislation”, *Workers’ Compensation Policy Review*, Volume 3 Issue 3, May/June 2003 (republished in the *Workers’ Compensation Compendium 2005-2006*, Volume 1).

“Tribal Sovereignty: Some Questions and Some Policy Options” *IAIABC Journal*, Spring, 2003.

“Written Comment to OSHA’s Proposed Health Standard on Ergonomics”, published electronically by *Inside OSHA*, March 2000.

“Welfare to Work: An Analysis by the IAIABC Coverage and Compliance Committee”, *IAIABC Journal*, Vol. 37, No.1, Spring 2000.

Workers' Compensation and Bankruptcy: The Tension Between Conflicting Philosophies, Larson's Workers Compensation News, Volume 2, Number 3, March 1997.

"My Client's Employer is in Bankruptcy..." Journal of the New Mexico Trial Lawyers Foundation, Nov./Dec. 1994.

Co-author, with Gerald Stuyvesant, "Employee Leasing, ERISA and Bankruptcy: An Enforcement Odyssey", IAIABC Journal, Spring-Summer 1992.

Co-author, Report and Recommendations of the New Mexico Multidisciplinary Task Force on Child Abuse Intervention, Prosecution and Prevention Formed Pursuant to the Children's Justice and Assistance Act of 1986.

PUBLIC PRESENTATION EXPERIENCE

- Personal Injury Education Foundation, "Recalibrating Resilience" October 2016
- Australian Rehabilitation Providers Association bi-annual conference, "Putting the "Real" Back into Resilience"
- SEAK, "Preventing Needless Disability: Using the Evidence to Achieve Better Outcomes", July 2016
- Podcast, Return to Work Nation, "Recalibrating Resilience" <http://rtwnation.com/26/>
- Actuaries Institute of Australia, bi-annual Injury Schemes Design Conference, November 2015, "Better Recovery Through Neuroscience"
- Mayo Clinic, "Impairment Without Disability" conference, September 2015, "Neuroplasticity and Resilience" (plenary and workshop)
- International Academy of Law and Mental Health Congress (Vienna, July 2015) "Neuroplasticity and Resilience: Building Resistance to Needless Disability"
- International Forum on Disability Management November 2014, "Breaking the Web of Needless Disability: Adding Practical Resilience to the Toolbox", "Evidence Based Treatment Guidelines: At Work in a Microcosm" and "Involving Stakeholders in Injury Management Systems"
- "TIO Conference. October 2014, "Breaking the Web of Needless Disability: Reducing the Impact of Secondary Psychological Claims" and workshop "What is Your Personal Style of Resilience?"
- Public Sector Health Safety and Wellness Conference
- Comcare National Conference August 2014, "Breaking the Web of Needless Disability: Reducing the Impact of Secondary Psychological Claims"
- National Conference of the Australian Rehabilitation Providers Association, May 2014, "Working Psych Claims"
- Australian Workers' Compensation Summit (Surfer's Paradise, February 2013) on "Breaking the Web of Needless Disability" (plenary session) and "Understand the Brain; Lower your Costs" (half day workshop)
- National Workers' Compensation and disability Conference (Las Vegas, Nevada, 2012) on "Breaking the Web of Needless Disability"

- International Forum on Disability Management (London, September 2012) on a neuroplasticity based model of “needless disability” and the Deakin Industry Engagement Centre’s national program of stakeholder engagement sessions
- PIEF National Convention (Brisbane, August 2012) on the Deakin Industry Engagement Centre’s national program of stakeholder engagement sessions.
- Western Australia Safety Conference, Safety Institute of Australia (Perth, August 2012) on a neuroplasticity based model of “needless disability” and the future of safety initiatives.
- PIEF National Convention (Brisbane, August 2012) on the Deakin Industry Engagement Centre’s national program of stakeholder engagement session.
- Australian Physiotherapy Association Business and Leadership Symposium (Adelaide, July, 2012), on collaborative approaches to regulation
- PIEF Scheme Design residential program (Warum Pands, May, 2012), on 3 scheme design topics and on a neuroplasticity based model of “needless disability”
- The Australian Rehabilitation Providers Association National Conference (Melbourne, May, 2012), on a neuroplasticity based model of “needless” disability
- Safety Institute of Australia National Convention (Melbourne, April 2012), on the future of safety initiatives and the application of advances in neuroscience to prevention of harm
- Speaker (with Alan Clayton) at the International Forum on Disability Management, Los Angeles, 2010 on Conversion of Impairment to Disability.
- Speaker (with Dr. Christopher Brigham) at the International Forum on Disability Management, Los Angeles, 2010 on Avoidance of Needless Disability.
- Speaker, Personal Injury Information Foundation program on Workers’ Compensation Scheme Design, Sydney Australia, September, 2009 and 2010 and three public seminar presentations in Sydney, Melbourne and Perth in September and October 2009.
- Speaker, American College of Occupational and Environmental Medicine, American Occupational Health Conference, 2008, 2009, 2010 and 2011 on legislative advocacy for physicians.
- Speaker, Cross- Border Workers Compensation Issues, National Wildfire Suppression Association, Reno NV, 2004, 2006.
- Speaker, Bankruptcy and Workers’ Compensation, Conference of Consulting Actuaries, Tucson AZ, 2003.
- Speaker, A Regulator’s View of Self Insurance, National Council of Self Insurers, San Diego, CA 2003
- Speaker, Multiple topics, U.S. Virgin Islands Workers’ Compensation Educational Conference, USVI, 2003.
- Speaker, OSHA Ergonomics, National Safety Council Congress, Orlando FL, 2000
- Speaker, OSHA Ergonomics, Utah Workers’ Compensation Association, Salt Lake City, UT, 2000
- Principal Speaker, First Annual Workers' Compensation Seminar, U.S. Virgin Islands, 1993.

Lecturer for International Association of Industrial Accident Boards and Commissions Workers’ Compensation College (2001-2007) and presenter at numerous IAIABC conventions and meetings; Lecturer for: The University of Phoenix, New Mexico State Bar, Workers' Compensation Association, New Mexico District Attorney's Association, New Mexico Judicial College, New Mexico Law Enforcement Academy, New Mexico Corrections Academy, Association of

Commerce and Industry, various law enforcement agencies, and a number of civic and community organizations.

More than 100 separate instances of presentations before legislative bodies, including the legislatures of New Mexico, Colorado and Delaware and the United States Senate.

ADDITIONAL ACTIVITIES

Member, International Association of Industrial Accident Boards and Commissions 1995 to present. Editor, *IAIABC Journal*, September 2002 to 2014; Co-Chair International Committee, 2004 – 2005; Consultant to International Committee 2005 to present, Chair, Standing Committee on Regulation and Enforcement, September 2000 to September 2002; Chair, Task Force on Tribal Sovereignty, September, 1999 to September 2000. Co-Chair, Coverage and Compliance Committee, September 1998 to September 1999. Chair, Subcommittee on Bankruptcy, 1995-1996.

Member of the Advisory Board of the *Workers' Compensation Policy Review*, 2005 to 2009

Technical Advisor to the Workers' Compensation Research Institute, 2005 to 2010.

Contributor, Joint Working Group of the International Association of Industrial Accident Boards and Commission and National Association of Insurance Commissioners, White Papers on Professional Employment Organizations and Deductible Insurance Policies.

Contributor, IAIABC Self-Insurance Regulator's Handbook (wrote chapter on Bankruptcy of a Self-Insurer)

Chairman, Children's Justice Act Advisory Group, Governor's Juvenile Justice Advisory Committee, (Governor's Multidisciplinary Task Force on Child Abuse Intervention Prosecution and Prevention) 1987 to 1989.

Author of comments to the proposed Ergonomics Standard promulgated by OSHA; Presented personal testimony and testimony as lead governor's representative, Western Governor's Association, before the OSHA rule making hearings and the U.S. Senate Subcommittee on Employment, Safety and Training

United States Delegate, Working Group on Cross Border Workers' Compensation Issues, Commission on Labor Cooperation, North American Agreement on Labor Cooperation, 1997 -1999. Delegate, Focus Group on Cross Border Workers' Compensation Issues, Commission on Labor Cooperation, Washington, DC, 2003

Elected to membership, National Academy of Social Insurance, 2004.

Winner of the Council of Committee Chairs Continuing Contribution Award, IAIABC, 2004 and the Frances Perkins Award for Innovative and Progressive Workers' Compensation System Design,

IAIABC 2006.

Appointed to Comcare's Centre of Excellence in Mental Health and Wellbeing, Research Communities of Practice

ADMITTED

Supreme Court of New Mexico, 1979

U.S. District Court, District of New Mexico, 1979

U.S. Court of Appeals, Tenth Circuit, 1979

U.S. Supreme Court, 1984