

# FLORIDA MEDICAL MALPRACTICE SYMPOSIUM

# AGENDA

## THURSDAY, APRIL 15, 2021

4:00pm **Registration Open**  
5:00pm **Welcome Reception**

## FRIDAY, APRIL 16, 2021

7:00am **Breakfast/Registration - *Sponsored by Beytin McLaughlin***  
8:00am **Introductions**

8:05am **Admissibility of Package Inserts and Black Box Warnings**

This session will touch on hearsay topics, bolstering, authentication, and impeachment v. substantive evidence.

**Thomas E. Dukes, III, Partner**  
**Philip F. Moring, Partner**  
*McEwan, Martinez, Dukes & Hall, P.A.*

9:00am **Navigating NICA from a Defense Perspective**

This presentation will focus on evaluating which cases may be applicable to the Florida Birth-Related Neurological Injury Compensation Plan, and how to navigate the comprehensive administrative process in seeking a determination as to whether NICA benefits are applicable to a specific case.

**Carissa Brumby, Partner**  
**Gabrielle S. Osborne, Partner**  
*Beytin, McLaughlin, McLaughlin, O'Hara, Kinman & Bocchino, P.A.*

9:55am **Refreshment Break - *Sponsored by MAZE Resolutions***  
10:15am **PHI in the Cyber Age**

This session will cover best data practices for PHI in the age of EMR, including how to deal with ransomware, man in the middle attacks, social media and governmental issues related to the storage and disclosure of PHI.

**Mark Berlick, Partner**  
*Bolin Law*

11:10am **The Use of Standard of Care and Causation Experts in Medical Negligence Litigation**

This session will cover the rules, the statutes, and the cases, along with practical considerations for deposition and for trial.

**Ralph L. Marchbank, Shareholder**  
*Dickinson & Gibbons, P.A.*

12:05pm **Lunch - *Sponsored by COMPEX Legal Services***

1:05pm **The Intersection of Confidentiality and Ethics in Medical Malpractice Litigation**

This program will analyze the confidentiality issues and derivative ethical issues that medical malpractice litigators encounter on a regular basis arising from state and federal law as well as issues arising from current and emerging technology, including "smart devices" that are wearable, portable and now making their way into current communication methods.

**Frank E. Pierce, III, Shareholder**  
*Mateer Harbert*

2:00pm **Preventing Medical Errors**

A discussion on how defense counsel can support a change in adverse incident reporting policy and culture to decrease the incidence of preventable medical errors. Speakers will be joined by leading Patient Safety/Risk Management professionals.

**Edward Carbone, Partner**  
**Jacqueline R.A. Root, Partner**  
*Pennington PA*  
**Cyndi Nation, Senior Risk Management Adviser**  
*NORCAL Group*

2:55pm **Refreshment Break**

3:15pm **Trends in Medical Malpractice Litigation**

A discussion on current trends and hot topics in medical malpractice litigation including the Santiago case concerning wrongful death survivors, the Tabreau case relating to non-delegable duty, the TGH and PSO Florida v. HHS case on Amendment 7 and other trends defendants are seeing in claims throughout the state.

**Andrew S. Bolin, Partner**  
*Bolin Law*

