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MEETING NOTICE:

The Advisory Council on Workers' Compensation and Occupational Disease Disablement will meet at **9:30 a.m., Wednesday, January 31 at the Hotel Santa Fe, 1501 Paseo de Peralta, Santa Fe, NM.** Download agenda at: <http://www.worker-comp.state.nm.us/advisory.php> 72 hours prior to the meeting.

Sarah Karni Named Mediation Bureau Chief

By Aileen O'Catherine

Sarah Karni began as the Workers' Compensation Administration's (WCA) Mediation Bureau Chief on January 29, bringing with her 12 years of experience as an agency mediator. In her years with the agency, she has completed over 4,600 mediations. Karni has consistently had one of the highest percentages of accepted recommended resolutions among her peers, and in 2016, had the highest rate of accepted recommended resolutions in the bureau. It was also the highest rate in 20 years of WCA mediation history.

Asked why she thinks she has had such success, she points to numbers as one reason. "There's no substitute for experience. The more you do it, the more you can get into it deeply and just do it better," she said. Working on a large number of cases has provided her with the experience to sense when something might work--and when it won't.

Her success also comes in part because of her keen ability to parse things out. She has an eye for zeroing in on detail, whether it is in reading parties in the mediation room, or listening to possible meanings behind what's said. By paying attention to how issues are framed and communicated, she has been able to encourage a large percentage of parties to reach agreement. "It's very nuanced," she said about the mediation process.

Karni looks forward to stepping in as bureau chief, and the opportunity to hone her leadership role. "It will be fun to have new tasks and new duties," she said. That sense of fun is evident in her hobbies and passions. Karni has traveled to Oakland, CA, to take flying trapeze classes, which she followed up with static trapeze in Santa Fe. She enjoys exercise, and currently practices Pilates and yoga, among other activities.

Another passion is writing, where her eye



Mediation Bureau Chief Sarah Karni

for detail is evident. Several of her personal essays have been broadcast on radio, to include KUNM, PRX, and Backroads Radio on KSFR. One of her essays explores the meaning of the Beatles song *Norwegian Wood*. In the piece, she examines the meaning behind phrases such as "I lit a fire," which could be taken several ways. In her latest essay, she's examining the difference between the words 'lady' and 'woman,' "because there are times when you use one or the other," she said. "I'll parse that out because it's intriguing to me."

Born and raised in Albuquerque, Karni went west to the University of California at Santa Barbara for her undergraduate degree. She then traveled to Central America to study Spanish and teach English. When she returned to Albuquerque, she obtained a law degree from the University of New Mexico. Karni briefly practiced family law and spent several years investigating and prosecuting cases for the New Mexico Supreme Court's Disciplinary Board before joining the WCA.

"We are pleased to have Sarah in her new position," said Executive Deputy Director Dana Chavez. "She brings a strong foundation of years of experience in mediation, and with the workers' compensation community."

Listening to parties, bridging the gaps in

Manoj Shah WCA's New Financial Manager

By Aileen O'Catherine

Manoj Shah began his position as Chief Financial Officer for the WCA on October 23, 2017, but his path to the agency began years before with a misdirected e-mail. Born in Jaipur, India, Shah came to the United States because his name was the same as an old college friend of New Mexico teacher Georgia Roybal. Roybal had studied with a Manoj Shah in San Francisco in 1970 and her wish to reconnect with her old friend began a series of e-mails that resulted in Roybal visiting the "wrong" Shah in his hometown of Jaipur years later. "I told her if she would like to visit India to search for her friend, I would help her," Shah said.

The friendship grew after the initial e-mail contact, and Roybal, who was connected to New Mexico's Highlands University, told key people there that Shah would make a good student. Though he had gotten a degree in India, she encouraged Shah to come to the U.S. for his graduate studies.

His desire to come to the United States was at odds with his family and community. "I am the oddball. I was born in the wrong country, in the wrong community. My thinking is different than their philosophy," he said. He entered the U.S. on a student visa in 2006 to

attend Highlands, where he obtained his MBA. Shah made the Dean's list with a 4.0 GPA every semester. Eventually, he earned his certification as a CPA.

Education has always been important to Shah, which he credits to his family's love of learning. His father was a professor and two of his three sisters are professors in Jaipur.

Shah brings more than 20 years of financial experience to the position, 10 of which have been with New Mexico state agencies. In his last position, he was financial coordinator with the Department of Finance and Administration.

After graduating from school in India, Shah worked his way up in financial positions, first for regional companies in India, then abroad in several cities in Oman, and eventually in Sudan. When he left Sudan and returned to India, Roybal visited several months later. Her visit solidified his interest in coming to the United States.

Shah takes his test for citizenship in March and hopes to be sworn in as a citizen on June 18, right before his June 20 birthday.

He looks forward to learning all financial aspects of the agency. "This is my first job as CFO, and I want to



Chief Financial Officer Manoj Shah

learn everything," he said., to include balancing the agency's balance sheet.

Shah's hobbies include playing soccer, cricket and chess, as well as watching sports. He tunes in to the very non-American sport of cricket via web TV.

When asked why he prefers his new home to his old one, he lists freedom of speech, freedom of choice and employment at his level of education as a few of the reasons. "I don't have to be born into a wealthy family," he said. "I can work hard and make it."

Although his friend never did find the original Manoj Shah she was looking for, and the misdirected e-mail was an accident, for this Manoj Shah, it was a happy one.

NM Workers' Comp. Adm. Quarterly Bulletin

Darin A. Childers, Director
Diana Sandoval-Tapia, Public Information Officer
Aileen O'Catherine, Technical Writer

The Bulletin is published in January, April, July and October by the Public Information Office of the New Mexico Workers' Compensation Administration. The Bulletin is available free of charge. Send changes of address and requests to receive the Bulletin to Diana Sandoval-Tapia in the Public Information Office, New Mexico Workers' Compensation Administration, diana.sandoval@state.nm.us.

Suggestions for articles are welcome. Call Diana Sandoval-Tapia at (505) 841-6052.

Recent issues of the Quarterly Bulletin can be viewed on the Internet at <http://workerscomp.nm.gov/NMWCA-publications>.

Sarah Karni Named Mediation Bureau Chief

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communication, and framing discussions are all part of the "reading" process of any mediation. Having the ability to closely read and listen to a situation has given Karni and the WCA a winning record.

What is the Advisory Council?

The Advisory Council on Workers' Compensation and Occupational Disease Disablement is a task force created by statute, comprised of six members, three representing workers and three representing employers. The primary role of the Council is to advise the governor and legislature on the status of the workers' compensation system in New Mexico. The Advisory Council meets several times a year on an irregular schedule. Scheduled meetings of the Council are announced on the WCA website, <http://www.workerscomp.nm.gov/Advisory-Council>.

Electronic Case Filing (ECF) Now in Service

By Aileen O’Catherine

The WCA Electronic Case Filing (ECF) system has been mandatory and operational for all users since January 1, 2018.

All pleadings filed with the WCA are now filed, served and received by electronic means. The ECF system includes the familiar electronic calendar system that allows judges, attorneys and mediators to see relevant files and scheduled cases. General rules regarding the new e-filing system are found under WCA Rule 4, Filing Requirements. All users should become familiar with this rule.

Legal forms downloaded from the WCA Forms page (<https://workerscomp.nm.gov/NMWCA-Forms>) are fillable in both PDF and Word. It is important to use the correct form, and to refrain from altering them. To fill in a form, right-click the form in the desired

format (PDF, Word), and choose “Save Target As.” Download the form to your computer. Once filled out, save the form and upload the document to the Clerk of the Court.

Since going live, the ECF has generated a number of questions. Some common questions are:

Q: If I am not associated with a case and I am not registered, how do I access Electronic Case Filing to e-file?

A: You must be a party to a case with a valid e-mail address in order to e-file. By mailing or delivering your initial pleadings to the clerk’s office, your information will be added to the case at which time you can register to begin e-filing.

Q: I am an adjuster and cannot view my case.

A: Beginning on January 1, 2018, insurance carriers are required to provide

the agency with a general delivery e-mail and postal address. Those e-mail addresses will be used for service of initial pleadings. Once a case is assigned to an adjuster, that adjuster may e-file an entry of appearance, a response, or an acceptance/rejection to a recommended resolution and the clerk’s office will add the adjuster’s information to that case.

It may be useful to create a registration through the ECF system using the general delivery e-mail address. This would allow an individual to monitor newly filed cases and provide information to the adjuster being assigned to handle the claim.

For more frequently asked questions, visit the WCA website, <https://workerscomp.nm.gov>, or contact Heather Jordan at Heather.Jordan@state.nm.us.

NCCI Cites Healthcare Costs and Uncertainty as Top Workers’ Comp Challenges for 2018

For the fourth year in a row, executives from the workers’ compensation carrier industry cited healthcare costs and uncertainty as key issues for the upcoming year.

The annual Carrier Executive Pulse surveys senior executives to uncover their “top of mind” industry concerns. The results help the National Council on Compensation Insurance (NCCI) focus its research and analytical efforts on timely and important matters. “In 2018, NCCI will focus more than ever on providing stakeholders the information and key

insights they need to navigate through the complex workers’ compensation environment,” said NCCI President and CEO Bill Donnell.

The following list identifies the top challenges carriers identified for 2018:

1. Rising costs, advances and uncertainty in healthcare
2. Political, regulatory, legislative and legal environment
3. Maintaining profitability both today and tomorrow
4. The changing workplace and

workforce

5. The future of the workers’ compensation industry

6. Opioid abuse and medical marijuana

NCCI conducted the survey in September, 2017, questioning more than 100 carrier companies in the United States.

Source: NCCI

WCA Announces New Hires

The WCA has several new staff members to welcome, in the main office as well as in several field offices.

Holly Ziegler began as executive assistant to the director on December 18, taking the position vacated by Sabrina Blutworth. Blutworth is now executive secretary to Executive Deputy Director Dana Chavez.

Liz Zon has been promoted to legal secretary in the Mediation Bureau, and Kathy Sours has been promoted to legal secretary within the Adjudication Bureau. Sours was a docket clerk and Zon was a records clerk, both with the Clerk of the Court. Janis Johnson and Tara Venturino started as docket clerks with the Clerk of the Court on December 4. Johnson was a regional property manager and Venturino was a stay-at-home mom prior to starting with the agency. Magaly Jimenez began as a docket clerk on December 30. She previously worked with New Mexico Human Service Department's Low Income Home Energy Assistance Program.

Edward Montoya began as a legal secretary with the Uninsured Employers' Fund on December 30. He was a paralegal and office manager for nearly four years at Marek Law Firm.

Carmella Martinez started as human resource specialist on December 4. Martinez was a realtor for 10 years and has worked in a number of state agencies. Due to a consolidation of human resource personnel into an expanded State Personnel Office (SPO), Martinez and Human Resources Manager Catherine Farrell are leaving the WCA to become SPO employees.

Veronica Cordova started as financial specialist on December 4. Cordova has many years of financial experience, most recently with the Department of Vocational Rehabilitation.

Mary Lovato returned to the WCA as a safety consultant in October. She was recently a safety consultant with NM OSHA, where she also audited businesses for the Voluntary Protection Program (VPP).

Dhuha Al Khalissi began as a statistician in the Economic Research

and Policy Bureau on November 6. Prior to coming to the WCA, she was a case manager at Catholic Charities.

There have also been some transfers, new hires and a retirement in the WCA field offices. Business Operations Specialist Brenda Penser started at her position in Santa Fe on October 8. Penser was in property management for over 20 years. Amber Crow is the new compliance officer in the Hobbs field office, where she started November 20. She was the office manager for Stone Oilfield Service, where she also did payroll and HR. Casey Bryant is the new business operations specialist in the Hobbs office, starting on December 4. Bryant was formerly the office manager for First Backhoe Services.

Joe Fresquez, Jr. retired from the agency at the end 2017, having served as Roswell's safety consultant for the past four years. Donald St. Germain, who was the safety consultant in Las Cruces, transferred from Las Cruces to Roswell.

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