

FIGHTING WORKERS' COMPENSATION FRAUD

Summer could be the ideal time to increase investigation on those claims where you suspect employee Workers' Compensation fraud.

Summer months in California usually means being outdoors and enjoying the great weather: *after all who doesn't want to go out for a little fun in the sun, right!?* As always, we should keep our eyes and ears open whenever there's a questionable Workers' Comp injury, but with the warm weather inviting us outdoors, perhaps it's worth considering an activities check on a suspected fraud claim.

Here are a few "Red Flags" to keep in mind for potential fraud:

- Details of the accident are vague.
- Discrepancies in the injured worker's story.
- Accident is not reported promptly.
- Injury is not consistent with job duties or workplace.
- The injured worker is a new employee.
- Disability is not substantiated by objective medical findings.
- The injured worker appears to be taking more time from work than the injury suggests.
- A "tip" is received that the injured worker is employed elsewhere or engaged in an activity inconsistent with the injury.
- The injured worker is unusually knowledgeable about benefits, insurance terminology and the claims process.

Q: As an employer, what should I do if I suspect fraud?

A: If you suspect an employee's claim is not valid you should report that opinion to your Workers' Comp claims administrator. Tell them about the facts you know, any witness you may be aware of and the people they should speak to. Also, if any new information develops or you recall additional facts later; continue to follow up with your claims administrator and provide information through the life of the claim. (It's never too late!).

Reference: According to the California Department of Insurance (CID) and a publication by the District Attorney's Workers' Compensation Fraud Program; *"Evidence suggests that the aggressive anti-fraud campaign by the Department, the district attorneys, the insurance industry and California employers continues to play a substantial role in reducing crime and helps lower workers' compensation premiums for employers statewide"*. For more information go to CDI website:

<http://www.insurance.ca.gov/0300>

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