



# Worker's Compensation Fraud

## Trainer's Guide

### GOALS

- To increase awareness of workers' compensation fraud and proper reporting procedures.
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### LEARNING OBJECTIVES

- Understand the purpose of workers' compensation insurance.
- Identify what workers' compensation fraud is and the penalties it carries.
- Know how to properly report fraud if you have knowledge that someone is committing worker's comp fraud.

### WHAT IS WORKERS' COMPENSATION INSURANCE AND FRAUD?



**Workers' Compensation Insurance** is insurance required by law that employers must carry to help if you are legitimately injured at work while performing your job duties. It covers approved medical care that is reasonable, necessary, and supported by evidence-based treatment guidelines as well as a portion of your salary. This insurance is paid for by your employer and is not deducted from your paycheck.

**Workers' Compensation Fraud** is when a person knowingly makes false statements to obtain workers' comp benefits that are not rightfully due or if someone assists another to file a fraudulent workers' comp claim. Fraud is also taking your time to return to work after an injury even though you have fully recovered.

*\* Helping someone commit fraud and/or knowingly providing false information is Workers Compensation Fraud.*

**Who suffers if you file a fraudulent workers' comp claim?** Everyone suffers! First, it affects you personally. Not only can you lose your job, but you may pay high fines or even serve time in jail. It also affects coworkers because they are the ones left to pick up the slack from your absence. This affects productivity and puts stress on the team.

### WHAT ARE THE PENALTIES OF WORKERS' COMP FRAUD?

If you file a false workers' comp injury claim, you can be placed in prison for up to 5 years. You could also be fined \$150,000, or double the restitution amount of the fraud plus legal and investigation fees. **Fraud is a serious crime.** Don't be tempted or let someone tempt you to committing workers' comp fraud.

JOI's policy is to pursue, to the maximum extent of the law, legal/criminal action against any employee who falsifies a claim.



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Additionally, if you are charged with fraud, your name, city, amount of money you allegedly defrauded, and a description of the case is made public on the California Department of Insurance's website.

### WHAT CAN YOU DO TO HELP FIGHT WORKERS' COMP FRAUD?

If someone tells you that it is easy to collect a workers' comp benefit – **BEWARE!!** The risks you are taking are not worth the prison time you may serve or the fines you may pay in the end!

If you are injured on the job or are a witness to an on-the-job accident resulting in injury to a co-worker, report it immediately to your supervisor. Provide specific details of what occurred that resulted in an injury or what you witnessed. **Do not lie for anyone!** Tell the truth and nothing but the truth.

Immediately contact **Nikki McEvers, HR Director**, at **619-688-1784 x22** if you have specific knowledge or evidence of any of the following:

- An employee who is claiming a fraudulent workers' comp injury.
- An employee that is filing known fraudulent statements about work-related injury.
- An employee who is intentionally taking their time to return to work after an injury even though they've fully recovered.
- An employee who has asked you to assist them in any fraudulent activity relating to workers' comp benefits.

Employees should report facts and observations—not rumors or assumptions.



### **JOB OPTIONS' W/C FRAUD WHISTLEBLOWER REWARD PROGRAM**

We know we have an awesome group of employees who value their job and take great pride in being a productive member of our team. We also know that you support our efforts to expose and STOP w/c fraud.

In the event that you provide specific information or evidence resulting in a proven case of fraud-involving workers' comp benefits by a Job Options employee, you may be eligible for a reward for your assistance in fighting workers' comp fraud. Honesty pays!



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### TAKEAWAYS

1. Workers' compensation insurance is for **legitimate** injuries only.
2. If you commit workers' comp fraud or assist in filing a fraudulent claim you risk paying large penalties and fines and jail time.
3. Telling the truth and providing information on any JOI employee committing workers' comp fraud may make you eligible for a well-deserved reward.

### TEST YOUR KNOWLEDGE

- |                                                                                                                                                                                                                                      |                                    |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------|
| 1. Workers' compensation fraud only affects the person who is making the claim.                                                                                                                                                      | T                                  | <input checked="" type="radio"/> F |
| 2. Taking your time to return to work after an injury even though you have fully recovered is considered fraud.                                                                                                                      | <input checked="" type="radio"/> T | F                                  |
| 3. You can serve time in prison if you are found guilty of filing a false workers' comp claim.                                                                                                                                       | <input checked="" type="radio"/> T | F                                  |
| 4. If you help someone commit workers' comp fraud, you will not be held responsible.                                                                                                                                                 | T                                  | <input checked="" type="radio"/> F |
| 5. If you provide information/evidence that results in a proven case of fraud, you may be eligible for a monetary reward.                                                                                                            | <input checked="" type="radio"/> T | F                                  |
| 6. Committing workers' comp fraud is wrong.                                                                                                                                                                                          | <input checked="" type="radio"/> T | F                                  |
| 7. Telling the truth and reporting fraud that you witness or know of is the right thing to do.                                                                                                                                       | <input checked="" type="radio"/> T | F                                  |
| 8. JOI's workers' comp insurance carrier aggressively investigates w/c claims in support of JOI's efforts to expose fraud, including conducting surveillance investigations that can be used to file charges if fraud is discovered. | <input checked="" type="radio"/> T | F                                  |

Name: \_\_\_\_\_

Date: \_\_\_\_\_