

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT District Attorney	(2) MEETING DATE 10/18/2016	(3) CONTACT/PHONE Terry O'Farrell 781-4083	
(4) SUBJECT Submittal of a resolution authorizing the District Attorney to submit a proposal (Clerk's File) for a FY 2016-17 State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program grant in the amount of \$54,419 and to execute the State agreement including any extensions or amendments. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board approve and direct the Chair to sign a resolution authorizing the District Attorney to submit a proposal for a FY 2016-17 State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program grant in the amount of \$54,419 and to execute the State agreement including any extensions or amendments.			
(6) FUNDING SOURCE(S) CA Dept. of Insurance	(7) CURRENT YEAR FINANCIAL IMPACT \$54,419.00	(8) ANNUAL FINANCIAL IMPACT \$54,419.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>October 20, 2015</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: District Attorney / Terry O'Farrell 781-4083

DATE: 10/18/2016

SUBJECT: Submittal of a resolution authorizing the District Attorney to submit a proposal (Clerk's File) for a FY 2016-17 State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program grant in the amount of \$54,419 and to execute the State agreement including any extensions or amendments. All Districts.

RECOMMENDATION

It is recommended that the Board approve and direct the Chair to sign a resolution authorizing the District Attorney to submit a proposal for a FY 2016-17 State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program grant in the amount of \$54,419 and to execute the State agreement including any extensions or amendments.

DISCUSSION

In 1991, the California Legislature found that Workers' Compensation Insurance Fraud harms employers by contributing to the increasingly high cost of insurance and harms employees by undermining the perceived legitimacy of all Workers' Compensation claims. The prevention of fraud will reduce claim payments resulting in a reduction in Workers' Compensation costs. Prevention of fraud will assist in restoring confidence in the system and will expedite compensation for employees injured at the work place. To this end, the Legislature approved Section 1872.83 of the California Insurance Code administered by the California Department of Insurance. It provides for an annual assessment by the Fraud Assessment Commission for programs which enhance Workers' Compensation fraud investigations and prosecutions.

The San Luis Obispo County District Attorney's Office has participated in this grant program since Fiscal Year 1992-93. The current grant award will fund approximately 25% of a District Attorney Investigator salary and benefit position costs. The investigator will work with law enforcement and the California Department of Insurance to investigate and prepare workers' compensation fraud cases for prosecution. This is an ongoing program in the District Attorney's Office.

OTHER AGENCY INVOLVEMENT/IMPACT

This item has been reviewed by County Counsel as to legal form and effect.

FINANCIAL CONSIDERATIONS

The grant funding approved by the State Department of Insurance for FY 2016-17 is \$54,419. The grant funds will be used to fund District Attorney Investigator salary and benefits. This revenue amount has been included in the FY 2016-17 department budget. These grant funds are administered by the State Department of Insurance. There is no sunset clause on the legislation. There is no negative financial impact on the General Fund and no county matching funds are required.

RESULTS

The renewal of this grant will enable the District Attorney's Office to investigate and prosecute Workers' Compensation

fraud cases for San Luis Obispo County. Historically, this office has had numerous referrals for investigation and prosecution of Workers' Compensation fraud, and will continue to work with the State Fraud Division of the Department of Insurance to investigate and prosecute these crimes. This furthers the department's goal to promote public safety through the efficient and appropriate use of investigation and criminal sanctions so as to deter criminal activity, protect society and punish criminal conduct. This in turn supports the countywide result of a safe community.

ATTACHMENTS

1. Resolution
2. Grant Application and Award Agreement (Clerk's File)